

## CHAPTER 409

### SHIPMENT PROCEDURES FOR PRIVATELY OWNED FIREARMS (POFS) AND AMMUNITION

#### A. GENERAL

This chapter provides policies and procedures for movement of a member's/employee's POFs and ammunition, both interstate and import/export, to and from the US.

#### B. LIMITATIONS AND PROHIBITIONS

1. Importation of foreign and domestic semi-automatic assault weapons is prohibited.
2. Importation of machineguns, short barrel shotguns, short barrel rifles, silencers, destructive devices, and certain other concealable firearms is prohibited.
3. The JTR/JFTR prohibits shipment of privately owned live ammunition as part of a member's/employee's HHG or UB. (See JFTR/JTR, Appendix A 1, definition of HHG and B-130583, May 8, 1957.) For shipping purposes under the JTR/JFTR, the DTR considers live ammunition as ammunition that contains explosive components (i.e., unexpended primer or propellant powder). It does not include expended or unprimed cartridge casings, empty or spent shotgun shells, shotgun shot or pellets or souvenirs used for decorative purposes. Any reference to ammunition in this chapter is applicable only to ammunition that may be carried as accompanied (checked) baggage IAW carriers' regulations or that is being returned to the CTUS as other than HHG or UB.

#### C. AUTHORIZATION

1. Shipment of Firearms within the CONUS. Members/employees are authorized to ship all conventional firearms, antique firearms, and surplus military firearms, provided the owner is in possession of licenses and permits or documentation required by law.
2. Exporting Firearms and Ammunition from the US.
  - a. CBP Form 4455, Certificate of Registration, Figure 409-1, must be executed by the member/employee when shipping firearms or ammunition from the US to an overseas area. This form must be completed prior to departure from the US at any US Bureau of Customs and Border Protection (CBP) office (<http://www.cbp.gov/> (\*) **Non-DOD Website**). The form establishes that the firearms or ammunition were previously taken out of the US by the member/employee on the member's/employee's subsequent return.
  - b. In lieu of certification on CBP Form 4455, proof of possession in the US may be established by a bill of sale, a receipt or other such document, a HHG inventory or packing list, or an application to ship personal property so long as the article is adequately described therein.

3. Armed Forces Personnel Importing Firearms to the US.

- a. A member may import into the US any reasonable number of POFs and amount of ammunition, subject to the following:
- (1) Member must be on active duty outside the US or have been on active duty outside the US within the 60-day period immediately preceding importation. (Customs duty must be paid on any monetary amount above the normal customs exemption.)
  - (2) The firearms and ammunition must be suitable for sporting purposes, as set forth herein. Prohibited firearms may not be imported. Surplus military firearms may not be imported unless the member can demonstrate previous ownership in the US of the firearms to US border clearance officials.
  - (3) The firearms and ammunition must be intended solely for the personal use of the member and not be intended for resale or for a gift to others.
  - (4) Import must be to the place of residence of the member or to the member's permanent duty station.
  - (5) Import must be IAW all federal laws and state, territorial, or local laws. Members should consult Bureau of Alcohol, Tobacco, Firearms and Explosives Publication ATF 5300.5, State Laws and Published Ordinances-Firearms, for detailed information regarding state laws.

**NOTE:** The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has traditionally determined that two of any given model of firearms is reasonable. Higher numbers call into question if the firearms are truly for personal use.

- b. Import Permit Requirements. Application to import firearms and ammunition must be made on ATF Form 6 Part II (5330.3B), Application and Permit for Importation of Firearms, Ammunition and Implements of War, Figure 409-2. The completed application must be sent to the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives, ATTN: Firearms and Explosives Imports Branch, 650 Massachusetts Avenue N.W., Washington, DC 20226. ATF approved permits are required for importation of all POFs and ammunition, regardless of date of purchase, except as noted below.
- (1) Permits are not required for:
    - (a) Firearms and ammunition previously taken out of the US by the same member with proof of export
    - (b) Antique firearms and replicas of antiques of such firearms if they are designed to use antique ignition systems (e.g., matchlock, flintlock, or percussion cap), or use rimfire or conventional centerfire ammunition that is not available in commercial channels.
  - (2) Other items or categories exempt from import procedures set forth in 27 CFR Part 478, § 478.114, Importation by Members of the U.S. Armed Forces.

#### **D. DOD CIVILIAN PERSONNEL**

1. Firearms and Ammunition Acquired Overseas. DOD employees who are employed overseas and reside there while so employed are not considered as residents of a State in the US during that period and, therefore, they may import into the US any firearms or ammunition acquired overseas during their employment that may lawfully be imported subject to the following conditions:
  - a. The firearms and ammunition must be suitable for sporting purposes. Prohibited firearms may not be imported. Surplus military firearms may not be imported unless the employee can demonstrate previous ownership in the US of the firearms to US border clearance officials.
  - b. The firearms and ammunition must be intended solely for the personal use of the employee and not be intended for resale or for a gift to others.
    - (1) Import Permit Requirements: Application to import firearms and ammunition must be made on ATF Form 6 Part I (5330.3A), Application and Permit for Importation of Firearms, Ammunition and Implements of War, Figure 409-3. On the application or an attached sheet, a statement must be included that the applicant is a US citizen returning from employment outside of the US and has resided there during such employment, and that the firearms and ammunition are being imported for personal use and not for resale. The completed application must be sent to the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives, ATTN: Firearms and Explosives Imports Branch, 650 Massachusetts Avenue N.W., Washington, DC 20226. ATF approved permits are required for the importation of all personally owned firearms and ammunition, regardless of date of purchase, except as noted below.
    - (2) Permits are not required for:
      - (a) Firearms and ammunition previously taken out of the US by the employee returning them. Proof of export is required
      - (b) Antique firearms and replicas of antiques of such firearms if they are designed to use antique ignition systems (e.g., matchlock, flintlock, or percussion cap), or use rimfire or conventional centerfire ammunition that is not available in commercial channels.

#### **E. OTHER IMPORTS**

1. In addition to the imports of POFs and ammunition covered in paragraphs above, the following imports are allowed:
  - a. A firearm issued to a general or flag officer under the provisions of military regulations. (No import permit required.)
  - b. Firearms and ammunition imported for, sold or shipped to, or issued for the use of the US or any department or agency thereof, or any State or any department, agency, or political subdivision thereof. (An import permit is required unless the firearms or ammunition is being directly imported by a federal agency.)

- c. Firearms or ammunition, with proper documentation, brought into the US for scientific or research purposes, or for use in connection with competition or training for competitive firing (import permit required).
- d. Firearms, other than machine guns, as determined by the ATF to be unserviceable and not restorable to firing condition, entered into the US as curios, museum pieces, or historical artifacts (import permit required).
- e. Any individual (military or civilian) on duty overseas may send a normally permitted firearm to a licensed dealer in the US for repair and subsequent return to the individual at his or her overseas location. The firearm should normally be mailed, with the words “REPAIR AND RETURN” clearly marked on the outside of the package. (No import permit required.)
- f. Additional detail on firearm importing requirements can be found in this Regulation, Part V, Chapter 503, Importation of Privately Owned Firearms (POF) and Ammunition and Implements of War.

## **F. RESPONSIBILITIES OF MEMBERS/EMPLOYEES**

Members/Employees must:

1. Ensure all laws and regulations of the US and its territories, foreign countries, and municipalities are complied with regarding the possession, carrying, registration, and shipment of POFs. (See this Regulation, Part V, Chapter 503 and the PPCIG, (<https://tops.ppcigweb.sddc.army.mil/ppcig/menu/home/warning.do>), then select Query CG, Country Instructions, and select Country for additional information.)
2. Obtain and provide copies, upon request, of documentation authorizations, individual licenses, or registration forms for the firearms to be shipped as a part of an authorized personal property shipment.
3. Ensure all firearms are free of explosive charges when turned-over for shipment.

## **G. APPLICATIONS FOR SHIPMENT OF FIREARMS**

All applications for the shipment of firearms and ammunition into the CTUS or for shipments that include firearms must be accompanied by the forms or certificates prescribed by this Regulation, Part V, Chapter 503. A separate DD Form 1299 must be executed when the firearm is not to be packed and shipped with the HHG or UB. The make, model, caliber, and serial number of all firearms to be shipped must be listed on the shipment inventory, whether shipped separately or as part of HHG or UB. It is advisable for the member/employee to obtain a CBP Form 4455 from the nearest CBP office before shipment from the US as proof of ownership in the US. Upon reentry to the CTUS, the member/employee must provide proof of ownership in the US. The statement “This shipment contains firearms” must be placed in the Description of Articles block on the BL. The counselor must refer to the PPCIG during counseling.

## **H. SHIPMENT BY THROUGH GOVERNMENT BILL OF LADING (TGBL) DPM**

Under federal law, the carrier or contractor must be notified that firearms are being transported.

## **I. SHIPMENT THROUGH THE USPS**

1. The USPS may be used as an alternate method of shipment of handguns and other firearms when offered as an official shipment between TOs as an authorized agent of the federal government.
2. Registered mail is required for these shipments.
3. For shipments entering the CTUS, a PS Form 2976-A, Customs Declaration and Dispatch Note, Figure 409-4 must be prepared and affixed to the parcel. The shipment must comply with (CBP) certification procedures (i.e., acceptable proof of prior ownership in the US, the CBP-imposed three-firearm limitation, or whether the firearm is subject to duty), and must comply with ATF requirements.
4. Pistols, revolvers, and other firearms capable of being concealed on the person (referred to as handguns) are non-mailable by individuals. The DOD and the USPS prohibit acceptance by military post offices of firearms, ammunition and handguns for shipment by individuals (USPS Domestic/International Mail Manual, <http://www.usps.com> (\*)).
5. Due to complications that may arise with this method of shipment, TOs must limit use of this service to those situations where the member/employee has departed the area and the shipment could not otherwise be handled through normal shipping methods. Problems which may occur are: lack of adequate storage capability at the destination TOs, inability to effect tracer action until 60 days after shipment was made, and postal service liability rules.

## **J. REPORTING DISCREPANCIES**

Carriers, TOs, and members/employees discovering theft, attempted theft, or non-receipt of firearms must report the incident immediately to their activity CDR, DOD Component investigative service, and SDDC/AMSSD-PPP. This report must contain the origin and destination of the shipment; the member's/employee's name, rank/grade, and Service/Agency; a description and serial number of the firearm; law enforcement agencies notified; and all other information concerning the incident. The DOD Components must establish procedures to ensure information is submitted through provost marshal or security officer channels to the National Crime Information Center and to the DOD central registry upon discovery of loss, theft, or recovery of lost or stolen firearms.

U.S. DEPARTMENT OF HOMELAND SECURITY Bureau of Customs and Border Protection <b>CERTIFICATE OF REGISTRATION</b>		Form Approved. OMB No. 1651-0010 NO. _____	
19 CFR 10.8, 10.9, 10.68, 148.1, 148.8, 148.32, 148.37		(NOTE: Number of copies to be submitted varies with type of transaction. Inquire at Port Director's office as to number of copies required.)	
VIA (Carrier)		B/L or INSURED NO.	DATE
NAME, ADDRESS, AND ZIP CODE TO WHICH CERTIFIED FORM IS TO BE MAILED (If Applicable)		ARTICLES EXPORTED FOR:	
		<input type="checkbox"/> ALTERATION* <input type="checkbox"/> REPAIR* <input type="checkbox"/> USE ABROAD <input type="checkbox"/> REPLACEMENT	<input type="checkbox"/> PROCESSING* <input type="checkbox"/> OTHER, (specify) _____ _____
LIST ARTICLES EXPORTED			
Number Packages	Kind of Packages	Description	
SIGNATURE OF OWNER OR AGENT (Print or Type and Sign)			DATE
The Above-Described Articles Were:			
EXAMINED		LADEN under my supervision	
DATE	PORT	DATE	PORT
SIGNATURE OF CBP OFFICER		SIGNATURE OF CBP OFFICER	
CERTIFICATE ON RETURN			
Duty-free entry is claimed for the described articles as having been exported without benefit of drawback and are returned unchanged except as noted: (use reverse if needed)			
SIGNATURE OF IMPORTER (Print or Type and Sign)			DATE
NOTE: Certifying officers shall draw lines through all unused spaces with ink or indelible pencil.			
Paperwork Reduction Act Notice: This request is in accordance with the Paperwork Reduction Act. The information to be provided is submitted by importers/exporters. Completion of this form is mandatory and to your benefit. The estimated average burden associated with this collection of information is 3 minutes per respondent depending on individual circumstances. Comments concerning the accuracy of this burden estimates and suggestions for reducing this burden should be directed to Bureau of Customs and Border Protection, Information Services Branch, Washington, DC 20229, and to the Office of Management and Budget, Paperwork Reduction Project (1651-0010), Washington, DC 20503.			
CBP Form 4455 (06/00)			

**Figure 409-1. CBP Form 4455, Certificate of Registration**

OMB No. 1140-0006 (12/31/2009)

U.S. Department of Justice  
 Bureau of Alcohol, Tobacco, Firearms and Explosives

### Application and Permit for Importation of Firearms, Ammunition and Implements of War

For use by Members of the United States Armed Forces *(Submit in triplicate)*

**For ATF use only**

Permit No. \_\_\_\_\_ Valid for 12 months after the date of approval (item 20 below)

**Section I - Application**

1. Return Approved Permit to <i>(Enter name, address and ZIP Code if different than applicant's)</i>	2. Applicant's Name and Address <i>(Including ZIP Code)</i>  Telephone Number
3. Name and Address of Seller	4. Name and Address of Shipper
5. Present or Last Foreign Duty Station	6. Country of Exportation

7. Description of Firearms and Ammunition <i>(For firearms, enter (SG) - Shotgun; (R) - Rifle; (P) - Pistol; (RE) - Revolver)</i>									
Name and Address of Manufacturer a.	Type <i>(SG, (R), (P), (RE))</i> b.	Caliber, Gauge or Size c.	Model <i>(MFRS)</i> Desig. d.	Length of Barrel e.	Overall Length <i>(inches)</i> f.	Serial No. g.	New <i>(N)</i> or Used <i>(U)</i> h.	Quantity <i>(Each type)</i> i.	Unit Cost j.
Firearms									
Ammunition	(Ball Wad cutler, Shot, etc.)								

8. Specific Purpose of Importation <i>(Use additional sheets, if necessary)</i>		
9. Are you now or have you been on active duty outside the United States within the 60-day period immediately preceding this importation? <input type="checkbox"/> Yes <input type="checkbox"/> No	10. Place of Residence in the United States	
11. Date of Assignment to Duty Station within United States	12. Branch of Service	13. Date of Birth

Under penalties of law, I declare that I have examined this application, including the documents submitted in support of it, and to the best of my knowledge and belief, it is true, correct, and complete, that the transportation to and the receipt and possession by me at my place of residence of the firearms and/or ammunition described above, would not constitute any violation of Title I of the Gun Control Act of 1968 (U.S.C., Title 18 Chapter 44), or Title VII of the Omnibus Crime Control and Safe Streets Act of 1968 (U.S.C. Title 18, Appendix, Sections 1201-1203) or any State law or local ordinance, that the firearms and/or ammunition are intended for my personal use and that no firearm is a surplus military firearm or a firearm as described in 26 U.S.C. 5845(a).

14. Signature	15. Rank	16. Serial No.	17. Date
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**Section II - for ATF use only**  
*(Please make no entries in this section)*

18. The Application has been examined and the importation of the Firearms and Ammunition described herein is:

<input type="checkbox"/> Approved	<input type="checkbox"/> Withdrawn by applicant without action
<input type="checkbox"/> Partially approved for the reason indicated on the attached letter	<input type="checkbox"/> Returned for additional information
<input type="checkbox"/> Disapproved for the reason indicated on the attached letter	

19. Signature of Director, Bureau of Alcohol, Tobacco, Firearms and Explosives	20. Date
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ATF Form 6 - PART II (5330.3B)  
 Revised October 2003

**Figure 409-2. ATF Form 6 Part II (5330.3B), Application and Permit for Importation of Firearms, Ammunition and Implements of War**

U.S. Department of Justice  
 Bureau of Alcohol, Tobacco, Firearms and Explosives

OMB No. 1140-0005 (09/30/2008)

### Application and Permit for Importation of Firearms Ammunition and Implements of War

<b>Not for use by Members of the United States Armed Forces.</b>											
<b>For ATF Use Only</b>						<b>For Applicant's Optional Use</b>					
Permit No. (Valid for 12 months from the date appearing in Item 18 below.)						Internal Control #			Optional #		
<b>Section I - Application (Submit in triplicate) - For Applicant Use</b>											
1. Federal Firearms License (If Any)				2. Telephone No.		3. Country of Exportation					
License No.		Expiration Date									
4. Name and Address of Customs Broker (Including Zip Code)						5. Applicant's Name and Address (Including Zip Code)					
Check here if permit is to be returned to Customs Broker. <input type="checkbox"/>						Check here if permit is to be returned to applicant. <input type="checkbox"/>					
6. Name and Address of Foreign Seller, if any						7. Name and Address of Foreign Shipper					
8. Description of Firearms and Ammunition (For firearms, enter (SG)-Shotgun; (R)-Rifle; (P)-Pistol; (RE)-Revolver; (DD)-Destructive Device; (MG)-Machinegun)											
	Name and Address of Manufacturer <i>a</i>	Type (SG, R, P, RE, DD, MG) <i>h</i>	Caliber Gauge or Size <i>c</i>	Quantity (Each type) <i>d</i>	Unit Cost <i>e</i>	Munitions List Category <i>f</i>	Model (Mfrs) Design <i>g</i>	Length of Barrel <i>h</i>	Overall Length (Inches) <i>i</i>	Serial No. <i>j</i>	New (N) or Used (U) <i>k</i>
Firearms											
Implements of War						Description					
Ammunition		(Ball Wad-cutter, Shot, etc.)				9. Certification of Origin. The items sought for importation in block 8: a. Do not contain parts or components produced by or for the U.S. <b>military</b> and do not contain parts or components manufactured with U.S. military technical data or assistance. <input type="checkbox"/> b. Contain parts or components produced by or for the U.S. <b>military</b> or parts or components manufactured with U.S. military technical data or assistance. <input type="checkbox"/> c. Contain parts or components produced by or for the U.S. <b>military</b> or components manufactured with U.S. technical data or assistance that were sold abroad pursuant to a Direct Commercial Sale licensed by the Department of State. <input type="checkbox"/>					
10. Specific Purpose of Importation, Including Final Recipient, If Known (Use additional sheets, if necessary)											
11. Are You Registered as an Importer Pursuant to The Arms Export Control Act of 1976 Yes <input type="checkbox"/> No <input type="checkbox"/>						12. If "Yes," Give Importer's Registration No. and Expiration Date					
Under the penalties provided by law, I declare that I have examined this application, including the documents submitted in support of it, and, to the best of my knowledge and belief, it is true, correct, and complete.											
13. Signature of Applicant						14. Title			15. Date		
<b>Section II - For ATF Use Only (Please make no entries in this section)</b>											
16. The Application Has Been Examined and the Importation of the Firearms, Ammunition, and Implements of War Described Herein is:											
Approved <input type="checkbox"/>				Disapproved for the Reason Indicated Here or on Attached Letter <input type="checkbox"/>				Returned Without Action for Additional Information <input type="checkbox"/>			
Partially Approved for the Reason Indicated Here or on Attached Letter <input type="checkbox"/>				Withdrawn By Applicant Without Action <input type="checkbox"/>							
17. Signature of the Director, Bureau of Alcohol, Tobacco, Firearms and Explosives									18. Date		

ATF Form 6 - Part I (5330.3A)  
 Revised October 2006

**Figure 409-3. ATF Form 6 Part I (5330.3A), Application and Permit for Importation of Firearms, Ammunition and Implements of War**

From		To		Value (US \$) (5)		For Commercial Senders Only	
Detailed Description of Contents (1)		Qty. (2)	Net Weight (3) lbs. oz.		Value (US \$) (5)	HS tariff number (7)	Country of origin of goods (8)
Sender's Name Business Street City State ZIP+4® Country				Sender's Customs Reference (if any)		Insured Number Insured Amount (US \$) SDR Value	
Addressee's Name Business Street Postcode City State/Province Country				Importer's Reference - Optional (if any) (Tax code/VAT no./Importer code)		Importer's Telephone/Fax/Email (if known)	
Check One (10) <input type="checkbox"/> Airmail/Priority <input type="checkbox"/> Surface/Nonpriority				Total Gross Wt. (4)		Total Value (6) Postage and Fees (9)	
Check One (11) <input type="checkbox"/> Gift <input type="checkbox"/> Commercial sample <input type="checkbox"/> Merchandise <input type="checkbox"/> Documents <input type="checkbox"/> Returned goods <input type="checkbox"/> Other				Explanation:		Sender's Instructions in Case of Nondelivery (17)	
Comments (12) (e.g., goods subject to quarantine, sanitary/phytosanitary inspection, or other restrictions)				License Number(s) (13) Certificate Number(s) (14) Invoice Number (15)		<input type="checkbox"/> Treat as Abandoned <input type="checkbox"/> Return to Sender NOTE: Item is subject to return charges at sender's expense. <input type="checkbox"/> Redirect to Address Below:	
I certify that the particulars given in this customs declaration are correct and that this item does not contain any dangerous article prohibited by legislation or by postal or customs regulations.				Date and sender's signature (16)		Mailing Office Date Stamp	

PS Form 2976-A, June 2005 (PSN: 7530-01-000-9834)

Do not duplicate this form without USPS approval.

1 - Manifesting

**Figure 409-4. PS Form 2976-A, Customs Declaration and Dispatch Note**

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