AEAPM-S-VR

Mr. Lorenzini/386-7110
24 Sep 02

INFORMATION PAPER

SUBJECT: Return of US Forces Privately Owned Firearms (POF) to United States

1. PURPOSE. To inform US Customs, ATF and Federal Firearms licensed importers that the privately owned firearms being returned to the United States is the personal property of a member of the US. Armed Forces or a Department of Defense civilian employee stationed in Germany. The firearms are being returned because the possession of firearms in Germany is no longer authorized by US Forces Members unless they are registered in accordance with German law.

2. BOTTOM LINE. No person can retain possession of a privately owned firearm in Germany without a German weapons registration card (WBK). All soldiers, civilians and their family members have been ordered to send their firearms back to the United States or put them in government arms room. Government arms room space is limited and can only be a temporary solution until the firearm is registered with the Germans, shipped to the owner's home, or disposed of by sale to an authorized person or turned in to Military Police for destruction. Because most US Forces Members cannot qualify to register firearms under German law, sending firearms home is the most viable and best course of action for the majority of the U.S. Forces.

3. DISCUSSION.

a. Requirements for sending firearms to the U.S. have been coordinated with the ATF which provided the following rules for firearms importation. All firearms must meet sporting qualifications (USC 18, Chapter 44, sections 925(d)(3) amended) in order for any importation to be lawful. Military weapons and war trophy firearms, except those registered by DOD with a DD Form 603, are specifically excluded from importation. Factors bearing of the legality and methods of importation include whether the firearm was previously possessed in the United States or acquired overseas and the type of firearm (long gun[1] or handgun).

b. Firearms previously possessed by the member in the U.S. prior moving to the to the overseas location <u>do not require any import permit</u> (ATF Form 6) as long as the owner has documentary evidence to prove this prior stateside possession. Proof of prior possession in the U.S can be State or local registration, purchase order, bill of sale, household goods shipping documents,(DD form 1299) or anything else that substantiates prior U.S. possession or ownership that is acceptable to U.S. Customs.

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[1] Rifle or shotgun.

c Firearms that were purchased overseas **or** for which the owner has no proof of prior possession in the U.S. require an approved ATF Form 6 import permit. Military members must complete ATF Form 6 Part II and Civilian members must complete ATF Form 6 Part I to request ATF import approval. Applications should be submitted 60 days prior to intended importation. The ATF mailing address is on the ATF Form 6 instruction sheet, which can be obtained at any military customs office or downloaded from the USAREUR Customs or ATF web sites. The approved form will be returned by ATF and must be included with the shipment.

d. Long guns can be shipped via the U.S. Postal Service, using the military post office, by registered mail. Handguns cannot be mailed through the postal system by anyone. Civilians can mail long guns from Europe *only* to a licensed Federal Firearms Dealer[2] in the United States. Military personnel can mail long guns to a licensed firearms dealer or someone acting as their agent, provided the agent lives in the military person's state of legal residence. Military members mailing long guns, should address the shipment to themselves with an "In Care Of" address of the recipient. The individual receiving the package should be instructed that they are only acting as the agent of the service member/owner and should not open the package or allow access to the package by others.

e. Handguns must be shipped by commercial carrier (government household goods shipments, or commercial firearms shippers). Hand carrying of firearms to the United States is lawful, but highly complex and strongly discouraged because of security constraints involved with air travel and varying state and local rules that apply when traveling with firearms.

f. If you need more information or assistance in contacting a Federally Licensed Firearms Dealer to receive your firearms shipment, contact USAREUR Vehicle Registry at DSN 386-7289 or 386-7262, CIV (49) 621-718-7289 or 7262. ATF importation branch telephone number is (202) 927-8320 should you need to contact them with specific questions.

g. Attached as an enclosure to this information paper is a letter that can be used to accompany firearms shipments. This letter must be filled out carefully and will assist the appropriate US Customs or Postal Inspectors and facilitate the importation process. The letter also contains guidance on what paperwork must be included with a shipment.

4. COORDINATION. This information paper and the attached letter was coordinated with Office of the Judge Advocate, Military and Civil Law Division, Headquarters, United States Army Europe and Seventh Army, APO AE 09014.

APPROVED: _____ DATE: 24 SEP 02

CF:
OJA (AEAJA-MCD)

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[2] Some one holding a valid Federal Fire Arms License (FFL).

To Whom it May Concern:

1. This letter is enclosed with my shipment of personally owned firearms. I am shipping the following weapons:

	Manufacturer	Model/Type	Serial Number
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____

(May be continued on the reverse if necessary.)

2. (Choose a ***or*** b)

a. _____**I am an active duty Service Member** stationed in Europe. I am shipping my firearm(s) by (*check appropriate method*) (___ U.S. Postal Service*) or (___commercial carrier/shipper). The addressee of this shipment is:

(1)___ A licensed Federal Firearms dealer (required for shipments of handguns);

or

(2)___ Myself, in care of a person who resides in my state of legal residence and who will be acting as my agent to hold the package until I return to the U.S. My agent has also been instructed not to open the package. I have no reason to believe that my agent is in any way disqualified from possessing a firearm pursuant to Federal Law (18 U.S.C. § 922) or the law of my state of legal residence. I am a service member on active duty with the United States military, currently stationed in Europe.

b. ___ **I am a civilian employee of the United States Governmen**t. I am shipping my firearm(s) by (*check appropriate method*) (___ U.S. Postal Service*) or (___commercial carrier/shipper). The addressee of this shipment is a licensed Federal Firearms dealer. *(Civilians are not authorized to ship weapons to non-licensed individuals.)*

3. **I have also enclosed the following documentation** (*check applicable paragraph*):

a. ____ Documentation proving that I have previously possessed in the U.S. the firearm(s) being shipped. (*See* 27 CFR 178.115.) This documentation may include the bill of sale from a dealer in the U.S., the shipping documents

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* Only long guns- (i.e., rifles and shot guns) can be mailed using the U.S. Postal Service. Postal Service and U.S. Customs regulations also require Postal Service Form 2976-A (Customs Declaration and Dispatch Notice) to be completed with copy 1, 2, and 3 included in the package with the firearm(s). Hand guns must be sent by commercial shipper, they may not be sent by U.S. .Mail.

reflecting shipment with household goods or other shipment method, previous state registration documents, or other similar forms of documentation. I hereby declare that I departed the from the U.S. at (*place of exit*) _____ on or about (*date of exit*)_____ and took with me as a part of my personal property, the firearm(s) listed above which I have previously possessed in the U.S.;

or

b. ____ An approved ATF Form 6 Part II (military personnel), or ATF Form 6 Part I (civilian personnel) (Application and Permit for Importation of Firearms, Ammunition and Implements of War)(27 CFR 178.114). (*One of these forms is required if you did not previously possess the firearm in the U.S. or if you do not have documentation to establish such possession.*)

UNDER PENALTY OF LAW, I DECLARE THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THE TRANSPORTATION TO AND THE RECEIPT BY ME IN MY STATE OF RESIDENCE OF THE FIREARM(S) DESCRIBE ABOVE WOULD NOT CONSTITUTE A VIOLATION OF FEDERAL OR STATE LAW, THAT THE FIREARM(S) ARE INTENDED FOR MY PERSONAL USE, AND THAT NO FIREARM IS A SURPLUS MILITARY FIREARM OR A FIREARM DESCRIBED IN 26 U.S.C. 5845(a).

DATE:_____ Signature_____

Printed Name and current mailing address and phone number:

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_____

Alternate POC

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For further information concerning the rules and regulations applicable to this shipment you may contact the Office of the Provost Marshall Vehicle Registration Office at DSN 386-7271, CIV (49) 0621-718-7271; (http://www.hqusareur.army.mil/opm/opmhome.html) or the ATF - Firearms and Explosives Imports Branch, 650 Massachusetts Ave., NW Room 5300, Washington, DC 20226 (Phone: 202-927-8320, Fax: 202-927-2697; (http://www.atf.treas.gov/firearms/feib/index.htm).