



U.S. Department of Justice

Office of the Solicitor General

The Solicitor General

Washington, D.C. 20530

August 14, 2026

The Honorable Mike Johnson
Speaker
U.S. House of Representatives
Washington, DC 20515

Re: *Firearms Policy Coalition Inc. v. Blanche*, No. 24-cv-565 (N.D. Tex.)

Dear Mr. Speaker:

Consistent with 28 U.S.C. 530D, I am writing to advise you that the Department of Justice has decided to dismiss the appeal in the above-captioned case.

A federal statute generally prohibits possessing a firearm in a federal facility. See 18 U.S.C. 930(a). A separate regulation issued by the United States Postal Service generally prohibits carrying a firearm on postal property. See 39 C.F.R. 232.1(l). In this case, a group of advocacy organizations and individuals brought a Second Amendment challenge to the statute and the regulations. The United States District Court for the Northern District of Texas held that the statute and the regulation violate the Second Amendment as applied to the possession and carrying of firearms in post offices. The court issued an injunction prohibiting the government from enforcing the statute or the regulation against the plaintiffs and their members.

The Department of Justice has determined that an appeal is not warranted under the circumstances of this case. Section 930(a) is subject to an exception for “the lawful carrying of firearms * * * in a Federal facility incident to hunting or other lawful purposes.” 18 U.S.C. 930(d)(3). In an opinion published by the Office of Legal Counsel, a copy of which is attached to this letter, the Department has determined that this exception allows individuals to enter post offices open to the public while lawfully carrying firearms for self-defense. Self-defense in public is a “lawful purpose” for carrying firearms—indeed, the core lawful purpose protected by the Second Amendment. See, e.g., *NYSRPA v. Bruen*, 597 U.S. 1, 10 (2022). When an individual who is publicly carrying a firearm for self-defense enters a post office open to the public, his carrying of firearms in the post office is “incident”—that is, occurring as a minor consequence or accompaniment—to that lawful purpose. That interpretation of Section 930(d)(3) tracks the distinction that the Supreme Court recently drew between “property held open to the public” (where individuals are presumptively free to carry firearms) and other property. *Wolford v. Lopez*, 146 S. Ct. 2032, 2040 (2026).

The Department has further determined that the Postal Service’s regulation is unlawful. Though the Postal Service possesses broad authority to manage its own property, an agency may

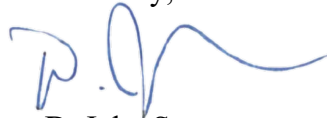
not use its regulatory authority in a manner that “contradict[s] congressional policy.” *FDA v. Brown & Williamson Tobacco Corp.*, 529 U.S. 120, 139 (2000). The Postal Service therefore lacks the authority to issue a regulation that overrides the congressional judgment embodied in Section 930(a), at least in the absence of any indication that post offices present distinct issues that Congress did not consider when legislating about federal facilities.

The Department does not anticipate that this interpretation of Section 930(d)(3) will adversely affect the government’s responsibility to maintain the safety of federal facilities. Because Section 930(d)(3) is limited to the “lawful” carrying of firearms incident to “lawful purposes,” it does not protect individuals who are legally prohibited from carrying firearms (such as convicted felons) or individuals who are carrying firearms for unlawful purposes (such as facilitating crime). Section 930(d)(3) also does not override or limit the specific statutory provisions governing the carrying of firearms in particular locations, such as federal court facilities, see 18 U.S.C. 930(e), or U.S. Capitol buildings and grounds, see 40 U.S.C. 4104(e)(1)(A). The district court’s injunction, moreover, has now been in effect for ten months without apparent incident.

The Department’s interpretation of Section 930(d)(3) renders academic any dispute about whether the Second Amendment would allow Congress or the Postal Service to ban firearms in post offices. The Department has accordingly concluded that an appeal in this case is unwarranted.

Please let me know if I can be of any further assistance in this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. John Sauer", with a stylized flourish extending to the right.

D. John Sauer
Solicitor General