

# Exhibit 2

MARY ANNE GIBBONS  
SENIOR VICE PRESIDENT, GENERAL COUNSEL



August 3, 2010

James M. Manley  
Staff Attorney  
Mountain States Legal Foundation  
2596 South Lewis Way  
Lakewood, Colorado 80227-1980

RE: Postal Service Firearms Ban, 36 C.F.R. § 232.1(l)

Dear Mr. Manley:

Thank you for your letter to the Postmaster General on behalf of your clients, Tab and Debbie Bonidy, asking that the Postal Service amend its regulations to recognize their individual right to bear arms under the Second Amendment to the U.S. Constitution. Mr. Potter has asked that I respond to your letter on his behalf.

You are correct that the regulations governing Conduct on Postal Property prevent the Bonidys from carrying firearms, openly or concealed, onto any real property under the charge and control of the Postal Service. 39 C.F.R. § 232.1(l) ("Notwithstanding the provisions of any other law, rule or regulation, no person while on postal property may carry firearms, other dangerous or deadly weapons, or explosives, either openly or concealed, or store the same on postal property, except for official purposes.") There are limited exceptions to this policy that would not apply here.

We have reviewed this prohibition in the past, and we believe that 18 U.S.C. § 3061 provides the Postal Service with the legal authority for our current policy. See 18 U.S.C. § 3061(c)(4)(A) (authorizing the Postmaster General to "prescribe regulations necessary for the protection and administration of property owned or occupied by the Postal Service and persons on the property"). We also note that the U.S. Court of Appeals for the Fifth Circuit held this prohibition to be constitutional under the presumptively lawful category of "sensitive place" regulations acknowledged in District of Columbia v. Heller, 128 S. Ct. 2783 (2008). See United States v. Dorosan, 350 F. App'x 874 (5th Cir. 2009) (per curiam), cert. denied, 130 S. Ct. 1714 (March 1, 2010) (affirming an employee's conviction for storing a handgun in a car parked on postal property).

Nevertheless, we intend to seek review of our policy from the Department of Justice on the issues you have raised and look forward to hearing their response to that request. Thank you again for bringing this concern to our attention.

Sincerely,

A handwritten signature in cursive script that reads "Mary Anne Gibbons".

Mary Anne Gibbons

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cc Mr. Potter  
Mr. Black  
Mr. Epperson