



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, DC 20226

JUN 17 2003

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Mr. Larry Gaglio
Capital City Firearms
313 Berwickshire Drive
Richmond, Virginia 23229

Dear Mr. Gaglio:

This is in response to your faxed inquiry to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) dated April 25, 2003, which requests confirmation of the information provided to you by Industry Analyst Larry White, Firearms Programs Division, in a telephone conversation earlier that day. The information you seek to confirm relates to the purposes for which the receivers of firearms that fail to meet the sporting purpose requirements of 18 U.S.C. 925(d)(3) may be imported into the United States, and any restrictions imposed on their subsequent sale or disposition.

Generally, the provisions of section 925(d)(3) make it unlawful to import the frame, receiver, or barrel of any firearm that would not otherwise be importable if assembled. However, in an open letter dated February 21, 2001, addressed to importers (copy enclosed), ATF announced its policy of allowing importers to import the frames, receivers, and barrels for such nonimportable firearms for the limited purpose of firearm repair or replacement. Permits authorizing the importation of such articles are stamped with the restriction statement that clearly delineates this policy to importers.

Importers who import firearm frames, receivers, or barrels under the repair or replacement purposes restriction may only sell or otherwise dispose of the articles into commercial channels in conformity with the restriction statements reflected on the import permit. Any firearm frames, receivers, and barrels imported under this restriction cannot be used by the importer to assemble new

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firearms. Further, importers cannot sell or otherwise dispose of these restricted firearm frames, receivers, or barrels to anyone who states that it is his or her intent to use them for purposes other than the repair or replacement of an existing firearm.

We trust the foregoing has been responsive to your needs. Should you require additional assistance, please do not hesitate to contact us.

Sincerely yours,



James A. Zammillo
Chief, Firearms Programs Division

Enclosure



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Dear Importer:

Enclosed is your import application(s) authorizing the importation of receivers and/or barrels for firearms. Please note that the permit is marked with a restriction limiting use of the barrels or receivers to repair or replacement. The purpose of this letter is to explain the legal basis for this restriction.

Section 925(d)(3) of the Gun Control Act, 18 U.S.C. § 925(d)(3), generally prohibits the importation of (1) firearms subject to the National Firearms Act (e.g., machineguns, short-barrel rifles, short-barrel shotguns); (2) nonsporting firearms; and (3) surplus military firearms. This section of the law also prohibits the importation of any frame, receiver, or barrel for any of the foregoing firearms.

Based on this provision of the law, the Bureau of Alcohol, Tobacco and Firearms will not approve the importation of barrels or receivers of nonimportable firearms for unrestricted commercial sale. However, we will approve applications to import such barrels and receivers for repair or replacement. Approved permits will be marked with an appropriate restriction. Importers who use the barrels or receivers for other than repair or replacement will violate the law and be subject to license revocation and possible criminal prosecution.

Future applications to import barrels or receivers for nonimportable firearms should include a statement in block 10 of the Form 6 indicating that the barrels or receivers are being imported for repair or replacement.

Please accept our apologies for any inconvenience this policy may cause. If you have any questions, please contact the Firearms and Explosives Imports Branch at (202) 927-8320.

Sincerely yours,

David D. Johansen

Chief, Firearms and Explosives Imports Branch

Enclosure(s)