



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

903000:CHB  
3311/2003-470

JUL 11 2003

Dear Mr. . . .

This refers to your letter of April 26, 2003, in which you asked about using Australian ADI AUG A2 rifle receivers to replace Austrian Steyr AUG receivers.

Original Steyr AUG semiautomatic rifles are semiautomatic assault weapons as defined in section 921(a)(30) of Title 18, United States Code (U.S.C.). It is unlawful for anyone to manufacture, transfer or possess a semiautomatic assault weapon as provided in 18 U.S.C. section 922(v)(1); however, a semiautomatic assault weapon that was lawfully possessed under Federal law on September 13, 1994, is excluded from the prohibition as provided in 18 U.S.C. section 922(v)(2).

Replacement of parts on exempted semiautomatic assault weapons is addressed in ATF P5300.4, Federal Firearms Regulations Reference Guide, on page 145, as follows:

*Parts may be replaced in grandfathered semiautomatic assault weapons and grandfathered feeding devices without violating the law. However, if the frame or a receiver for a semiautomatic assault weapon is defective, the replacement must be made by the weapon's manufacturer or importer. The replacement receiver must be marked with the same serial number as the original receiver, and the original receiver must be destroyed. However, a manufacturer or importer who is unable to mark the replacement receiver with the same serial number as the original receiver may seek a marking variance in accordance with 27 CFR 178.92. In addition, the permanent records of the manufacturer or importer should indicate that the receiver for the weapon has been replaced.*

There were no ADI semiautomatic receivers imported prior to September 13, 1994. A semiautomatic assault weapon assembled using an ADI semiautomatic receiver would be

prohibited under section 922(v). Additionally, assembly of a AUG style rifle using an imported ADI receiver would be prohibited under section 922(r) of Title 18, United States Code, if the rifle contained more than 10 of the imported parts listed in Title 27, Code of Federal Regulations, Part 478, section 478.39(c) [formerly Part 178, section 178.39(c)].

Since a Steyr USR style rifle is not a semiautomatic assault weapon and is approved for importation into the United States as a sporting firearm, assembly of a Steyr USR style rifle using an ADI receiver is not prohibited under sections 922(v) or 922(r). Assembly of such a rifle would still be subject to whatever State laws and local ordinances may apply.

Sincerely yours,

A handwritten signature in black ink, appearing to read "S. Nixon", with a long horizontal flourish extending to the right.

Sterling T. Nixon  
Chief, Firearms Technology Branch