



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Assistant Director

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OPEN LETTER TO ALL FEDERAL FIREARMS LICENSEES

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has received inquiries about selling or delivering firearm frames or receivers. The purpose of this open letter is to provide you with guidance on certain regulatory requirements and definitions under the Gun Control Act of 1968 (GCA).

The GCA at Title 18, United States Code (U.S.C.), section 921(a)(3), defines "firearm" as "...*(A) any weapon (including a starter gun), which will, or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.*"

Under section 921(a)(3)(B), frames or receivers are defined as firearms. However, frames and receivers are not rifles, shotguns, or handguns (pistols or revolvers), even if they can only be made into one of these firearms. See Title 27, Code of Federal Regulations, section 478.11 (defining these terms). This is because a frame or receiver does not have the features required for a rifle or shotgun (e.g., a buttstock indicating it is designed and intended to be fired from the shoulder), or a pistol or revolver (e.g., a weapon with a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore). As a result, Federal firearms licensees (FFLs) should note several things:

First, an FFL may not sell a frame or receiver to anyone under 21 years of age. [Title 18, U.S.C., section 922(b)(1)].

Second, an FFL may not transfer a frame or receiver to an unlicensed person from another State. [Title 18, U.S.C., section 922(b)(3)].

Third, multiple handgun sales forms (ATF Forms 3310.4) are not required for sales of frames or receivers of any firearm, as they are not pistols or revolvers.

For guidance, the following question-and-answer section is provided:

- 1. How should a licensed dealer record in his records the transfer of a frame or receiver to an unlicensed purchaser?**

A dealer must record in his/her acquisition and disposition record and on ATF Form 4473 the type of firearm as a "frame" or "receiver" (as applicable). The

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dealer must also include in any record the make, model, and serial number of the receiver.

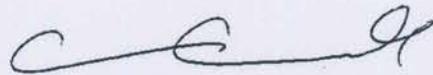
- 2. May a licensed dealer lawfully transfer a frame or receiver that can only be used to assemble a rifle to an 18-year-old?**

No. A frame or receiver is a type of firearm "other than a shotgun or rifle" and the transfer by the dealer to an individual under 21 years of age would be prohibited by Title 18, U.S.C., section 922(b)(1). A frame is not "designed or redesigned, made or remade, and intended to be fired from the shoulder"; therefore, it is not a rifle or shotgun as defined under the GCA.

- 3. Does a licensed dealer need to complete and submit a multiple sales form after selling, within five consecutive business days, two or more frames that can only be used to assemble two or more pistols?**

No. Multiple sales forms (ATF Forms 3310.4) are not required for sales of frames or receivers of any firearm, as they are not pistols or revolvers as defined under 27 CFR 478.11.

ATF remains committed to assisting licensees in complying with Federal firearms laws. If you have any questions, please contact your local ATF office.



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