

Findings:

Exhibit 57 was originally manufactured by IMEZ in Russia and imported by KBI of Harrisburg, Pennsylvania as a semiautomatic pistol and incorporates the frame or receiver of a firearm. Test firing disclosed that Exhibit 57 with two rounds of Samson brand .380 ACP ammunition test fired successfully.

Exhibit 58 was originally manufactured by FEG in Hungary as a semiautomatic pistol and was imported by Century Arms of St. Albans, Vermont. Exhibit 58 incorporates the frame or receiver of a firearm, Test firing disclosed that Exhibit 58 with one round of 9mm Makarov military ball ammunition test fired successfully.

Exhibit 59 is an AR-15 type rifle which incorporates a semiautomatic frame or receiver which was originally manufactured by LAR Manufacturing of West Jordan, Utah for BFI (Bushmaster Firearms Incorporated) of Windham, Maine. Examination revealed Exhibit 59 is assembled with M16 fire control components originally designed for the M16 selective fire rifle. The machinegun components are as follows:

1. M16 hammer
2. M16 trigger
3. M16 disconnecter
4. M16 selector
5. M16 bolt carrier assembly

Also found in the lower receiver unit was an AR-15 drop-in auto sear. The drop-in auto sear is a part designed and intended for use in converting a weapon into a machinegun. It consists of a sear, sear mounting body, sear pivot pin and a sear return spring. Further, a black military style sling is attached to Exhibit 59. Test firing disclosed that Exhibit 59 with the commercially available Federal brand .223 ammunition and the safety/selector in the "fire" position shoots one shot by a single function of the trigger. When the selector was rotated clockwise to an unmarked position which corresponds to "auto" position on the selective fire M16 rifle, Exhibit 59 shoots automatically more than one shot, without manual reloading, by a single function of the trigger. Three rounds were loaded and subsequently all three rounds were expelled automatically by a single pull of the trigger. This process was repeated twice.

Exhibit 60 is an HK 94 type carbine which was originally manufactured by Special Weapons of Tempe, Arizona as a semiautomatic carbine and incorporates the frame or receiver of a firearm. Test firing disclosed that Exhibit 60 with two rounds of commercially available Federal brand 9mm ammunition functioned as intended by design and shoots only in the semiautomatic mode.

Exhibit 61 was originally manufactured in the Peoples Republic of China as a semiautomatic rifle and was imported by IDE of Southfield, Michigan. Exhibit 61 incorporates the frame or receiver of a firearm. Test firing disclosed that Exhibit 61 with two rounds of commercially available Federal brand .308 ammunition functioned as intended by design.

Exhibit 62 was originally manufactured by Mossberg of North Haven, Connecticut as a pump action shotgun and incorporates the frame or receiver of a firearm. Examination revealed an aftermarket buttstock with pistol grip, a plastic shell carrier and a black military style sling are attached to Exhibit 62. Test firing disclosed that Exhibit 62 with one round of commercially available Remington brand 12 gauge shotgun ammunition test fired successfully.

Exhibit 63 is an L1A1 type rifle which incorporates a semiautomatic frame or receiver which was originally manufactured by Imbel of Brazil for Century Arms of St. Albans, Vermont. Exhibit 63 is assembled with the semiautomatic receiver and an L1A1 parts kit. A green military style sling and a aftermarket scope

mount are attached to Exhibit 63. Test firing disclosed that Exhibit 63 with two rounds of commercially available Federal brand .308 ammunition test fired successfully and shoots only in the semiautomatic mode.

Exhibit 64 was assembled by FMJ of Ducktown, Tennessee as a semiautomatic pistol and incorporates the frame or receiver of a firearm. Examination revealed that Exhibit 64 was assembled incorrectly with the hammer in the forward position. Exhibit 64 was assembled properly. Further examination revealed the hammer retaining clip is missing and a piece of clear tape assists in holding the hammer pin in place. A black sling is attached to Exhibit 64. Test firing disclosed that Exhibit 64 with two rounds of commercially available Federal brand 9mm ammunition functioned as intended by design.

Exhibit 72 was originally manufactured by Colt Firearms of Hartford, Connecticut as a semiautomatic pistol and incorporates the frame or receiver of a firearm. Test firing disclosed that Exhibit 72 with two rounds of commercially available Winchester brand .45 ACP ammunition functioned as intended by design.

All test firing was conducted on January 8, 2001 at the ATF test range facility located in Washington, DC.

Conclusions:

Exhibits 57, 58, 59, 60, 61, 62, 63, 64, and 72 are each a "firearm" as defined in Title 18 U.S.C., Chapter 44, Section 921(a)(3), and were not manufactured in the State of Virginia.

Exhibit 59 shoots automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, it is a "machinegun" as defined in Title 26 U.S.C., Chapter 53, Section 5845(b).


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