


U.S. Department of Justice
 Bureau of Alcohol, Tobacco, Firearms and Explosives

Firearms Technology Criminal Branch
Report of Technical Examination

| | |
|---|--|
|  | <p>244 Needy Road #1600 Martinsburg, WV 25405</p> <p>Phone: 304-616-4300 Fax: 304-616-4301</p> |
| <p>To:</p> <p>Special Agent William Hairston Bureau of Alcohol, Tobacco, Firearms and Explosives 1801 Stanley Road Greensboro, NC 27407</p> | <p>UI#: 763045-22-0015</p> <p>RE: Adamiak, Patrick</p> <p>FTCB#: 2022-659-JRB 323166</p> |
| <p>Date Exhibits Received: May 19, 2022</p> <p>Delivered By: ATF SA Daniel Beasley</p> | <p>Type of Examination Requested:</p> <p>Examination, Test, Classification</p> |

Exhibits:

28. Non-firing STEN machinegun replica (suspected machinegun).
29. M240 replica (suspected machinegun).
35. Mk 19 40mm machinegun (suspected machinegun and suspected destructive device).
37. Thompson Submachine Gun M1A1 receiver, bearing serial number 331843 (suspected machinegun).
38. PPS-43 receiver, serial number H-12639 (suspected machinegun).
39. PPS-43 receiver, serial number MA-31848 (suspected machinegun).
40. M53 receiver, serial number P-51033 (suspected machinegun).
41. PPSH-41 receiver (suspected machinegun).
42. Left and right side plates for M240-type firearm (suspected machinegun).
43. Left and right side plates for M240-type firearm (suspected machinegun).
44. Right side plate for Browning M2 machinegun (suspected machinegun).
45. Russian RPD machinegun receiver (suspected machinegun).
46. PPS-43 receiver, serial number MA-06211 (suspected machinegun).
47. MAG58 / M240 type receiver segments (suspected machinegun).
49. Side-plates of a Browning-type machinegun (suspected machinegun).
52. RPB Industries, model SM11-A1, firearm serial number SAP3806982 (suspected machinegun).
53. Israeli Military Industries Uzi, Model 45, firearm, serial number 002947 (suspected machinegun).
54. Israeli Military Industries Uzi, Model B, firearm, serial number 38926 (suspected machinegun).
55. RPB Industries, model SM11-A1 carbine, serial number SAC380231 (suspected machinegun).
56. Interdynamic model KG-9, 9mm caliber firearm (suspected machinegun).
57. RPB Industries, model SM10, 9mm Luger firearm, s/n SEMI91211A (suspected machinegun).
58. RPB Industries, model SM10, 45 ACP firearm, s/n SAP451127 (suspected machinegun).
60. M60 machinegun receiver, no serial number (suspected machinegun).
61. M60 machinegun receiver, no serial number (suspected machinegun).

ATF Form 3311.2
 Revised September 2014
USAO-036479

JA1827

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 2

62. M60 machinegun receiver, no serial number (suspected machinegun).

Pertinent Authority:

Title 28 of the United States Code (U.S.C.) provides the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF) the authority to investigate criminal and regulatory violations of Federal firearms law at the direction of the Attorney General. Under the corresponding Federal regulation at 28 C.F.R. 0.130 the Attorney General provides ATF with the authority to investigate, administer, and enforce the laws related to firearms, in relevant part, under 18 U.S.C. Chapter 44 (Gun Control Act) and 26 U.S.C. Chapter 53 (National Firearms Act). Pursuant to the aforementioned statutory and regulatory authority, the ATF Firearms and Ammunition Technology Division (FATD) provides expert technical support on firearms and ammunition to federal, state and local law enforcement agencies regarding the Gun Control Act and the National Firearms Act.

The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term “**firearm**” as follows: “...*(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.*”

The GCA, 18 U.S.C. § 921(a)(4) defines “**destructive device**” in part to mean: “...*(A) any explosive, incendiary, or poison gas- (i) bomb, (ii) grenade, (iii) rocket having a propellant charge of more than four ounces, (iv) missile having an explosive or incendiary charge of more than one-quarter ounce, (v) mine, or (vi) device similar to any of the devices described in the preceding clauses; (B) any type of weapon (other than a shotgun or a shotgun shell which the Attorney General finds is generally recognized as particularly suitable for sporting purposes) by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half in diameter; and (C) any combination of parts either designed or intended for use in converting any device into any destructive device described in subparagraph (A) or (B) and from which a destructive device may be readily assembled...*”

The GCA, 18 U.S.C. § 921(a)(24), defines the term “**machinegun**” as: “...*has the meaning given such term in section 5845(b) of the National Firearms Act (26 U.S.C. 5845(b)).*”

The National Firearms Act of 1934 (NFA), 26 U.S.C. § 5845(a), defines the term “**firearm**” as: “...*(1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length; (5) any other weapon, as defined, as defined in subsection (e); (6) a machinegun; (7) any silencer (as defined in 18 U.S.C. § 921); and (8) a destructive device. The term “firearm” shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the...[Attorney General]...finds by reason of the date of its manufacture, value, design and other characteristics is primarily a collector’s item and is not likely to be used as a weapon.*”

The NFA 26 U.S.C. § 5845(b) defines “**machinegun**” as: “...*any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed*

Special Agent William Hairston

763045-22-0015

2022-659-JRB

Page | 3

and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.” (See 26 U.S.C. § 5845(b).

The NFA, 26 U.S.C. § 5845(f), defines the term “**destructive device**” to in part to mean: “(1) *any explosive, incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than one-quarter ounce, (E) mine, or (F) similar device; (2) any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, the barrel or barrels of which have a bore of more than one-half inch in diameter, except a shotgun or shotgun shell which the Secretary finds is generally recognized as particularly suitable for sporting purposes; and (3) any combination of parts either designed or intended for use in converting any device into a destructive device as defined in subparagraphs (1) and (2) and from which a destructive device may be readily assembled...*”

26 U.S.C. § 5842, “**Identification of firearms,**” states: “... (a) *Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the ... [Attorney General] ... may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the ... [Attorney General] ... and any other information the...[latter]... may by regulations prescribe.”*

27 CFR § 478.11 defined the term “**firearm frame or receiver**” to mean: “*that part of a firearm which provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel.*”

ATF Ruling 82-2 reads:

27 CFR 179.11: MEANING OF TERMS

The KG-9 pistol is a machinegun as defined in the National Firearms Act. ATF Rul. 82-2

[Status of ruling: Active]

The Bureau of Alcohol, Tobacco and Firearms has examined a firearm identified as the KG-9 pistol. The KG-9 is a 9-millimeter caliber, semiautomatic firearm which is blowback operated and which fires from the open bolt position with the bolt incorporating a fixed firing pin. In addition, a component part of the weapon is a disconnecter which prevents more than one shot being fired with a single function of the trigger.

The disconnecter is designed in the KG-9 pistol in such a way that a simple modification to it, such as cutting, filing, or grinding, allows the pistol to operate automatically. Thus, this simple modification to the disconnecter together with the configuration of the above design features (blowback operation, firing from the open bolt position, and fixed firing pin) in the KG-9 permits the firearm to shoot

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 4

automatically, more than one shot, without manual reloading, by a single function of the trigger. The above combination of design features as employed in the KG-9 is normally not found in the typical sporting firearm.

The National Firearms Act, 26 U.S.C. § 5845(b), defines a machinegun to include any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.

The “shoots automatically” definition covers weapons that will function automatically. The “readily restorable” definition defines weapons which previously could shoot automatically but will not in their present condition. The “designed” definition includes those weapons which have not previously functioned as machineguns but possess design features which facilitate full automatic fire by simple modification or elimination of existing component parts.

Held: The KG-9 pistol is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Consequently, the KG-9 pistol is a machinegun as defined in section 5845(b) of the Act.

With respect to the machinegun classification of the KG-9 pistol under the National Firearms Act, pursuant to 26 U.S.C. § 7805(b), this ruling will not be applied to KG-9 pistols manufactured before January 19, 1982. Accordingly, KG-9 pistols manufactured on or after January 19, 1982, will be subject to all the provisions of the National Firearms Act and 27 C.F.R. Part 179.

ATF Rul. 82-8

[Status of ruling: Active]

The Bureau of Alcohol, Tobacco and Firearms has reexamined firearms identified as SM10 pistols, SM11A1 pistols, and SAC carbines. The SM10 is a 9 millimeter or .45ACP caliber, semiautomatic firearm; the SM11A1 is a .380ACP caliber, semiautomatic firearm; and the SAC carbine is a 9 millimeter or .45ACP caliber, semiautomatic firearm. The weapons are blowback operated, fire from the open bolt position with the bolt incorporating a fixed firing pin, and the barrels of the pistols are threaded to accept a silencer. In addition, component parts of the weapons are a disconnecter and a trip which prevent more than one shot being fired with a single function of the trigger.

The disconnecter and trip are designed in the SM10 and SM11A1 pistols and in the SAC carbine (firearms) in such a way that a simple modification to them, such as cutting, filing, or grinding, allows the firearms to operate automatically. Thus, this simple modification to the disconnecter or trip, together with the configuration of the above design features (blowback operating, firing from the open bolt position, and fixed firing pin) in the SM10 and SM11A1 pistols and in the SAC carbine, permits the firearms to shoot automatically, more than one shot, without manual reloading, by a single function of the trigger. The above combination of design features as employed in the SM10 and SM11A1 pistols and SAC carbine are normally not found in typical sporting firearms.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 5

The National Firearms Act, 26 U.S.C. § 5845(b), defines a machinegun to include any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.

The “shoots automatically” definition covers weapons that will function automatically. The “readily restorable” definition defines weapons which previously could shoot automatically but will not in their present condition. The “designed” definition includes those weapons which have not previously functioned as machineguns but possess design features which facilitate full automatic fire by a simple modification or elimination of existing component parts.

Held: The SM10 and SM11A1 pistols and the SAC carbine are designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Consequently, the SM10 and SM11A1 pistols and SAC carbines are machineguns as defined in Section 5845(b) of the Act.

With respect to the machinegun classification of the SM10 and SM11A1 pistols and SAC carbines, under the National Firearms Act, pursuant to 26 U.S.C. § 7805(b), this ruling will not be applied to SM10 and SM11A1 pistols and SAC carbines manufactured or assembled before June 21, 1982. Accordingly, SM10 and SM11A1 pistols and SAC carbines, manufactured or assembled on or after June 21, 1982, will be subject to all the provisions of the National Firearms Act and 27 C.F.R. Part 179.

Findings:

Exhibit 28 is a non-firing replica of a STEN Mk. II machinegun manufactured by Denix in Spain. The Exhibit is approximately 31 inches in overall length.

Exhibit 28 has the physical appearance of a STEN machinegun and simulates a STEN machinegun’s action.

My examination revealed the receiver and magazine well of the Exhibit is comprised of a homogeneous casting of zinc alloy. The simulated barrel is a hollow tube with no chamber and thin walls. The barrel assembly of the Exhibit is simply press-fit into the receiver. The bolt of the Exhibit does not contain a firing pin or extractor. I “field-stripped” the Exhibit to examine its major components. The Exhibit appears to be unmodified and in its original configuration.

While conducting research on Exhibit 28, I found several previous ATF correspondences which described evaluations and classifications of various non-firing machinegun replicas manufactured by Denix. However, I was unable to locate any documentation regarding prior ATF evaluation or classification of a STEN-type replica manufactured by Denix.

I compared Exhibit 28 with a STEN machinegun from the National Firearms Collection (NFC). During this comparison, it was found that an unmodified STEN machinegun bolt from the NFC would fit into the receiver of Exhibit 28. The sear of Exhibit 28 retained the machinegun bolt and will release the bolt when the trigger is pulled.

I removed the press-fit faux barrel assembly from the Exhibit. I then utilized a STEN machinegun barrel from the NFC, wrapped with a few layers of electrical tape to make a tight fit, and press fit the machinegun barrel

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 6

into the front section of the Exhibit by inserting the barrel into the rear of the receiver and pushing it forward. The electrical tape wrapped around the barrel centered the chamber and ensured a snug fit of the barrel. I reinstalled the machinegun bolt and reassembled the Exhibit.

I function tested Exhibit 28, with a STEN machinegun bolt and a STEN machinegun barrel installed, and the Exhibit functioned as an open-bolt firing weapon with a fixed firing pin. Due to the fashion in which I improvised a machinegun barrel to fit, a magazine cannot be inserted due to the barrel being too far aft.

I test fired Exhibit 28, assembled as described above, on June 8, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, Federal brand, 9mm Luger caliber ammunition. I pulled the bolt to the rear until it engaged with the sear, inserted one cartridge into the chamber of the barrel, and pulled the trigger. The Exhibit successfully expelled a projectile by the action of an explosive.

The process of converting Exhibit 28 into a weapon which will expel a projectile by the action of an explosive was extremely simple. No specialized knowledge, tools, or machining were required to convert Exhibit 28. Only three items were utilized in the conversion process: a STEN machinegun barrel, a STEN machinegun bolt, and electrical tape. The entire process took approximately five minutes.

Exhibit 28 is a weapon (including a starter gun) which may readily be converted to expel a projectile by the action of an explosive. Therefore, Exhibit 28, as received, is a “**firearm**” as defined by the GCA.

Exhibit 28 is a “firearm” and is a variant of a machinegun. To be excluded from a “machinegun” classification, ATF has long held that variants of machineguns must have critical blocking features which prohibit the use of unmodified machinegun parts and must not be able to readily be made or remade into a machinegun.

Exhibit 28 does not contain blocking features preventing the installation of a STEN machinegun bolt. Simple modifications to Exhibit 28, utilizing a machinegun bolt, would allow the Exhibit to shoot automatically, more than one shot, without manual reloading, by a single function of the trigger.

The STEN is blowback operated and fires from the open bolt position with the bolt incorporating a fixed firing pin. These design features are not found in the typical sporting firearm, but rather are design features of machineguns.

The “designed” clause to the machinegun definition includes weapons which have not previously functioned as machineguns but possess specific machinegun design features which facilitate automatic fire by simple alteration or elimination of existing component parts.

Exhibit 28 is a “firearm” (GCA) and is designed to shoot automatically more than one shot, by a single function of the trigger. Consequently, Exhibit 28 is a “**machinegun**” as defined.

It should be noted that non-firing replicas or blank guns, such as Exhibit 28, are typically examined by ATF prior to being imported to ascertain their status as firearms. As stated above, the ATF examined several Denix replicas for importation, but no records were found of a Denix STEN replica examination.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 7

Exhibit 29 is a replica of a M240 machinegun. The Exhibit closely replicates the size, shape, and appearance of a M240 machinegun.

During my examination, I observed the following markings on Exhibit 29:

Receiver

- **U.S M240 11825980**
- **MACHINE GUN 7.62mm**
- **SERIAL NO TH000861**
- **CONTRACT NO DAAA 09-79-C-2222**
- **NSN 1005-01-025-8095**
- **MANUFACTURING ING.**

Trunnion

- **M P**

Barrel

- **7.62MM**
- **6046-1**

My research indicates Exhibit 29 is marketed as a Jing Sheng M240 replica toy air gun. The markings, including the grammatical errors, on Exhibit 29, match those found on photographs of the Jing Sheng M240 replica.

I field stripped Exhibit 29 to examine its components and compared Exhibit 29 to FN 240-type machineguns from the National Firearm Collection.

Exhibit 29 contains a smooth bored barrel, with a bore approximately 0.34" in diameter. The barrel adapter and trunnion threads of Exhibit 29 are not compatible with a FN machinegun. The machinegun barrel will not attach to Exhibit 29 or vice versa. A FN machinegun bolt and carrier group cannot be installed into Exhibit 29.

The receiver of Exhibit 29 does not contain bolt guide rails or internal machining for the guide rails. The interior width of Exhibit 29's receiver cavity is approximately 0.008" – 0.010" larger than that of a FN machinegun.

Exhibit 29 is not a weapon which will expel a projectile by the action of an explosive, nor is it designed to do so. Exhibit 29 is not readily convertible to be able to expel a projectile by the action of an explosive.

Comparison of the Exhibit 29 receiver side plates to receiver side plates of a M240 or FN MAG 58 reveal the Exhibit's side plates are a direct copy of the machinegun side plates in terms of profile and rivet hole locations. The Exhibit's side plates do not contain machined recesses as found in finished M240 or FN MAG 58 side

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 8

plates. No machinegun blocking features are present on Exhibit 29's side plate. The Exhibit's side plates are essentially identical to a machinegun's side plates in an early stage of the manufacturing process.

Items such as Exhibit 29 are typically evaluated by the Firearms Technology Industry Services Branch of FATD prior to importation to determine its status as a firearm. Due to the similarities of Exhibit 29's receiver side plates compared to a machinegun's side plates; it is unlikely that Exhibit 29 would be approved for importation as a non-firearm.

FTCB is rendering no classification of the receiver of Exhibit 29.

Exhibit 35 is a training simulator designed to resemble the Mk 19, 40mm automatic grenade launcher. The simulator is designed to function only as a laser emitting device. The action of the trainer is operated by compressed air to simulate the firing cycle of the actual weapon system. The Exhibit has no serial number and has a plate reading "**MEGGITT**" on its left side. Meggitt PLC acquired Firearms Training Systems, Inc. in 2008.

My examination revealed Exhibit 35 has no access for the bolt to engage a round in the feed tray. The bolt of Exhibit 35 is not machined to accept a firing pin, nor is it designed to engage with a cartridge case. The inner left rail has no clearance for a Mk 19 bolt's cocking lever. The Exhibit is incapable of accepting a standard Mk 19 positioning block. Exhibit 35 contains no ogive plunger or vertical cam assembly. The receiver of Exhibit 35 is incapable of accepting a standard Mk 19 backplate assembly.

My research and examination revealed Exhibit 35 may not readily be converted to expel a projectile by the action of an explosive nor does Exhibit 35 utilize the receiver of a firearm. Exhibit 35 is not subject to the provision of the GCA or NFA.

Exhibit 37 is a Thompson Submachine Gun M1A1, .45 caliber machinegun receiver manufactured by Savage Arms Corporation in Utica, New York. The Exhibit is separated into two segments by means of a saw cut.

I observed the following markings on Exhibit 37:

Right side of receiver

- **AUTO-ORDNANCE CORPORATION**
- **BRIDGEPORT, CONNECTICUTT, U.S.A.**

Left side of receiver

- **THOMPSON SUBMACHINE GUN**
- **CALIBER .45 M1A1**
- **NO. 331843**
- **FJA** (faintly marked)
- **GEG** (encircled)
- **GEG** (encircled)
- Faintly visibly Ordnance "wheel" proof"

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 9

Bottom (by grip mount)

- S

Top of receiver



The “GEG” markings present on the Exhibit represent George E. Goll of Auto-Ordnance. This stamping is an inspection mark commonly found on Savage Arms produced Thompson Submachine Guns. The “FJA” marking represents Colonel Frank J. Atwood who was designated Army Inspector of Ordnance for the Rochester, New York Ordnance District. His acceptance stamp, “FJA” was applied to Thompson Submachine Gun made at Savage Arms. The “S” mark on the bottom of the receiver is found on Thompson Submachine Guns made by Savage Arms. These three markings corroborate that Exhibit 37 was manufactured by Savage Arms Corporation in Utica, New York.

I compared Exhibit 37 with a Thompson Submachine Gun M1A1 from the NFC. The dimensions of Exhibit 37 are virtually identical to the receiver of the NFC exemplar. The M1A1 exemplar is equipped with a M1 style bolt, which is dimensionally the same as a M1A1 bolt. The exemplar M1 machinegun bolt fit and functions as designed in Exhibit 37. Exhibit 37 has undamaged threads at its forward section to facilitate attachment of a Thompson Submachine Gun barrel.

For a machinegun to be removed from the provisions of the NFA, it must be destroyed. Acceptable methods of destruction are to completely melt (smelt), crush, or shred the firearm. ATF has approved alternative methods of destruction for Thompson Submachine Gun variants. Alternative destruction requires three cuts to be made at specific locations containing critical features of the receiver. These cuts must also be made with a cutting torch having a tip of sufficient size to displace at minimum ¼ inch of material at each cut location.

Exhibit 37 is not cut by torch, nor is it cut at any critical area. Exhibit 37 may readily be repaired into serviceable condition. Exhibit 37 is a serviceable machinegun receiver. Exhibit 37 is the receiver of a machinegun and therefore, is a “**machinegun**” as defined.

Exhibit 38 is a Polish model Pistolet Maszynowy wz. 43 receiver made in Katowice, Poland. The wz. 43 is a Soviet PPS-43 copy licensed to Poland. The receiver is separated into two segments by a saw cut.

I observed the following markings on Exhibit 38:

- **12** (encircled) *[Huta Baildon, Katowice, Poland]*
- **1951** *[year of manufacture]*
- **H-12639** *[serial number]*

Each section of receiver has a piece of tape with “3” written on the tape.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 10

The receiver of Exhibit 38 is severed by a simple saw cut through the ejection port section of the receiver. The ejection port area is a non-critical area and the cut in this section produces minimal damage that is readily repairable.

Exhibit 38 is a serviceable receiver of a wz. 43 machinegun. Exhibit 38 is a “**machinegun**” as defined.

Exhibit 39 is a Polish model Pistolet Maszynowy wz. 43 receiver made in Poznan, Poland. The receiver is separated into two segments by a saw cut.

I observed the following markings on Exhibit 39:

- **6** (encircled) [*H. Cegielski – Poznan S.A., Poznan, Poland*]
- **1952** [*year of manufacture*]
- **MA-31848** [*serial number*]

The receiver of Exhibit 39 is severed by a simple saw cut through a non-critical area in the rear section of the receiver. The severing of the receiver produced minimal damage and is readily repairable.

Exhibit 39 is a serviceable wz. 43 machinegun receiver. Exhibit 39 is a “**machinegun**” as defined.

Exhibit 40 a Yugoslav model M53 receiver. The M53 is a Yugoslav copy of the German MG 42 machinegun. The receiver is separated into two segments by a simple saw cut.

I observed the following markings on Exhibit 40:

- **7.9 M53**
- **P-51033**



The receiver of Exhibit 40 is separated into two segments by means of a simple saw cut. This cut is at a non-critical area and is readily repairable.

I compared Exhibit 40 to a M53 from the NFC. The machinegun bolt assembly, trigger assembly, and buttstock from the NFC M53 can be freely installed into the Exhibit. There are no blocking features or modifications present on Exhibit 40 which could indicate the Exhibit being anything other than a machinegun receiver.

Exhibit 40 is a serviceable receiver of a M53 machinegun. Exhibit 40 is a “**machinegun**” as defined.

Exhibit 41 is a Russian model PPSH-41 receiver made in Russia. The receiver is separated into two segments by a simple saw cut.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 11

I observed the following markings on Exhibit 39:

- 1944
- 985



-

The receiver of Exhibit 41 is severed by a simple saw cut through the ejection port section of the receiver. The ejection port area is a non-critical area and the cut in this section produces minimal damage that is readily repairable.

Exhibit 41 is a serviceable receiver of a Russian PPSH-41 machinegun. Exhibit 41 is a “**machinegun**” as defined.

Exhibits 42 and 43 are each a combination of left and right side plates for a M240-type receiver. No visible markings of identification are present on the Exhibits. Exhibits 42 and 43 are identical. Examination of the side plates revealed the side plates have not reached a final stage of manufacturing.

Examination of the Exhibits found the following critical features are present:

- Top plate rivet holes
- Bottom plate rivet holes
- Bolt guide recess
- Bolt guide rivet holes
- Bolt rail rivet holes
- Charger slide assembly slot
- Upper breechblock guide rivet holes
- Pintle mount hole
- Bipod leg retention slot
- Trunnion block recesses
- Upper breechblock guide recess
- Bolt rail recess
- Cover latch recess
- Back plate / stock slot

Note: left plates have holes in trunnion slot and forward bolt rail recess and barrel latch recesses machined.

No raised interior obstruction or other machinegun blocking features preventing the use of unmodified M240 machinegun parts are present on Exhibit 42 and 43.

Each side plate of Exhibit 42 and 43 have reached a stage of manufacture in which they are clearly recognized as side plates for a M240-type machinegun. The receiver of a M240-type firearm is the complete assemblage which consists of a left and right side plates, bottom plate, and trunnion that are held together by a number of

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 12

rivets (box type receiver). For disassembled box-type receivers, the right side plate is held to be the regulated part and is the receiver of a machinegun. Therefore, the right side plates of Exhibits 42 and 43 are each a machinegun receiver and “**machinegun**” as defined.

The only time the left side plate of such a weapon has been considered the “receiver” for control purposes has been instances where a manufacturer of new box-type machineguns has moved newly-manufactured and never-assembled weapons in commerce for the purpose of finishing or other manufacturing operations. As the side plates of Exhibits 42 and 43 are newly-manufactured and never-assembled machinegun left side plates that have moved through commerce to have additional manufacturing processes completed, the left side plates of the Exhibits are each a “**machinegun**” as defined.

Exhibits 42 and 43 bear no serial numbers or manufacturer markings as required by 26 U.S.C. § 5842.

Exhibit 44 is a right side plate of a Browning M2 Heavy Barrel .50 caliber machinegun, manufactured by AC Spark Plug Division of General Motors in Flint, Michigan.

I observed the following external markings on Exhibit 44:

- **BROWNING MACHINEGUN CAL 50 M2**
- **MANUFACTURED BY**
- **AC SPARK PLUG DIVISION – GENERAL MOTORS**
- **FLINT MICHIGAN U.S.A.**
- **U.S. No 1568755**
- **GVT. INSP. A.B.Q.**
- **R.I.A.**
- **P**

Exhibit 44 is a fully intact and serviceable right side plate of a Browning M2HB .50 caliber machinegun receiver. The ATF has long held the right side plate of a disassembled Browning-type machinegun receiver to be the component regulated as the weapon’s receiver. Exhibit 44 is a machinegun receiver, therefore Exhibit 44 is a “**machinegun**” as defined.

Exhibit 45 is a RPD machinegun receiver. The receiver is separated into two segments by a simple saw cut. The RPD is a Russian designed belt-fed machinegun that has been in military service since 1944.

Exhibit 45 is an early, non-modernized RPD as it uses a fixed charging handle, rather than the later non-reciprocating charging handle. Exhibit 45 is most likely manufactured in Russia. It is possible Exhibit 45 may have been manufactured in a former Soviet Union country other than Russia.

I observed the following marking on Exhibit 45:

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 13



Exhibit 45 is severed by a saw cut in a non-critical area. Exhibit 45 is readily repairable and is a serviceable receiver of a machinegun. Exhibit 45 is “**machinegun**” as defined.

Exhibit 46 is a Polish model Pistolet Maszynowy wz. 43 receiver made in Katowice, Poland. The receiver is separated into two segments by a saw cut.

I observed the following markings on Exhibit 46:

- **12** (encircled) *[Huta Baildon, Katowice, Poland]*
- **1950** *[year of manufacture]*
- **MA-06211** *[serial number]*

The forward receiver segment has a section of tape with “7” written on it.

The receiver of Exhibit 46 is severed by a simple saw cut through a non-critical area of the receiver. The severing of the receiver produced minimal damage and is readily repairable.

Exhibit 46 is a serviceable wz. 43 machinegun receiver. Exhibit 46 is a “**machinegun**” as defined.

Exhibit 47 is a segmented Fabrique Nationale (FN) MAG general purpose machinegun right side plate. The M240 is a U.S. variant of the FN MAG. Included with Exhibit 47 is a FN MAG receiver bottom channel and a charging handle guide rail.

The right side plate of a previously assembled FN MAG or M240 is considered to be the receiver of the weapon and the regulated as a “machinegun”. To no longer be considered a “machinegun” or a “firearm”, the right side plate must be destroyed. Authorized means of destruction are to completely melt (smelt), shred, or crush the side plate. If someone is unable to do so, they may request an alternate destruction method from FATD.

The Exhibit is segmented by three *vertical* torch cuts. ATF approved alternate destruction methods generally require three to four *angled* torch cuts, which are designed to destroy critical features. My research of current and past ATF approved alternate destruction methods for the FN MAG and M240 machinegun is not consistent with the destruction method presented by Exhibit 47. Angled torch cuts are specified, due to the ease of repairing vertical torch cuts.

Examination of Exhibit 47 revealed the trunnion block recesses have not been destroyed. Further, the vertical trunnion block recess shows evidence of milling operation to clean and reshape this critical feature of the machinegun receiver.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 14

An individual with moderate metal working skill set could repair Exhibit 47 into a functional right side plate, provided with time and equipment. Exhibit 47 is not considered to be *readily* repairable.

FTCB is rendering no classification of Exhibit 47.

Exhibit 48 is a Polish model Pistolet Maszynowy wz. 43 receiver made in Katowice, Poland. The receiver is separated into two segments by a saw cut.

I observed the following markings on Exhibit 48:

- **53** (encircled) *[Łódź, Poland]*
- **1955** *[year of manufacture]*
- **KM-6175** *[serial number]*

The receiver of Exhibit 48 is severed by a simple saw cut through the ejection port section of the receiver. The ejection port area is a non-critical area and the cut in this section produces minimal damage that is readily repairable.

Exhibit 48 is a serviceable receiver of a wz. 43 machinegun. Exhibit 48 is a “**machinegun**” as defined.

Exhibit 49 contains the left and right receiver side-plates of a .30 caliber Browning machinegun aircraft variant. The maker and location of manufacture of Exhibit 49 is undetermined.

My research indicates Exhibit 49 is side plates from an aircraft variant of a .30 caliber Browning machinegun, such as the Browning M2, Browning AN/M2, Colt MG40, Mk II Browning, or FN *Modèle* 1938 (see attachment for examples). These variants were made by several manufacturers, in several countries, beginning in the 1920s.

Exhibit 49 contains no visible markings of identification.

The receiver of a Browning M2-type aircraft machinegun is the complete assemblage consisting of the side plates, trunnion, top and bottom plates. When disassembled, ATF has long held that the right side-plate of Browning 1919 and M2 type machineguns is considered the frame or receiver, the controlled part of the firearm under the provisions of the NFA.

Exhibit 49, containing the left and right side-plates of a Browning M2-type aircraft machinegun, is a “machinegun” as defined.

Exhibit 49 bears no manufacturer’s markings or serial number as required by 26 U.S.C. § 5842.

Exhibit 52 is a RPB Industries, model SM11-A1, .380 ACP caliber firearm made in Georgia, U.S.A. Included with Exhibit 52 is a compatible magazine. Exhibit 52 bears serial number SAP3806982.

I observed the following markings on Exhibit 52:

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 15

- **SM11-A1, CAL 380**
- **RPB INDUSTIRES, INC.**
- **ATLANTA, GA. U.S.A.**
- **SAP3806982**
- **SAFE**
- **FIRE**

Exhibit 52 is missing its front takedown pin. For the examination, I utilized a SM-11A1 pin from the NFC to keep the firearm intact. I performed a manual function test of Exhibit 52. The results of the manual function test indicate the Exhibit functions semiautomatically and fires from the open-bolt position. I then field stripped Exhibit 52 to examine the internal components. My examination revealed the Exhibit's disconnecter has been ground or filed down. Modification of the disconnecter in this manner is a well-known modification to cause the open-bolt SM11-A1 to fire automatically. However, the disconnecter has not been modified enough to prevent the component from working as designed.

I test fired Exhibit 52 on February 3, 2023, at the ATF test range in Martinsburg, WV, using commercially available, PMC brand, .380 ACP caliber ammunition. I loaded one cartridge into the firearm and pulled the trigger. Exhibit 52 successfully expelled a projectile by the action of an explosive. Next, I inserted a two-cartridge load and pulled the trigger. Exhibit 52 fired each cartridge semiautomatically, by separate functions of the trigger. I repeated this method of testing with three- and five-cartridge loads. Each test resulted in semiautomatic fire.

With ATF Ruling 82-8, ATF identified the SM11A1 pistols are *designed* to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Consequently, the SM11A1 pistols are machineguns as defined.

Exhibit 52 is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Exhibit 52 is a "**machinegun**" as defined.

Exhibit 53 is a model Uzi semi-auto Model 45 firearm manufactured by Israeli Military Industries in Israel and imported by Action Arms, Ltd. of Philadelphia, Pennsylvania. Exhibit 53 is equipped with a folding shoulder stock and a faux barrel.

During my examination of Exhibit 53, I observed the following markings:

Receiver

- **UZI semi_auto**
- **MODEL 45**
- **.45 A C P**
- **IMI - ISRAEL**
- **ACTION ARMS, LTD**
- **Phila.Pa.**
- **.45-SA/**

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 16

- **002947**

I field-stripped Exhibit 53 to examine the interior components to determine its functionality and if it has been modified from its semiautomatic design. Exhibit 53 utilizes unmodified semiautomatic UZI firing mechanism and bolt assembly.

I reassembled the Exhibit and performed a manual function test. This manual function test indicated the Exhibit functions semiautomatically.

The Exhibit is equipped with a short faux barrel, designed to mimic the appearance of a standard UZI machinegun's short barrel. This faux barrel is a short, solid insert with no bore or chamber. Semiautomatic UZI rifles manufactured by IMI were often sold with this faux barrel in addition to a 16-inch, rifled barrel.

I utilized a .45 caliber barrel from a like-model UZI from the NFC and installed it on Exhibit 53. I test fired Exhibit 53, with the NFC barrel, on June 17, 2022, at the ATF test range in Martinsburg, West Virginia using commercially available, Winchester brand, .45 ACP caliber ammunition. I loaded one ammunition cartridge into a UZI magazine from the NFC, inserted the magazine into the Exhibit, chambered the cartridge, and pulled the trigger. Exhibit 53 successfully expelled a projectile by the action of an explosive. Next, I repeated the method of test firing with a magazine loaded with two ammunition cartridges. Exhibit 53 successfully fired both cartridges semiautomatically, by separate functions of the trigger. I repeated this method of test firing with a magazine loaded with five ammunition cartridges. The Exhibit fired each cartridge semiautomatically, by separate functions of the trigger.

Exhibit 53 is a weapon which is designed to expel a projectile by the action of an explosive and contains the receiver of such a weapon. Therefore, Exhibit 53 is a "**firearm**" as defined under the GCA.

Exhibit 54 is a model UZI semi auto Model B firearm manufactured by Israeli Military Industries in Israel and imported by Action Arms, Ltd. of Philadelphia, Pennsylvania. Exhibit 54 is equipped with a folding shoulder stock, a magazine, and a faux barrel.

During my examination of Exhibit 54, I observed the following markings:

- **UZI semi_auto**
- **MODEL B**
- **9mm PARA**
- **IMI -ISRAEL**
- **ACTION ARMS, LTD**
- **Phila.Pa.**
- **SA 38926**

I field-stripped Exhibit 54 to examine the interior components to determine its functionality and if it has been modified from its semiautomatic design. Exhibit 54 utilizes unmodified semiautomatic UZI firing mechanism and bolt assembly.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 17

I reassembled the Exhibit and performed a manual function test. This manual function test indicated the Exhibit functions semiautomatically.

The Exhibit is equipped with a short faux barrel, designed to mimic the appearance of a standard UZI machinegun's short barrel. This faux barrel is a short, solid insert with no bore or chamber. Semiautomatic UZI rifles manufactured by IMI were often sold with this faux barrel in addition to a 16-inch, rifled barrel.

Exhibit 54 is designed to expel a projectile by the action of an explosive. As received, Exhibit 54 cannot expel a projectile as it does not have a barrel installed. Exhibit 54 incorporates a firearm receiver. Exhibit 54 is a "**firearm**" as defined.

Exhibit 54 is not subject to the provisions of the NFA.

Exhibit 55 is a RPB Industries, model SM11-A1, .380 ACP caliber carbine made in Georgia, U.S.A. Exhibit 55 has an overall length of approximately 28 inches and a rifled barrel approximately 16.5 inches in length. The exhibit has a fixed stock and includes a detachable magazine.

I observed the following markings on Exhibit 55:

- **SM11-A1, CAL 380**
- **RPB INDUSTRIES, INC.**
- **ATLANTA, GA. U.S.A.**
- **SAC380231**
- **SAFE**
- **FIRE**

I performed a manual function test of Exhibit 55. The results of the manual function test indicate the Exhibit functions semiautomatically and fires from the open-bolt position. I then field stripped Exhibit 55 to examine the internal components. Exhibit 55 appears to be unmodified from original configuration.

I test fired Exhibit 55 on February 6, 2023, at the ATF test range in Martinsburg, WV, using commercially available, PMC brand, .380 ACP caliber ammunition. I loaded one cartridge into the firearm and pulled the trigger. Exhibit 55 successfully expelled a projectile by the action of an explosive. Next, I inserted a two-cartridge load and pulled the trigger. Exhibit 55 fired each cartridge semiautomatically, by separate functions of the trigger. I repeated this method of testing with three- and five-cartridge loads. Each test resulted in semiautomatic fire.

With ATF Ruling 82-8, ATF identified the SM11A1 SAC carbines are *designed* to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Consequently, the SM11A1 SAC carbines are machineguns as defined.

Exhibit 55 is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Exhibit 55 is a "**machinegun**" as defined.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 18

Exhibit 56 is a model KG-9, 9mm Luger caliber firearm manufactured by Interdynamic in Florida. As received, Exhibit 56 had a magazine zip-tied to it. This magazine is not compatible with the Exhibit and is for a M11-A1-type firearm. During my examination, I observed the following markings on Exhibit 56:

On the left side (magazine well)

- **INTERDYNAMIC**
- **MIAMI FL.**
- **9MM LUGER**
- **MOD. KG-9**
- **PATENTS PENDING**
- **01084**

On the left and right grips

-  [the Interdynamic logo]

Receiver (safety notch)

- **SAFE**

I performed a manual function test of Exhibit 56. The results of the manual function test indicate the Exhibit functions semiautomatically and fires from the open-bolt position. I then field stripped Exhibit 56 to examine the internal components. My examination revealed the Exhibit is not modified from its semiautomatic configuration and the Exhibit's disconnecter is not damaged or altered and functions as designed.

I verified Exhibit 56's function by conducting a series of test fires. I test fired Exhibit 56 on June 7, 2022, at the ATF test range in Martinsburg, West Virginia, using commercially available, Federal brand, 9mm Luger caliber ammunition and a KG-9 magazine from the National Firearms Collection (NFC). I loaded one cartridge into the magazine, inserted the magazine, pulled the bolt to the cocked position, and pulled the trigger. Next, I loaded a magazine with two cartridges, inserted the magazine, cocked the bolt, and pulled the trigger. Exhibit 56 fired each cartridge semiautomatically, by separate functions of the trigger. I repeated this method of test firing with using a three-cartridge ammunition load, achieving the same results of semiautomatic fire.

With ATF Ruling 82-2, ATF identified the simplicity in converting the semiautomatic open-bolt KG-9-type firearms into machineguns and determined that open-bolt KG-9-type firearms are *designed* to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Therefore, semiautomatic open-bolt KG-9-type firearms are "machineguns" as defined.

Exhibit 56 is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Exhibit 56 is a "**machinegun**" as defined.

Exhibit 57 is a RPB Industries, model SM10, 9mm Luger caliber firearm made in Georgia, U.S.A. Exhibit 57 bears serial number SEMI91211A.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 19

I observed the following markings on Exhibit 57:

- **SM10, CAL 9MM PARA**
- **RPB INDUSTIRES, INC.**
- **ATLANTA, GA. U.S.A.**
- **SEMI91211A**
- **SAFE**
- **FIRE**

I performed a manual function test of Exhibit 57. The results of the manual function test indicate the Exhibit functions semiautomatically and fires from the open-bolt position. I then field stripped Exhibit 57 to examine the internal components. Exhibit 57 appears to be unmodified from original configuration.

I test fired Exhibit 57 on February 6, 2023, at the ATF test range in Martinsburg, WV, using commercially available, Federal brand, 9mm Luger caliber ammunition. I loaded one cartridge into the firearm and pulled the trigger. Exhibit 57 successfully expelled a projectile by the action of an explosive. Next, I inserted a two-cartridge load and pulled the trigger. Exhibit 57 fired each cartridge semiautomatically, by separate functions of the trigger. I repeated this method of testing with three- and five-cartridge loads. Each test resulted in semiautomatic fire.

With ATF Ruling 82-8, ATF identified the SM10 pistols are *designed* to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Consequently, the SM10 pistols are machineguns as defined.

Exhibit 57 is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Exhibit 57 is a “**machinegun**” as defined.

Exhibit 58 is a RPB Industries, model SM10, .45 ACP caliber firearm made in Georgia, U.S.A. Exhibit 58 bears serial number SAP451127.

I observed the following markings on Exhibit 58:

- **SM10, CAL 45 AUTO**
- **RPB INDUSTIRES, INC.**
- **ATLANTA, GA. U.S.A.**
- **SAP451127**
- **SAFE**
- **FIRE**

I performed a manual function test of Exhibit 58. The results of the manual function test indicate the Exhibit functions semiautomatically and fires from the open-bolt position. I then field stripped Exhibit 58 to examine the internal components. Exhibit 58 appears to be unmodified from original configuration.

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 20

I test fired Exhibit 58 on February 7, 2023, at the ATF test range in Martinsburg, WV, using commercially available, PMC brand, 45 ACP caliber ammunition. I loaded one cartridge into the firearm and pulled the trigger. Exhibit 58 successfully expelled a projectile by the action of an explosive. Next, I inserted a two-cartridge load and pulled the trigger. Exhibit 58 fired each cartridge semiautomatically, by separate functions of the trigger. I repeated this method of testing with three- and five-cartridge loads. Each test resulted in semiautomatic fire.

With ATF Ruling 82-8, ATF identified the SM10 pistols are *designed* to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Consequently, the SM10 pistols are machineguns as defined.

Exhibit 58 is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. Exhibit 58 is a “**machinegun**” as defined.

Exhibits 60 and 61 are identical Exhibits. Exhibits 60 and 61 are assembled M60 machinegun receivers. The Exhibits bear no serial numbers or markings of identification.

The exhibits are cleanly machined and riveted, and exhibit a uniform finish found on professionally manufactured M60 receivers.

Exhibits 60 and 61 are each comprised of the M60 receiver lower channel, inner bottom rail, left side rail, right side rail, and rear bridge.

I compared Exhibits 60 and 61 to a M60 machinegun receiver from the NFC and found them to match. I installed a M60 bolt and carrier assembly into Exhibit 60. There are no blocking features preventing the use of an unmodified machinegun bolt assembly.

Exhibits 60 and 61 are each a receiver of a machinegun. Exhibits 60 and 61 are each a “**machinegun**” as defined.

Exhibit 62 is a disassembled M60 machinegun receiver, similar to Exhibits 60 and 61. While the trunnion is marked, the receiver otherwise has no identifying markings.

Exhibit 62 consists of the following M60 machinegun components:

- Trunnion
- Lower channel
- Left side rail
- Right side rail
- Lower rail

The Exhibit does not include a rear bridge.

The trunnion is marked:

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 21

- U.S.
- MACHINE GUN
- 7.62-MM M60
- SACO DEFENSE INC.
- SACO. ME.

The trunnion and lower channel of the Exhibit are fully formed and finished. The side and bottom rails are in-the-white and only require pre-drilled holes to be finished. Assembly of the receiver would only require drilling, riveting, and minor fitting of the components. The receiver components are readily able to be assembled into a receiver for an M60 machinegun.

Exhibit 62 is a receiver for a M60 machinegun. Exhibit 62 is a “**machinegun**” as defined.

Conclusions:

Exhibit 28 is a weapon (including a starter gun) which may readily be converted to expel a projectile by the action of an explosive; therefore, it is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A).

Exhibit 28 is a weapon designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, Exhibit 28 is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(b).

Exhibit 28, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 28 bears no manufacturer’s markings of identification or serial number as required by 26 U.S.C. § 5842.

No classification is rendered for **Exhibit 29**.

Exhibit 35 is not subject to the regulation under the GCA or NFA.

Exhibit 37, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 37, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 37, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 38, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 22

Exhibit 38, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 38, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 39, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 39, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 39, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 40, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 40, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 40, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Each of the two side plate of **Exhibit 42** being the receiver of a weapon is designed to expel a projectile by the action of an explosive, each is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Each of the two side plates of **Exhibit 42** being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Each of the two side plates of **Exhibit 42** being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Each of the two side plates of **Exhibit 42** bears no serial numbers or manufacturer markings as required by 26 U.S.C. § 5842.

Each of the two side plates of **Exhibit 43** being the receiver of a weapon is designed to expel a projectile by the action of an explosive, each is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Each of the two side plates of **Exhibit 43** being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 23

Each of the two side plates of **Exhibit 43** being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Each of the two side plates of **Exhibit 43** bears no serial numbers or manufacturer markings as required by 26 U.S.C. § 5842.

Exhibit 44, being the frame of receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 44, being the frame of receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 44, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 45, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 45, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 45, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 46, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 46, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 46, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

No classification is rendered for **Exhibit 47**.

Exhibit 48, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 48, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 48, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 24

Exhibit 49, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 49, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 49, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 49 bears no manufacturer’s markings of identification or serial number as required by 26 U.S.C. § 5842.

Exhibit 52, being a weapon which will expel a projectile by the action of an explosive and incorporating the frame of a firearm, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 52 is a weapon designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, Exhibit 52 is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(2) and 26 U.S.C. § 5845(b).

Exhibit 52, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 53 being a weapon which will expel a projectile by the action of an explosive and incorporating the frame of a firearm, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 53 is not subject to the provisions of the NFA.

Exhibit 54 being a weapon which will expel a projectile by the action of an explosive and incorporating the frame of a firearm, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 54 is not subject to the provisions of the NFA.

Exhibit 55, being a weapon which will expel a projectile by the action of an explosive and incorporating the frame of a firearm, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 55 is a weapon designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, Exhibit 55 is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(b).

Exhibit 55, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 56, being a weapon which will expel a projectile by the action of an explosive and incorporating the frame of a firearm, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 25

Exhibit 56 is a weapon designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, Exhibit 56 is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(b).

Exhibit 56, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 57, being a weapon which will expel a projectile by the action of an explosive and incorporating the frame of a firearm, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 57 is a weapon designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, Exhibit 57 is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(b).

Exhibit 57, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 58, being a weapon which will expel a projectile by the action of an explosive and incorporating the frame of a firearm, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 58 is a weapon designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, Exhibit 58 is a “**machinegun**” as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(b).

Exhibit 58, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 60, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 60, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 60, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 61, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Exhibit 61, being the frame of receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 61, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 62, being the receiver of a weapon is designed to expel a projectile by the action of an explosive, is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(B).

Special Agent William Hairston

763045-22-0015
2022-659-JRB
Page | 26

Exhibit 62, being the receiver of a weapon which is designed to shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a “**machinegun**” as defined in 26 U.S.C. § 5845(b).

Exhibit 62, being a machinegun, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(6).

Examined by:

**JEFFREY
BODELL**

Digitally signed by
JEFFREY BODELL
Date: 2023.02.15
13:44:11 -05'00'

Jeff Bodell
Firearms Enforcement Officer

Approved by:

CODY TOY

Digitally signed by CODY
TOY
Date: 2023.02.15 14:17:18
-05'00'

Cody Toy
Chief, Firearms Technology Criminal Branch

Attachments: Eighty-seven pages bearing photos.

Enclosed is a Firearms Technology Criminal Branch report provided in response to your request for assistance. Please be aware that these documents constitute “taxpayer return information” that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. § 6103(h)(2)(C) and (o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. § 6103 could result in civil and/or criminal liability.