



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

903050:MSK

Martinsburg, West Virginia 25405

3311/2008-468

www.atf.gov

MAY 05 2008

This is in response to your correspondence dated April 12, 2008, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch, seeking guidance regarding M16 machinegun bolt carriers. Specifically, you wish to know if their possession and sale is regulated in any way and if an M16 bolt carrier can be utilized in a semiautomatic AR15 type rifle.

As background, the Gun Control Act of 1968, 18 U.S.C. Section 921(a)(3), defines a "firearm," in part, as "...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...[or]...the frame or receiver of any such weapon..." Further, the National Firearms Act, 26 U.S.C. Section 5845(b), defines a "machinegun" as follows:

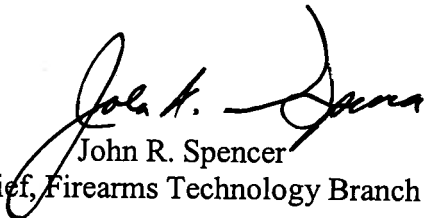
*...any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, 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.*

Based on these statutes, M16 bolt carriers **are not** designed and intended solely and exclusively for use in converting a weapon into a machinegun and **are not** any combination of parts from which a machinegun can be assembled. Further, an M16 bolt carrier **is not** a firearm as defined in the GCA or a machinegun as defined in the NFA. An M16 bolt carrier is simply a machinegun part and as such its domestic sale and possession **is unregulated** under Federal firearms laws. It **is not** unlawful to utilize a M16 machinegun bolt carrier in a semiautomatic AR15 type rifle.

However, utilizing an M16 bolt carrier in combination with other military-style firing components in an AR15 rifle may enable the rifle to fire automatically. If a semiautomatic weapon is modified in any way (including the installation of military M16 component parts) which allows it to fire automatically, it becomes a "machinegun" as defined above, and its creation, sale, or possession by an unlicensed individual would be unlawful.

We thank you for your inquiry and trust the foregoing has been responsive.

Sincerely yours,

  
John R. Spencer  
Chief, Firearms Technology Branch