



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

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Mr. Robert Bower, Jr.
Phila Ordnance
222 Roesch Avenue
Oreland, Pennsylvania 19075

Dear Mr. Bower:

This refers to your recent correspondence to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), which accompanied your 10 ½ inch Thompson-type machinegun replica barrel submitted for examination and classification per National Firearms Act (NFA) provisions. Specifically, you have designed this barrel to fire blank ammunition and want to know if this sample, once installed in a semiautomatic firearm, would be regulated as a "short barreled rifle" under the NFA.

As background, the amended Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "firearm" to include *any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive...[and]...the frame or receiver of any such weapon....*

Additionally, the NFA, 26 U.S.C. § 5845(a), defines "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 in subsection (e); (6) a machinegun; (7) any silencer (as defined in section 921 of title 18, United States Code), 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 Secretary 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 submitted barrel was examined by FTB and found to incorporate the following characteristics (see enclosed photos):

- The barrel is steel and approximately 10 ½ inches in overall length.
- The barrel is externally threaded at the breech end for attachment to a Thompson-type semi-auto firearm.

Mr. Robert Bower, Jr.

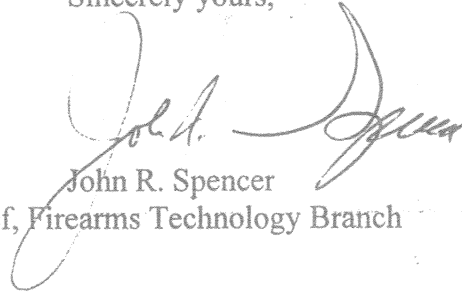
- The chamber is bored to an approximately .45 ACP caliber cartridge diameter, but is too short to accept .45 ACP caliber live ammunition.
- There are internal threads in the muzzle end to accommodate a removable threaded interior 1/2-inch cap/plug that was installed onto the barrel's muzzle end.
- There are three small holes, each approximately .189 inch in diameter, which are bored through the entire length of the barrel from the breech to the muzzle.

Based on our evaluation, FTB finds that the submitted Thompson-type, blank-firing barrel would not be considered a barrel and would not be subject to regulation under the provisions of the NFA if attached to a semi-auto carbine firearm.

We caution that this determination applies only to the sample as submitted. Any alterations or modifications to the design or production of this blank-firing barrel would make it subject to further review. Also, we remind you that it is your responsibility to inform your customers that a firearm with a blank barrel of this type installed is still subject to the provisions of the GCA.

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

Sincerely yours,



John R. Spencer
Chief, Firearms Technology Branch

Enclosure

Instructions for blank firing barrel

Install using standard barreling procedures. Torque on tight.

It is possible to chamber some types of .45 ACP ammo so be careful to use blanks only with this barrel.

The bores should be cleaned on a regular basis as you would any rifle barrel. Use .17 caliber cleaning rod, brushes, and patches.

Three blank adaptors are supplied: 0.246", 0.242" and 0.238". Try the biggest adaptor first. Use the biggest that functions the gun properly. The smaller the adaptor, the more power to cycle the gun.

The adaptor should be screwed in until it completely seats then backed-off 1/2 turn.

The adaptor should be removed and refitted once or twice a day if you are shooting a lot of blanks to clean the threads of carbon residue. A build up of residue and fouling will make the adaptor difficult to remove.

Ideally hi-temp anti-seize compound should be used on the adaptor threads to ease fitting and removal.

This barrel when fitted to your rifle does not make your rifle a short barreled rifle but IT IS STILL CONSIDERED A FIREARM. See ATF letter included.

Atlantic Wall is the smaller adaptors