

United States Senate

WASHINGTON, DC 20510

August 6, 2026

ATF Rulemaking Comments
Mail Stop 6N-518
Office of Regulatory Affairs
Enforcement Programs and Services
Bureau of Alcohol, Tobacco, Firearms and Explosives
Department of Justice
99 New York Avenue NE
Washington, DC 20226

Attention: RIN 1140-AA96

Re: Notice of Proposed Rulemaking: Dual-Use Frames, Receivers, or Barrels

On May 8, 2026, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) published a proposed rule that would amend existing federal regulations governing when firearm frames, receivers, and barrels with both sporting and non-sporting uses, commonly referred to as “dual use” components, may be imported.¹ We submit this comment in opposition to the proposed rule, which we believe runs contrary to the longstanding understanding of the sporting purposes test, thereby violating federal law, and urge the ATF to rescind this short-sighted and dangerous rule.

The regulation of imported firearms in the United States is largely governed by the Gun Control Act of 1968 (GCA). Under the GCA, the ATF shall authorize an application for firearm importation if the firearm model is “generally recognized as particularly suitable for or readily adaptable to sporting purposes”² commonly referred to as the “sporting purposes test.” The sporting purposes test, enacted after the John F. Kennedy assassination, has served as a cornerstone of federal law for over 50 years and was designed to prevent the United States from becoming a central station for cheap, military-surplus foreign firearms with no legitimate civilian sporting application.³ For example, in 1989, President George H.W. Bush invoked the test to ban the importation of semiautomatic assault-style rifles following a mass shooting in a Stockton,

¹ United States, Bureau of Alcohol, Tobacco, Firearms and Explosives. “Importing Dual-Use Frames, Receivers, or Barrels.” *Federal Register*, vol. 91, 8 May 2026, pp. 25192-201, 91 Fed.Reg. 25192, available at <https://www.federalregister.gov/documents/2026/05/08/2026-09163/importing-dual-use-frames-receivers-or-barrels>

² 18 U.S.C. § 925(d)(3)

³ United States Department of Justice. “Appendix C: History of Federal Firearms Laws in the United States. *National Integrated Firearms Violence Reduction Strategy*, January 2001, <https://www.justice.gov/archive/opd/AppendixC.htm>.

California, schoolyard that killed five children and wounded 30 others involving a Chinese-made AK-47. In 1998, the Clinton administration extended that ban and clarified that semiautomatic rifles that used large-capacity magazines could not satisfy the sporting purposes test.⁴ In short, there has been a long-standing bipartisan understanding of the statute.

To understand the scope of the current proposal, it is necessary to begin with ATF Ruling 2025-1, issued June 23, 2025.⁵ For more than two decades, ATF had maintained that firearm barrels were permanently ineligible for importation if they had previously been assembled on non-sporting firearms, military-surplus firearms, or National Firearms Act (NFA) weapons overseas, regardless of whether those barrels could also be used on importable sporting firearms.⁶ That policy, grounded in a 2005 ATF Open Letter, reflected ATF's judgment that a component's history of non-sporting use was disqualifying under the sporting purposes test. ATF Ruling 2025-1 reversed that position, forming the basis for the proposed rule. Under the June 2025 ruling, a barrel may be imported if, at the time of importation, "there is an identified firearm sporting configuration for the barrel," regardless of its prior history on military or non-sporting weapons.⁷ Significantly, once imported, the barrel then may be assembled onto any type of firearm, meaning sporting, non-sporting, or NFA item, provided the assembly otherwise complies with federal law. This was a significant departure from previous policy, transforming what had been a substantive bar into a point-of-entry threshold with no restriction on downstream use in the future.

The ATF now proposes extending the logic of ATF Ruling 2025-1 to frames and receivers, which, in doing so, will fundamentally alter how the sporting purposes test is applied, effectively rendering it moot. Frames and receivers are themselves considered "firearms" under federal law, and it is "unlawful to import any frame, receiver, or barrel" of a firearm that would otherwise "be prohibited if assembled."⁸ But under the proposed rule, a frame, receiver, or barrel could be lawfully imported by a federally licensed importer so long as at the time of importation there is an identifiable sporting firearm configuration that uses the component regardless of whether that same component has previously been configured on non-sporting, military-surplus, or NFA firearms. More significantly, the proposed rule provides that once a dual-use component has cleared the importation threshold, it is not required to remain in a sporting firearm. After

⁴ United States, Department of the Treasury. *Study on the Sporting Suitability of Modified Semiautomatic Assault Rifles*. 10 Dec. 1997, <https://rkba.org/federal/batf/assault-rifles-suitability-complete-1998.pdf>.

⁵ Faucette, Michael D., and Jeremy J. Broggi. "ATF Allows Importation of Dual-Use Firearm Barrels, Irrespective of Previous Status or Configuration." *Wiley Rein LLP*, 25 June 2025, www.wiley.law/alert-ATF-Allows-Importation-of-Dual-Use-Firearm-Barrels-Irrespective-of-Previous-Status-or-Configuration.

⁶ United States, Bureau of Alcohol, Tobacco, Firearms and Explosives. "Import Firearms, Ammunition, and Defense Articles." *ATF.gov*, U.S. Department of Justice, 16 Jan. 2026, www.atf.gov/firearms/tools-and-services-firearms-industry/current-licensees/import-firearms-ammunition-and-defense-articles.

⁷ United States, Bureau of Alcohol, Tobacco, Firearms, and Explosives. *ATF Ruling 2025-1: Importing Dual-Use Barrels*. 23 June 2025, www.atf.gov/media/19181/download.

⁸ 18 U.S.C. § 925(d)(3)

entry into the United States, the frame, receiver, or barrel may be assembled into a sporting firearm, a non-sporting firearm, or even an NFA firearm, provided that such assembly otherwise complies with federal law. In sum, import approval would be determined by the existence of any sporting configuration for the part, and once inside the country, the part could be redirected into any firearm type, including weapons that could never themselves have been imported in completed form under the sporting purposes test.

The sporting purposes test was never intended to function as a temporary hurdle that components must clear only at the moment they cross the border; its purpose was to prevent the civilian market from being flooded with military-grade weaponry that Congress determined had no legitimate sporting application. The ATF's proposed rule transforms that restriction into a one-time paperwork process. A frame with a single recognized sporting configuration on paper could be imported and then channeled, lawfully, into the assembly of military-style rifles or other weapons that would otherwise not be allowed into the country. As such, this proposed rule is not a clarification of an old policy; instead, it is a complete reversal. For years, the federal position has been that parts cannot enter the domestic market by pointing to a theoretical sporting application while being used for non-sporting use. The proposed rule abandons that position entirely without authorization.

The consequences of this proposal are severe. By permitting the importation of dual-use frames and receivers on minimal sporting use grounds, the proposed rule would open U.S. markets to a flood of cheap, foreign-manufactured components originally designed for military-style and non-sporting firearms. Importers could easily identify nominal sporting configurations for virtually any frame or receiver, rendering the importation barrier effectively meaningless. These parts would then be freely assembled into non-sporting weapons and sold through commercial channels, including to civilians who would have no legal avenue to import the completed weapon in the first place.

The risk this creates is real and concrete. On August 3, 2019, a gunman murdered 23 people and injured dozens more in El Paso, Texas, using a WASR-10, a foreign-manufactured, AK-style semiautomatic rifle. Investigators determined that the shooter had purchased the weapon online and taken delivery through a licensed gun dealer near his home in Allen, Texas, where he completed a federal background check. The WASR-10 was not imported into the United States as a completed weapon. It could not have been a completed weapon because a completed Romanian military AK-style rifle does not meet the sporting purposes test and cannot be directly imported. Instead, the rifle was assembled in the United States from foreign-manufactured components imported by Century Arms, a U.S.-based importer that modifies foreign parts to comply with federal law before transferring them to domestic dealers.⁹ The assembly of military-style weapons from imported components has long been the mechanism by

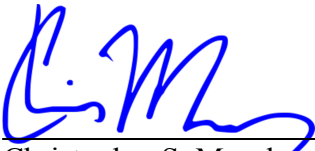
⁹ Oetken Nick. "Where are century arms made?" *TheGunZone*, 17, Feb. 2024, <https://thegunzone.com/where-are-century-arms-made/>.

which firearms that are blocked from direct importation reach civilian hands. The ATF's proposed rule would dramatically expand that pathway; by extending to frames and receivers, which are the structural core of any firearm, the same permissive standard that ATF Ruling 2025-1 applied to barrels, the rule would allow importers to bring in foreign-manufactured components virtually identical to the El Paso shooter's rifle, on nothing more than a nominal showing of sporting utility at the border.

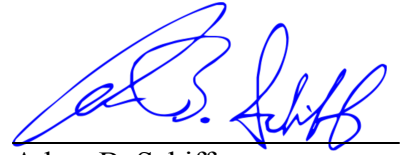
The proposal represents an administrative reversal of half a century of bipartisan firearms import policy without congressional authorization. It would effectively neutralize the sporting purposes test by permitting components to be imported on minimal or nominal sporting utility grounds and then assembled into weapons that could never have been imported in completed form. If the current administration believes the law should be broadened to permit wider importation of dual-use firearm components, that determination must be made by Congress, not through agency rulemaking.

The proposed rule is unlawful because it converts the sporting purposes test into a one-time paperwork threshold that components must satisfy only at the border, with no constraint on assembly into weapons that could never have been imported in completed form. It is dangerous because it would open U.S. civilian markets to a flood of foreign-manufactured frames and receivers originally designed for military applications, dramatically expanding the component-assembly pathway that already enables military-style firearms to reach civilian hands at scale. We urge the ATF to abandon this proposal.

Sincerely,



Christopher S. Murphy
United States Senator



Adam B. Schiff
United States Senator



Richard Blumenthal
United States Senator