



DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, DC 20226

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Mr. Chris Tiel
1916 Taurus Drive
Nampa, Idaho 83651

Dear Mr. Tiel:

This refers to your letter of November 15, 1996 requesting that a certain firearm be considered for removal from the provisions of the National Firearms Act (NFA).

As defined in Section 5845(a)(3) of the NFA, the term firearm includes a rifle having a barrel or barrels of less than 16 inches in length. However, the term firearm shall not include a firearm or any device (other than a machinegun or destructive device) which although designed as a weapon, the Secretary or his delegate 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.

Based on the information you provided, our research, and an examination of the submitted firearm, we have determined that the following firearm falls into the above category and is hereby removed from the provisions of the NFA:

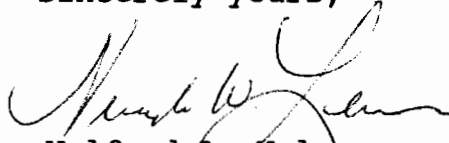
Winchester rifle, Model 1894. .32 Winchester Special caliber, serial number 889043, having a 14-inch barrel.

We have further determined that the above firearm is a curio or relic as that term is defined in Title 27 Code of Federal regulations (CFR), Part 178, Section 178.11, thereby authorizing licensed collectors to acquire, hold, or dispose of it as a curio or relic subject to the provisions of Title 18 United States Code (U.S.C.) and the regulations in 27 CFR Part 178. It is still a firearm as defined in Title 18 U.S.C., Chapter 44, Section 921(a)(3).

Mr. Chris Tiel

We trust that the foregoing has been responsive to your inquiry. If we may be of any further assistance, please contact us.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Walfred A. Nelson".

Walfred A. Nelson
Chief, Firearms and Explosives
Regulatory Division