



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

907010: (b) (6)
3311/304484

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(b) (6)

Steady Shot, LLC
5635 Sandbrook Lane
Hilliard, Ohio 43026

Dear (b) (6)

This is in reference to your correspondence, with enclosed sample, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB). In your letter, you asked for a classification of a "universal pistol brace" (see enclosed photos) you have redesigned in response to a previous evaluation of a similar device (FTISB letter #303907). Additionally, you inquire as to the formal classification of a pistol with your "universal pistol brace" attached. Further, you ask if this item as evaluated is an item found on the U.S. Munitions Import List (USMIL).

You state, *"the new brace is only designed to be used under the forearm of the shooter"*.

Also, the AECA, 27 CFR Section 447.11, defines "**defense articles**" as—

...Any item designated in § 447.21 or § 447.22. This includes models, mockups, and other such items which reveal technical data directly relating to § 447.21 or § 447.22.

Further, Section 447.21(a) of the **USMIL, CATEGORY I—FIREARMS**, references the following:

...(a) Nonautomatic and semiautomatic firearms, to caliber .50 inclusive, combat shotguns, and shotguns with barrels less than 18 inches in length, and all components and parts for such firearms.

Finally, the USMIL, Section 447.22, **FORGINGS, CASTINGS, and MACHINED BODIES** states:

Articles on the U.S. Munitions Import List include articles in a partially completed state (such as forgings, castings, extrusions, and machined bodies) which have reached a stage in manufacture where they are clearly identifiable as defense articles. If the end-item is an article on the U.S. Munitions Import List, (including components, accessories, attachments and parts) then the particular forging, casting, extrusion, machined body, etc., is considered a defense article subject to the controls of this part, except for such items as are in normal commercial use.

The FTISB evaluation revealed that the submitted device is constructed utilizing three main assemblies.

Assembly #1 consists of a dovetailed magazine floorplate measuring approximately (b) (4) inches in length and incorporating a detent hole which is compatible with the forward portion of Assembly #2. FTISB personnel noted this floorplate is assembled to a Smith & Wesson, Model M&P pistol magazine body, designed to hold 17 ammunition cartridges.

Assembly #2 is a metal portion measuring approximately (b) (4) inches in length and approximately (b) (4) inch at its major diameter. The forward portion of this assembly incorporates a dovetailed piece measuring approximately (b) (4) inches in length and is attached to a non-ferrous metal shaft by what appears to be threading. This forward piece incorporates a spring-loaded metal knob which is compatible with Assembly #1.

The rear portion of the aforementioned shaft has a non-ferrous metal part measuring approximately (b) (4) inches in length and approximately (b) (4) inch in diameter. This part of assembly #2 is marked with "**Accu-Pistol Brace**" and www.accupistolbrace.com and is machined to incorporate a longitudinally machined hole for the attachment of assembly #3, and is internally threaded at its rear most portion to accept a retaining screw to maintain positioning of assembly #3 when assembled. This portion of assembly #3 is attached to the shaft port by threading and an unknown adhesive.

Assembly #3 consists of a ferrous metal piece which measures approximately (b) (4) inches in length and incorporates an upward angle of approximately 70 degrees toward the rear of Assembly #3. Assembly #3 is constructed utilizing a round metal rod machined with a series of holes, allowing assembly #3 to be attached to assembly #2 at various positions. Specifically, there are two series of (8) holes and a hole machined perpendicular to each of these series of holes, at the end on each arm of the metal angle. A piece of round foam material covers one arm of assembly #3.

As received, our Branch found this item does not incorporate straps, attachment points, or any component to allow for the attachment of the Accu-Pistol Brace to the operator's forearm. FTISB personnel determined the aforementioned device is designed to utilize the weight (downward pressure) of the host weapon to provide tension or support to the shooter's wrist, when assembly #3 is configured to allow the foam portion to be placed

under the shooter's forearm when held and operated with one hand. These aforementioned design features support the assertion that the submitted device is not designed to be fired from the shoulder when attached to a compatible pistol. Our Branch found the submitted device in and of itself, is not regulated by the GCA or NFA provided the Accu-Pistol Brace is used as originally designed.

FTISB personnel found that the machined holes located at either end of assembly #3 are so arranged, that when assembled as a complete device, allows the Accu-Pistol Brace to be configured in way other than designed and intended. This evaluation also found the foam portion of this "forearm brace" does not provide a surface contact area found on a buttstock assembly, when attached to a pistol.

As a part of this evaluation, FTISB personnel found that assembled in an alternate configuration, the Accu-Pistol Brace assembled S&W M&P pistol incorporates a "length of pull" of approximately 12-1/8 inches. As you are aware, a "length of pull" is a measurement found on shoulder fired weapons, generally measured from the center of the trigger to the center of the buttplate/ buttstock.

While not determinative of itself, FTISB research has revealed the average length of pull found on shoulder-fired weapons is approximately 13.5-14.5 inches. In the aforementioned alternate configuration, the subject pistol incorporates an overall length of approximately (b) (4) inches and a barrel length of approximately (b) (4) inches.

Based on our evaluation, our Branch finds that the submitted device, when attached to a pistol-type firearm, does not design or redesign the host weapon to be fired from the shoulder. As received, the Accu-Pistol Brace does not incorporate a length of pull or design features similar to those of shoulder-fired weapons such as shotguns and rifles.

Further, if the Steady Shot, LLC Accu-Pistol Brace as evaluated by our Branch; is assembled to a pistol, and intent was demonstrated to design or redesign the device's use by firing such a weapon from the shoulder, such a designing or redesigning would be the making or remaking of a weapon designed to be fired from the shoulder and if such a weapon incorporates a barrel length of less than 16 inches; this assembly would constitute the making of *"a rifle having a barrel or barrels of less than 16 inches in length"*; an NFA firearm as defined in 26 U.S.C. § 5845(a)(3).

Further, the Accu-Pistol Brace, being a component which enhances the usefulness of the host pistol and in and of itself is not a firearm part required for the pistol to function as designed; is not a "defense article" as defined in the AECA, 27 CFR Section 447.11. We also suggest that you should contact your State law enforcement authorities to determine if manufacture, transfer, or possession of the submitted Accu-Pistol Brace would be affected by any State law or local ordinances.

FTISB cautions that these findings for the submitted Accu-Pistol Brace are based on the sample as submitted. If the design, dimensions, configuration, method of operation, materials used were changed, removed or added, this classification would be subject to review and a sample must be submitted to our Branch for a physical examination. To facilitate return of your sample, FTISB will return your sample via the accompanying FedEx account # (b) (6) information.

We thank you for your inquiry and trust the foregoing has been responsive to your evaluation request. Please do not hesitate to contact us if additional information is needed.

Sincerely yours,

(b) (6)

(b) (6)

Chief, Firearms Technology Industry Services Branch

Enclosure

Attached to Pistol as Designed and Intended



Steady Shot LLC, Accu-Pistol Brace, Submitted 1/22/16



In “Stored” Configuration



In Alternate Configuration



In Alternate Configuration



In Alternate Configuration Attached to Pistol



In Alternate Configuration Attached to Pistol



In Alternate Configuration Attached to Pistol With
a Length of Pull of Approximately (b) (4) Inches

(b) (4)

Overall Length of Approximately (b) (4) Inches

(b) (4)