



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Firearms Technology Industry Services Branch

Martinsburg, WV

www.atf.gov

907010: (b) (6)
3311/305305

SEP 20 2016

(b)(3)-(26 USC 6103), (b) (6)

Dear (b) (6)

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives, Firearms Technology Industry Services Branch (FTISB), which accompanied your submitted sample of a (b)(3)-(26 USC 6103) serial number (b) (6)

Specifically, you requested an examination and classification of this sample, the physical characteristics and identity of which are provided below, along with a description of the markings:

(b)(3)-(26 USC 6103) 12 gauge, serial number (b) (6)

(b)(3)-(26 USC 6103)

- Overall length: approximately (b) (4) inches.
- Barrel length: approximately (b) (4) inches.
- Attached SigTac SB15 pistol stabilizing brace.
- Pistol grip.

(b) (6)

- Vertical foregrip.
- AR15-type receiver extension.
- Accessory rails.
- Semiautomatic action.
- Magazine-fed.

Markings:

Right side of receiver:

(b)(3)-(26 USC 6103), (b) (6)

Left side of receiver:

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...*

With respect to the definitions of **“handgun”** and **“pistol”** under Federal statutes and implementing regulations, you may be aware that the GCA, 18 U.S.C. § 921(a)(29), defines **“handgun”** as, in part, *...a firearm which has a short stock and is designed to be held and fired by the use of a single hand...*

Additionally, 27 CFR § 479.11 defines **“pistol”** to mean *...a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of or permanently aligned with the bore(s); and (b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).*

The term **“shotgun”** is defined in the GCA, 18 U.S.C. § 921(a)(5) as *...a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell, to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.*

Further, the National Firearms Act (NFA), 26 U.S.C. § 5845(a), defines **“firearm”** to include *...a shotgun having a barrel or barrels of less than 18 inches in length ...[and] ...any other weapon, as defined in subsection (e)...*

Finally, the term **“any other weapon”** is defined in the NFA, 26 U.S.C. § 5845(e), to mean—

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...any weapon or device capable of being concealedd on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels greater than 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or revolver having a rifle bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.

The FTISB examination has revealed the following malfunctions that prevent us from completing our classification evaluation:

- Upon receiving the sample and attempting to clear the weapon by inspecting the chamber, the cocking handle attached to the action bars snapped off. The second cocking handle had already been broken off during shipment of the sample.

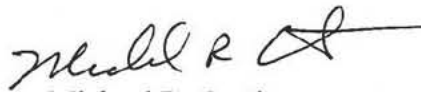
Due to these issues, FTISB was unable to examine or test-fire the submitted sample.

Consequently, we are returning this firearm to you without classification.

Should you choose to render the firearm fully functional, you may return it to FTISB, along with a compatible magazine, and we will continue our evaluation.

We trust that the foregoing has been responsive to your request. If we can be of any further assistance, you may contact us at any time.

Sincerely yours,



Michael R. Curtis
Chief, Firearms Technology Industry Services Branch