



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Firearms Technology Industry Services Branch*

*Martinsburg, WV*

[www.atf.gov](http://www.atf.gov)

907010 (b) (6)  
3311/305310

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 (ATF), Firearms Technology Industry Services Branch (FTISB), which accompanied your submitted sample of a (b)(3)-(26 USC 6103). Specifically, you requested an evaluation and classification regarding importability per 27 CFR § 447.21, the U.S. Munitions Import List (USMIL), Category I – Firearms, for this part, which was manufactured by (b)(3)-(26 USC 6103).

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...*

18 U.S.C. § 921(a)(7), defines “**rifle**” 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 an explosive to fire only a single projectile through a rifled bore, for each single pull of the trigger.*

Also, with respect to the definitions of “**handgun**” under Federal statutes and regulations, you may be aware that the GCA, 18 U.S.C. § 921(a)(29), defines “handgun” to mean, 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 § 478.11, a regulation implementing the GCA, defines “**pistol**” as *...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*

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*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).*

Further, the National Firearms Act (NFA), 26 U.S.C. § 5845(a), defines the term "**firearm**" to include ...(3) *a rifle having a barrel or barrels of less than 16 inches in length...*

Finally, Category I – Firearms, of the USMIL, includes ...*(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...*

The FTISB findings based on our examination of the submitted sample (photo below) are as follows:



Sample as submitted



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Sample attached to a Glock 17 pistol

The submitted sample is a shoulder stock for a pistol designed to accept a variety of Glock pistols. For this evaluation, the sample was attached to a Glock 17 pistol as pictured above. While there are no provisions for mechanical attachment of the stock to the pistol, FTISB has determined that the submitted sample is classified as a shoulder stock for a pistol.

Additionally, attaching the submitted sample to a pistol having a barrel less than 16 inches in length would result in that firearm no longer qualifying as a **"handgun"** or **"pistol"** as defined above. The resulting combination of pistol and stock would meet the definition of a **"rifle"** in that it would be a "weapon designed to be fired from the shoulder." In use, whether the attachment of the stock to the pistol was done by hand connection or mechanical attachment, the resulting firearm would be classified as a short-barreled rifle and a **"firearm"** as defined in the NFA, 26 U.S.C. § 5845(a)(3). Further, mere possession of the stock with a compatible firearm would constitute possession of an NFA firearm.

Further, under Part 447, of 27 CFR – Importation of Arms, Ammunition and Implements of War, certain firearms, including all components and parts for such firearms, are importable with an approved ATF Form 6. FTISB finds that the submitted sample is designed as a part for an importable firearm and therefore is importable with an approved ATF Form 6.

To facilitate the return of your submitted shoulder stock, please provide FTISB with a FedEx or similar shipping label within 60 days of the receipt of this letter.

We thank you for your inquiry, and trust the foregoing has been responsive to your evaluation request.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael R. Curtis", with a stylized flourish at the end.

Michael R. Curtis  
Chief, Firearms Technology Industry Services Branch