



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

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Volquartsen Firearms
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Dear

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This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), which accompanied your sample of one Ruger Mark II pistol. Specifically, you requested an examination and classification of the submitted sample with respect to the amended Gun Control Act of 1968 (GCA) and the National Firearms Act (NFA).

As background, the 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...*

The GCA, 18 U.S.C. § 921(a)(29), defines "handgun," in part, as *...a firearm which has a short stock and is designed to be held and fired by the use of a single hand...*

The GCA, 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...*

The GCA, 18 U.S.C. § 921(a)(8), defines "short-barreled rifle" (SBR) as *...a rifle having one or more barrels less than 16 inches in length....*

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

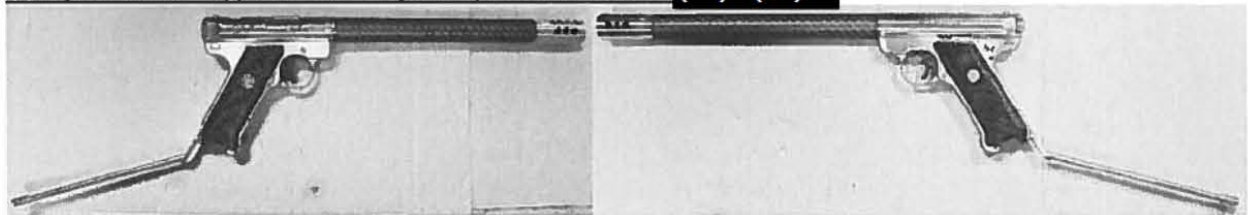
A regulation implementing the NFA, 27 CFR § 479.11, defines "pistol" to mean *...a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels*

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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 results of the FTISB examination of the submitted sample, pictured below, are as follows:

Volquartsen Ruger Mark II pistol, serial number (b) (6)



The submitted sample is a Ruger Mark II-type pistol with a rod welded to the backstrap of the grip that extends rearward from the frame. The overall length of the rod is approximately (b) (4) inches. The diameter of the rod is approximately (b) (4) inch. The "knob" on the end is approximately (b) (4) inch in length and (b) (4) inch in diameter. The welded rod does not have a contact surface similar in form or function to a buttstock and incorporates a "length of pull" of approximately (b) (4) inches. 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. FTISB research has determined the average length of pull found on shoulder-fired weapons is approximately 13 ½ to 14 ½ inches. Additionally, the angle of the welded rod exaggerates the inadequacy of the short "length of pull" by lowering the tip of the rod farther below the line of the bore than what is commonly associated with pistol shoulder stocks, further hindering the practicality of its use as a stock to fire the pistol from the shoulder. As such, the welded rod, used as a shoulder stock, would place the rear of the pistol in close proximity to the shooter's face where the bolt, during normal cycling, may potentially contact the shooter when the pistol is fired. 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.

Further, you provided information stating that the purpose of the submitted sample's design is to be compliant with firearms laws in, and be acceptable for importation to, the United Kingdom by creating an overall length not less than 24 inches.

You asked for clarification "...as to whether or not the "rod" welded onto the frame would constitute a shoulder stock..." and stated that "... the "rod" welded to the frame is not designed to be a shoulder stock allowing the firearm to be fired from it."

A shoulder stock designed to be attached to a pistol typically provides the same "length of pull" common in shotguns or rifles, as discussed above, and contains some of the characteristics found in shotgun or rifle stocks such as a comb, often used as a cheek rest, and a flat or slightly contoured surface for shoulder contact.

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As previously stated, the GCA definition of a rifle includes ...*a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder*... and the NFA definition of a "firearm" includes ...*a rifle having a barrel or barrels of less than 16 inches in length*...

Based on our evaluation, our Branch finds that the submitted pistol, with the rod attached, is not designed or intended to be fired from the shoulder and does not change the classification of the pistol to a GCA rifle or a NFA regulated firearm.

However, should an individual utilize the welded rod on the submitted sample as a shoulder stock to fire the weapon from the shoulder, this firearm would then be classified as a "short-barreled rifle" as defined in the NFA, 26 U.S.C. § 5845(a)(3) because the subject firearm, with attached brace, has then been made or remade, designed or redesigned from its originally intended purpose.

We trust that the foregoing has been responsive to your request for an evaluation. If we can be of any further assistance, please contact us.

Sincerely yours,

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Chief, Firearms Technology Industry Services Branch