



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Firearms Technology Industry Services Branch

Martinsburg, WV
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Dear (b) (6)

This refers to your letter to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), in which you ask if a "CAA Saddle Mount" assembled to an AR-type pistol that has a "KAK Shockwave Brace" attached, would change its classification as a pistol.

As background to your inquiry, we should point out that the amended Gun Control Act (GCA), 18 U.S.C. § 921(a)(3) defines the term "**firearm**" as *any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device. Such term does not include an antique firearm.*

Also, the GCA, 18 U.S.C. § 921(a)(7) defines the term "**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.*

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 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 National Firearms Act (NFA), 26 U.S.C. § 5845(a) (3) and (4) define "**firearm**" in part, as *...a rifle having a barrel or barrels of less than 16 inches in length; a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length.*

FTISB has previously determined that certain devices, such as a "saddle," which are made as a "cheek weld" enhancement and not designed or used to support the AR-pistol in the shooter's shoulder during firing, but rather to rest against the shooter's cheek, would not change its classification.

Although a "CAA Saddle Mount" specifically has not been evaluated by our branch, similar devices such as the Command Arms SST-1, have been submitted for evaluation and found not to be a shoulder stock. Therefore, the simple addition of a Command Arms SST-1 to an AR-type pistol would likely not change its classification provided the device is used as originally designed.

Additionally, a "KAK Shockwave Brace" specifically has not been evaluated by our branch, but similar devices such as the Blade AR Stabilizer, by Shockwave Technologies, (which is different in design and dimension to the KAK Shockwave Brace), have been submitted to FTISB for evaluation, and found not to be a shoulder stocks. Therefore adding a Blade AR Stabilizer to an AR-type pistol would not change its classification provided the device is used as originally designed.

It should be noted that correspondence from our Branch is dependent upon the particular facts, designs, characteristics or scenarios presented. Although other cases (submitted to our Branch) may appear to present identical issues, FTISB correspondence only pertains to the particular item submitted and evaluated. We caution against applying the guidance in our correspondence to other cases, because complex legal or technical issues may exist that differentiate this scenario or finding from others that only appear to be the same.

You indicate that you would like to install a "CAA saddle mount" onto an AR-type pistol that has a "KAK Shockwave Brace." If it is your intention to combine the two items we caution that FTISB would need to examine a physical sample of the resulting device before a determination could be issued. Please note that our branch does not make determinations based on drawings, photographs or descriptions.

Individuals desiring to manufacture a firearm subject to NFA provisions (machineguns excepted) may lawfully do so, but must first submit and secure approval of an ATF Form 1, *Application to Make and Register a Firearm*, and pay the applicable \$200 making tax. Upon notification of approval, the individual could then proceed with making of the subject weapon.

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Finally, please check with your state and local authorities to make sure that the assembly and possession of the subject AR-type firearm, does not violate any State laws or local ordinances.

We thank you for your inquiry and trust the foregoing has been responsive.

Sincerely yours,

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Chief, Firearms Technology Industry Services Branch