



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Firearms Technology Industry Services Branch

Martinsburg, WV

www.atf.gov

MAY 22 2017

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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 samples of one CZ Scorpion EVO 3 S1 pistol, one "side-mounted charging handle assist," and one "pistol stabilizing brace with wrist tether strap." Specifically, you requested an evaluation and classification regarding the installation of each part onto the EVO pistol with regard to the National Firearms Act (NFA).

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

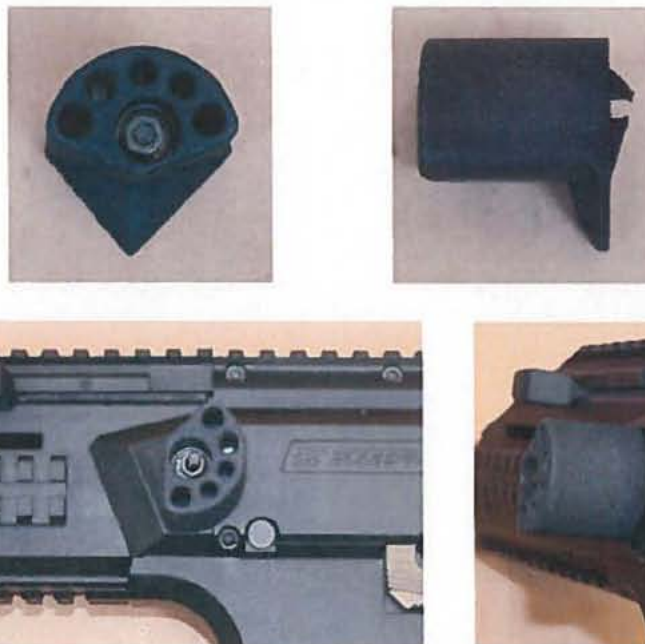
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permanently aligned with, the bore(s); and (b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).

Further, the 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...*

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

Sample 1: “Side-Mounted Charging Handle Assist and Support Hand Index Point”



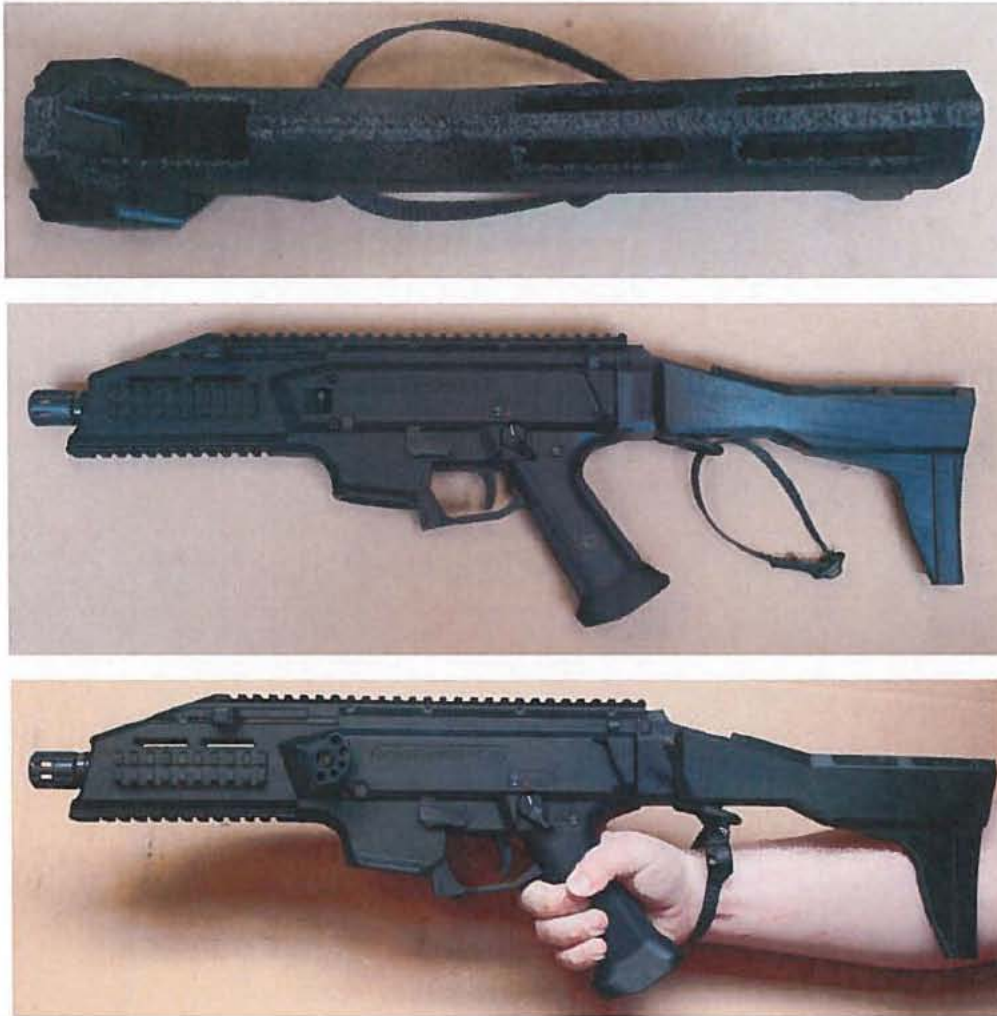
Sample 1 is an attachment to facilitate easier charging of the pistol along with acting as a thumb rest for the pistol. Sample 1 attaches directly to pistol’s front sling swivel.

The FTISB evaluation has determined that Sample 1 is not a foregrip when attached to the CZ Scorpion EVO 3 S1 pistol; therefore, it would not change the classification as a “**handgun**” or “**pistol**” as defined above.

Sample 2: “1-Piece Pistol Stabilizing Brace with Wrist Tether Strap”



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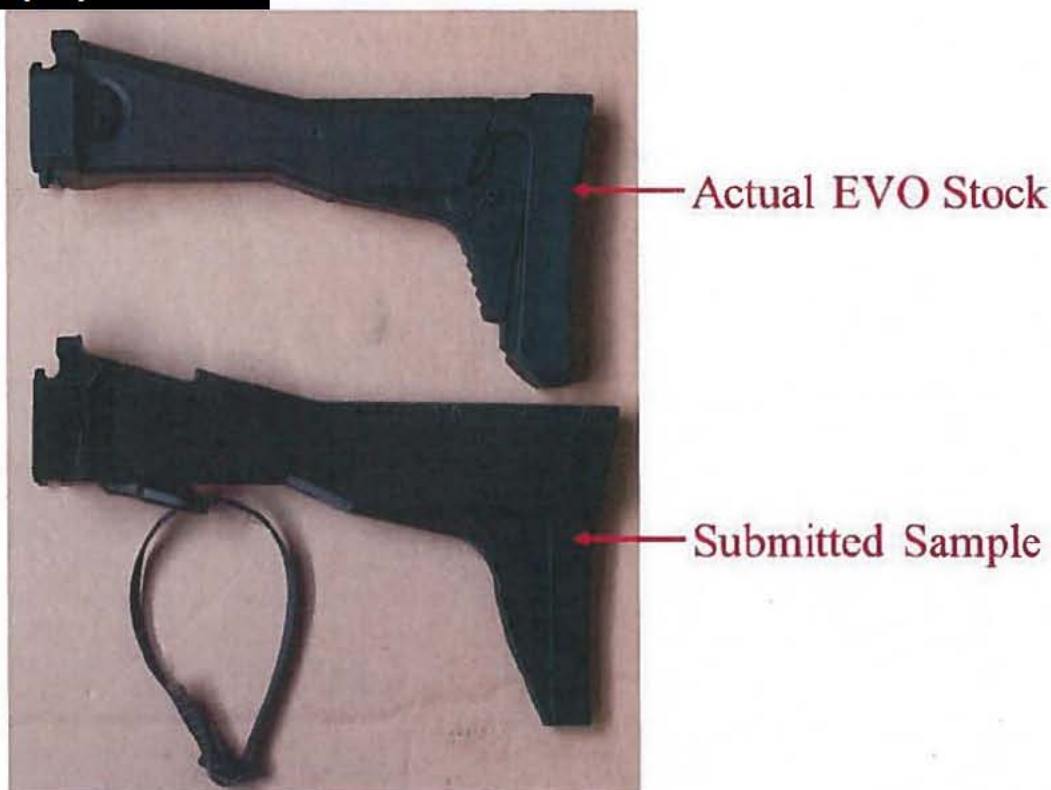
Sample 2 is a plastic extension in the shape of a buttstock, which attaches directly to the rear of the CZ Scorpion EVO S1 Pistol. It is described as a “pistol stabilizing brace with wrist tether strap.”

The placement of the Sample 2 tether strap, at the forward portion of the device, calls into question the need for the buttstock-like extension, which provides no stabilizing support.

To evaluate the design features and purpose of the Sample 2, a comparison was made to an actual CZ Scorpion EVO stock (photograph below). Sample 2 clearly has the same dimensions and design features of a CZ Scorpion EVO stock.

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Based on the Sample 2's design features and comparable dimensions with an actual EVO stock, FTISB has determined the submitted sample to be a shoulder stock for the CZ Scorpion EVO 3 S1 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, 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.

The submitted sample will be returned under separate cover.

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

Sincerely yours,

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Chief, Firearms Technology Industry Services Branch