



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

MAR 12 2018

907010: (b) (6)  
3311/308083

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

Dear (b) (6)

This refers to your correspondence submitted to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB) inquiring about the classification of three, what you describe as **“three models of a folding handgun”** you have submitted (see enclosed photos) on behalf of your client (b)(3)-(26 USC 6103)

You state the three models submitted each include “non-firing trigger components” and what you describe as stabilizing braces. FTISB personnel noted the three items do not contain firearm barrels, slides or functioning fire-control components. These are each identified by tags denoting **“A”, “B”, and “C”**. Specifically, you requested an evaluation and classification of these three items under the Gun Control Act of 1968 (GCA) and the National Firearms Act of 1934 (NFA).

For your reference in this matter, 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...[or]...the frame or receiver of any such weapon...*

Also, 27 CFR § 478.11 defines **“firearm frame or receiver”** as *that part of a firearm which provides housing for the hammer, bolt or breechblock, and firing mechanism, and which is usually threaded at its forward portion to receive the barrel.*

Also, with respect to the definitions of **“handgun”** and **“pistol”** 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...*

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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).*

Please note also that the GCA, 18 U.S.C. § 921(a)(7) defines the term “rifle” to include a *weapon designed or redesigned, made or remade, and intended to be fired from the shoulder ....*

Further, 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; (4) a weapon made from a rifle if such a weapon as modified has an overall length of less than 26 inches...*

Please note that the focus of classifications in FTISB is determining whether or not a device is a firearm under the Gun Control Act or National Firearms Act. Accordingly, FTISB will not render a classification on a partial, incomplete or non-functioning product submission. For a formal determination regarding your proposed item, we must convey the fact that a functioning, physical sample(s) must be submitted to FTISB for evaluation. Accordingly, the submitted three items will be returned to you via the accompanying prepaid FEDEX label.

When submitting an item to FTISB, please provide a FEDEX or similar carrier prepaid label for return of your items. Please submit a complete, functioning exemplar to the following address:

**ATF**  
**Firearms & Ammunition Technology Division**  
**244 Needy Road, Suite 1600**  
**Martinsburg, WV 25405**


Please be aware, that if a formal evaluation of your proposed item determines such an item is a firearm regulated by the NFA, our Branch will be unable to return the sample to you unless you are a licensed firearms manufacturer who has paid the Special Occupational Tax (SOT).

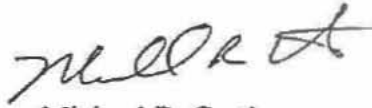
In conclusion, correspondence from our Branch is dependent upon the particular facts, designs, characteristics or scenarios presented. Please be aware that although other cases (submissions to our Branch) may appear to present identical issues, this correspondence pertains to a particular issue or item. We caution applying this guidance in this 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.

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

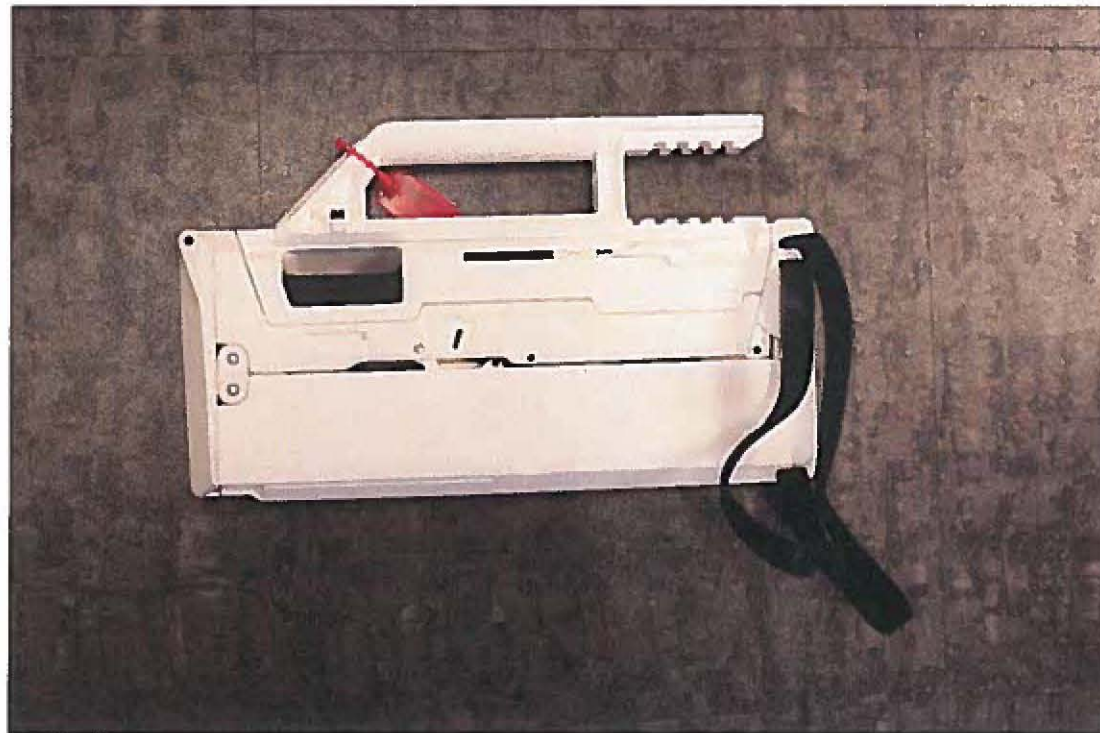
Sincerely yours,  




Michael R. Curtis  
Chief, Firearms Technology Industry Services Branch

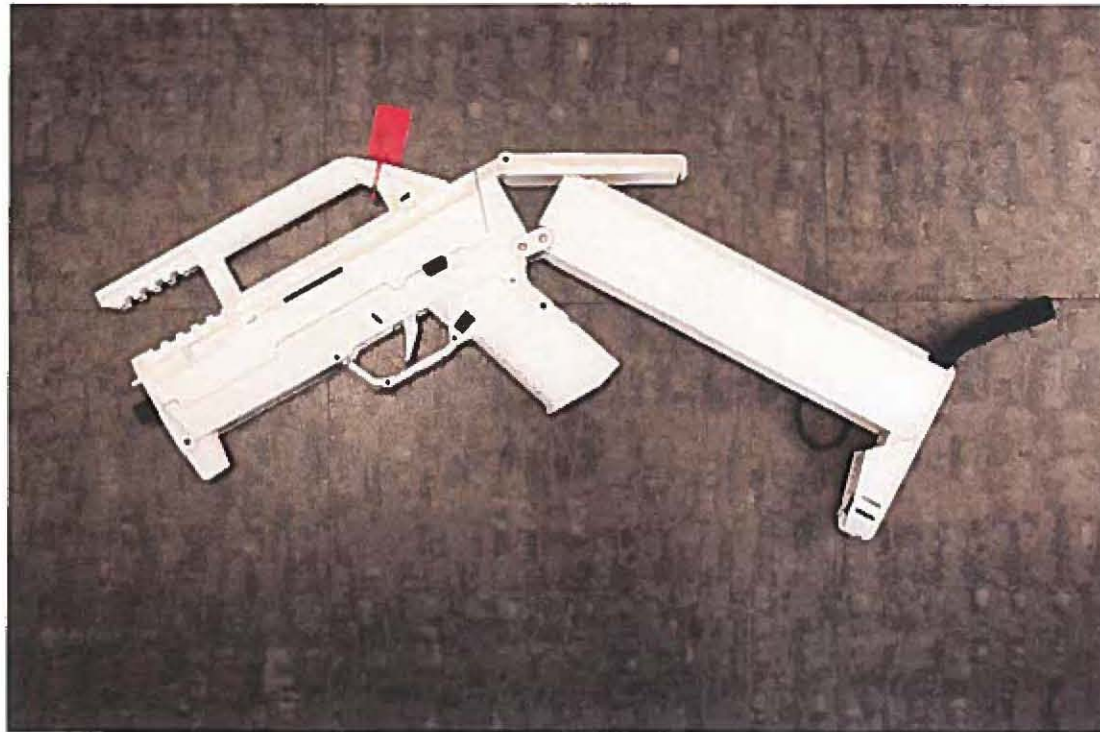
Enclosure

## Sample "A"





## Sample "A"



## Sample "A"



## Sample "A"

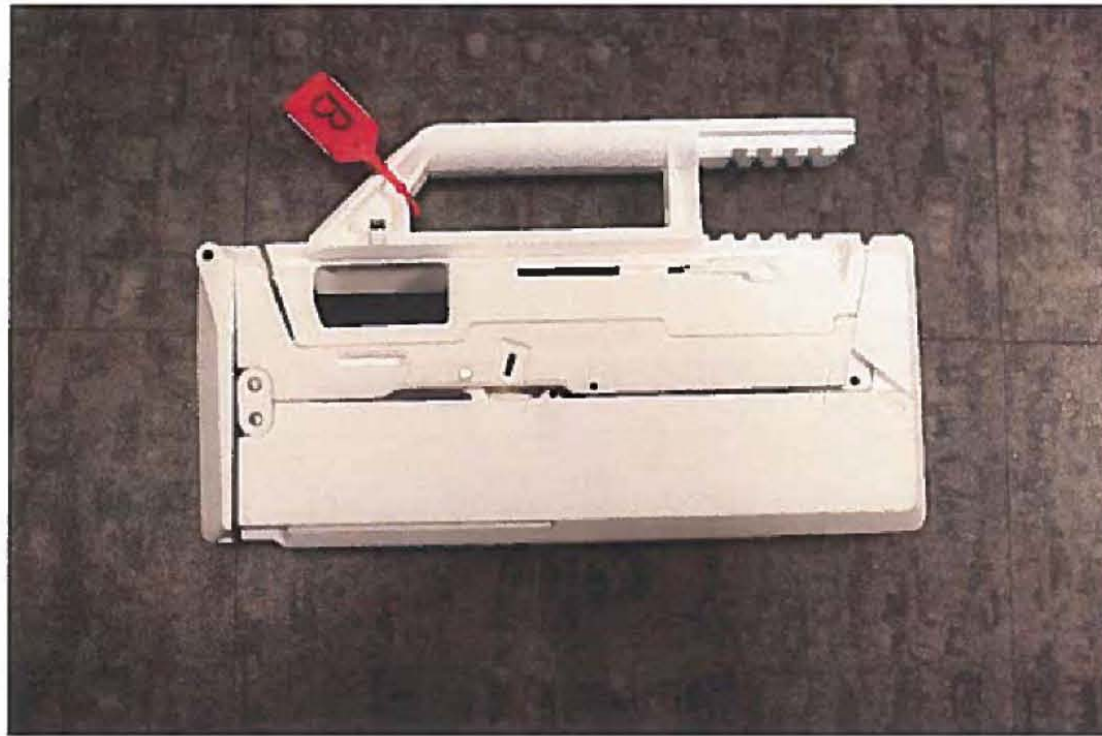


Sample "A"

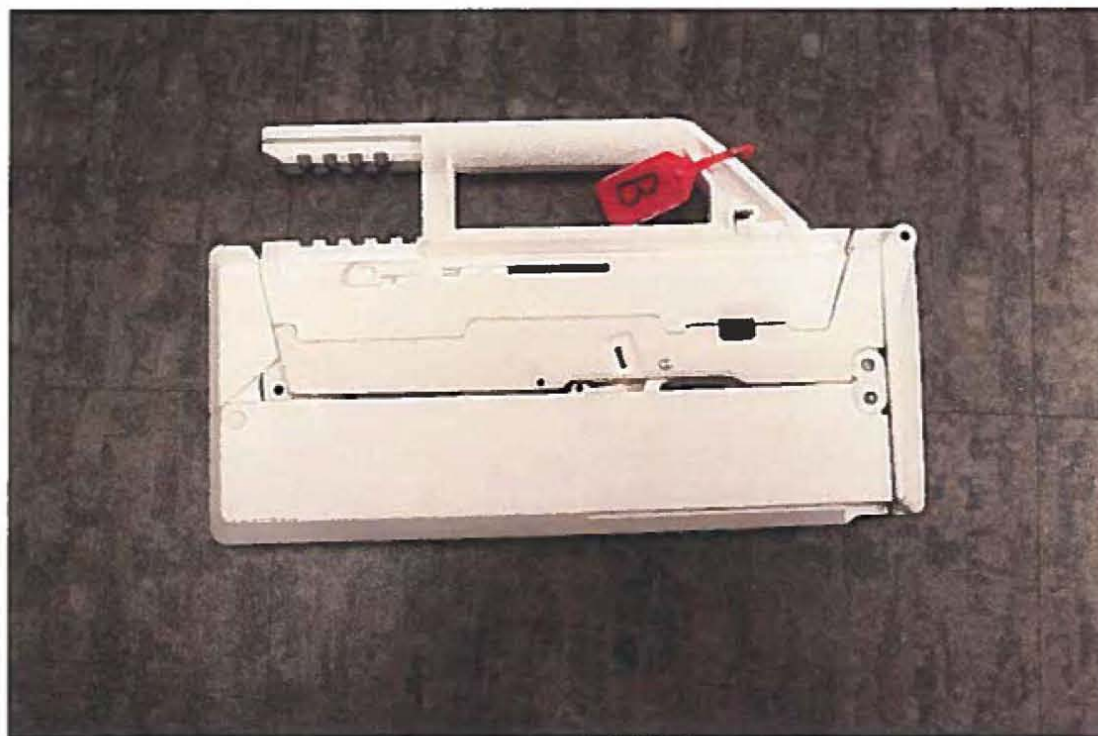




## Sample "B"



## Sample "B"



## Sample “B”

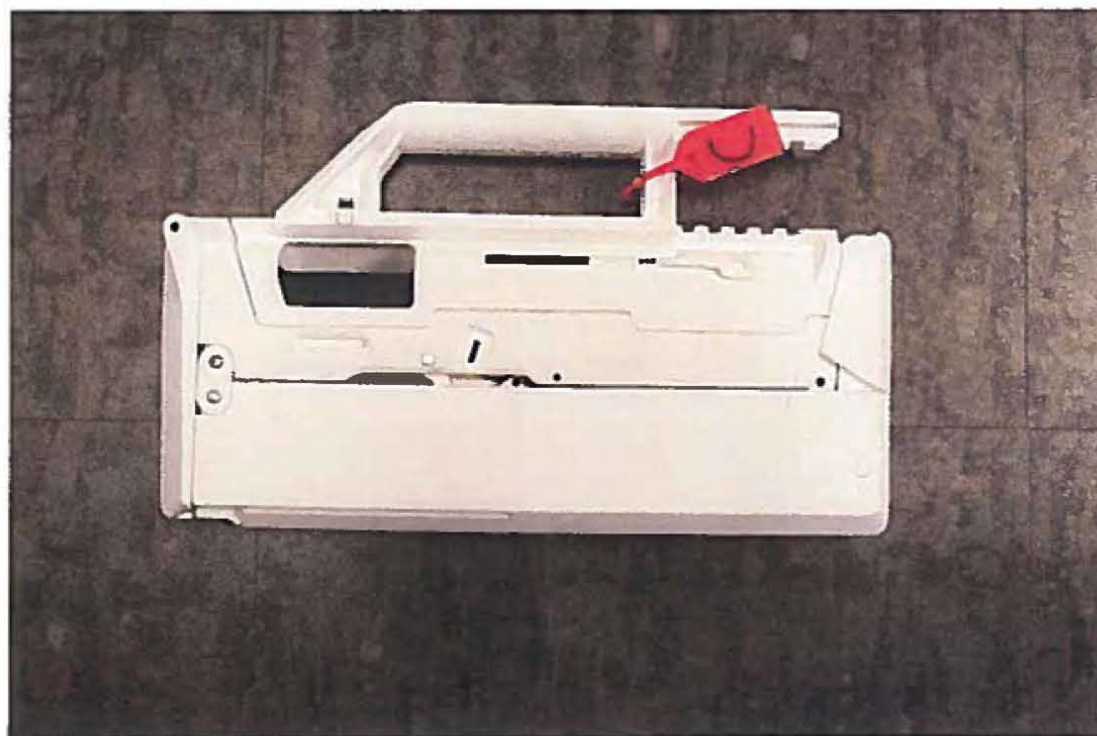


## Sample "B"





## Sample "C"



## Sample "C"



## Sample "C"

