



## U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

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

August 5, 2022

REFER TO: 2021-0453

VIA Email: [wjo@mindspring.com](mailto:wjo@mindspring.com)

Dear Mr. Olson:

This responds to your Freedom of Information Act (FOIA) request dated April 21, 2021, and received by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) on the same day, in which you requested records concerning the following:

- (1) All ATF classification letters, reports of technical examination, technical bulletins, or similar records classifying or otherwise discussing “solvent traps” 2 or “fuel filters” or otherwise discussing at what stage of manufacture an item becomes a “silencer” or “suppressor” or “firearm muffler;”
- (2) All ATF classification letters, reports of technical examination, technical bulletins, or similar records classifying or otherwise discussing items referred to as the following: “80% receiver,” “80% finished” frame or receiver, “80% complete” frame or receiver, “unfinished receiver,” a “firearm parts kit,” or “weapon parts kit” that includes an unfinished frame or receiver, or otherwise discussing at what stage(s) of manufacture an item becomes a “frame or receiver” under federal law;
- (3) All ATF classification letters, reports of technical examination, technical bulletins, or similar records classifying or otherwise discussing whether a firearm’s upper frame/receiver/housing, versus lower receiver/frame/housing, versus other part such as a barrel or bolt, constitutes a “frame or receiver” and thus a “firearm” under federal law, including but not limited to firearm models such as the AR-15, the FNC, the Safety Harbor Firearms SHTF50, the FAL, and the FMK3;
- (4) All ATF classification letters, reports of technical examination, technical bulletins, or similar records classifying or otherwise discussing whether a firearm can have more than one “frame or receiver” under federal law; and
- (5) All ATF classification letters, reports of technical examination, technical bulletins, or similar records classifying or otherwise discussing how the addition of unregulated firearm parts or jigs or tools to a “kit” containing an unfinished frame or receiver leads to

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a classification of the entire “kit” as a firearm where it otherwise would not be classified as a firearm without the additional unregulated parts or jigs or tools.

This is a rolling production and this is **Release Eight**. In response to your request, we have processed a total of 322 pages of responsive material.

At this time, the investigation is ongoing. Therefore, your request is denied pursuant to 5 U.S.C. § 552(b)(7)(A). Exemption (b)(7)(A) authorizes agencies to withhold investigatory records or information compiled for law enforcement purposes, the release of which could reasonably be expected to interfere with enforcement proceedings. Please be advised that we considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

You requested tax return information that is not related to you. This information is exempt from disclosure pursuant to Exemption (b)(3) of the FOIA and 26 U.S.C. § 6103 of the Internal Revenue Code.

Exemption (b)(3) of the FOIA permits the withholding of information prohibited from disclosure by another statute only if one of two disjunctive requirements are met: the statute either (1) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (2) establishes particular criteria for withholding or refers to particular types of matters to be withheld. Thus, a statute falls within the exemption’s coverage if it satisfies either one of its disjunctive requirements.

26 U.S.C. § 6103 governs the disclosure of tax returns and tax return information collected pursuant to the Internal Revenue Code. Under the Internal Revenue Code, information qualifying as tax return information, which includes but is not limited to a taxpayer’s identity; the nature, source or amount of the taxpayer’s income; as well as deductions and exemptions, is prohibited from disclosure to any party not entitled to receive it under the permissible disclosures outlined in section 6103. Because the 26 U.S.C. § 6103 restrictions satisfy all the requirements of FOIA Exemption (b)(3), I am withholding the tax return data pursuant to 5 U.S.C. § 552 (b)(3) and 26 U.S.C. § 6103 of the Internal Revenue Code. Please be advised that I considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

We are withholding third party information, including the names of ATF employees, under FOIA Exemption (b)(6). To disclose personal information about a living individual to a member of the public, we need the written consent from the persons whose information you requested. Without written consent, proof of death, or an overriding public interest, personal information is exempt from disclosure under the FOIA. The FOIA does not require agencies to disclose information that would constitute a clearly unwarranted invasion of the personal privacy of third parties (5 U.S.C. § 552(b)(6)). Please be advised that I considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

We are withholding third party information, including the names of ATF employees, pursuant to Exemption (b)(7)(C) of the FOIA. Exemption (b)(7)(C) permits the withholding of information compiled for law enforcement purposes that “could reasonably be expected to constitute an

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unwarranted invasion of personal privacy.” The public interest in disclosure is limited to the FOIA’s core purpose of shedding light on an agency’s performance of its statutory duties. The public interest under Exemption (b)(7)(C) must be both significant and compelling in order to overcome the legitimate personal privacy interests of a third party. In this matter, the disclosure would not serve the core purpose of the FOIA but would serve as an unwarranted invasion of personal privacy. *See* 5 U.S.C. § 552(b)(7)(C). Please be advised that I considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. *See* 5 U.S.C. § 552(c). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

You may contact our FOIA Public Liaison, Zina Kornegay, at (202) 648-7390, for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with my response to this request, you may administratively appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, 441 G Street, NW, 6th Floor, Washington, D.C. 20530, or you may submit an appeal through OIP’s FOIA STAR portal by creating an account following the instructions on OIP’s website: <https://www.justice.gov/oip/submit-and-track-request-or-appeal>. Your appeal must be postmarked or electronically transmitted within 90 days of the date of my response to your request. If you submit your appeal by mail, both the letter and the envelope should be clearly marked “Freedom of Information Act Appeal.”

Sincerely,



Adam C. Siple  
Chief

Information and Privacy Governance Division

Enclosure

Firearms Technology Criminal Branch  
Report of Technical Examination



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To:  
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Date: **AUG 13 2018**

UI#: 774010-18-0028

RE: (b)(3) (26 USC 6103), (b) (6), (b) (7)(C)

FTCB#: 2018-542 (b)(6), (b) (7)(C)  
309081

Date Exhibits Received: 6/11/2018

Type of Examination Requested:

Delivered By: FedEx (b) (6), (b) (7)(C)

Examination, Test, Classification

**Exhibit(s):**

1. Glock, model 17 Gen 4, 9x19mm caliber firearm, serial number BDBG241; with Glock switch installed (suspected machinegun).
2. Metal cylindrical device, no markings or serial number (suspected silencer).
3. Metal cylindrical device, no markings or serial number (suspected silencer).
4. Metal cylindrical device, no markings or serial number (suspected silencer).
5. Metal cylindrical device, no markings or serial number (suspected silencer).
6. Miscellaneous hardware (suspected silencer parts).

**Pertinent Authority:**

Title 28 of the United States Code (U.S.C.) provides the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF) the authority to investigate criminal and regulatory violations of Federal firearms law at the direction of the Attorney General. Under the corresponding Federal regulation at 28 CFR § 0.130, the Attorney General provides ATF with the authority to investigate, administer, and enforce the laws related to firearms, in relevant part, under 18 U.S.C. Chapter 44 (Gun Control Act) and 26 U.S.C. Chapter 53 (National Firearms Act). Pursuant to the aforementioned statutory and regulatory authority, the ATF Firearms Ammunition and Technology Division (FATD) provides expert technical support on firearms and ammunition to federal, state and local law enforcement agencies regarding the Gun Control Act (GCA) and the National Firearms Act (NFA).

The amended GCA, § 921(a)(3), defines "firearm" to include "...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... [and] ...the frame or receiver of any such weapon... [and] ...any firearm muffler or firearm silencer..."

**Pertinent Authority (cont.):**

Further, the GCA, § 921(a)(24), defines the terms “firearm silencer” and “firearm muffler” to mean “...any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.”

Additionally, the GCA, § 921(a)(23), defines the term “machinegun” as “The term machinegun has the meaning given such term in section 5845(b) of the National Firearms Act (26 U.S.C. 5845(b)).”

The NFA, § 5845(a), defines “firearm” to include “... (6) a machinegun...”

Also, the NFA, § 5845(b), defines “machinegun” as “...any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.”

Finally, the NFA, § 5842, “Identification of firearms,” states “... (a) Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the Secretary may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the Secretary and any other information the...[latter] ... may by regulations prescribe.”

**Findings:**

**Exhibit 1** is a Glock, model 17 Generation 4, 9x19mm caliber firearm originally manufactured as a semiautomatic pistol by Glock, GmbH, in Austria, and subsequently imported by Glock, Inc., Smyrna, Georgia. The Exhibit 1 slide has been “customized” through extensive machining and is assembled with a ZEV Technologies barrel (see attached photos).

During my examination, I observed the following external markings on Exhibit 1:

**On the forward, underside area of the frame**

- (b) (6), (b) (7)(C) [redacted] serial number]

**On the right side of the frame**

- **MADE IN AUSTRIA**
- **GLOCK, INC., SMYRNA, GA.**

Findings (cont.):


On the left grip

- 

On the right grip

- US.Pat.8,156.677

On the left side of the slide

- 
- 17 Gen 4
- 9x19

On the right side of the slide

- 
- (b) (6), (b) (7)(C)

On top of the barrel

- 9MM //

On right side of the barrel

- // (ZEV Technologies logo)

My examination further revealed Exhibit 1 has been modified by the addition of a machinegun-conversion device. This device, hereafter referred to as **Exhibit 1a**, contains a two-position selector switch for semiautomatic and full automatic fire.

Further, my examination also revealed that the top, rear area of the frame is modified and contains a small groove designed to facilitate unrestricted travel of the Exhibit 1-a conversion device metal leg.

**Exhibit 1a** is a machinegun-conversion device commonly referred to as a *Glock Switch*. It is designed and intended to convert a semiautomatic, Glock-type pistol into a machinegun (similar to U.S. Patent 5,705,763) by utilizing an extended metal disconnecter to push the trigger bar down and out of engagement with the firing pin as the slide closes, releasing the partially retracted firing pin to travel forward and fire a cartridge. When the trigger is depressed, this device enables a Glock pistol to shoot automatically more than one shot, without manual reloading, with a single function of the trigger (see attached patent). I observed that the Exhibit has no visible manufacturer's markings or a serial number.

**Findings (cont.):**

I test fired Exhibit 1, with the Exhibit 1a machinegun-conversion device installed, on August 9, 2018, at the ATF test range, Martinsburg, West Virginia, using commercially available, Remington UMC brand, 9x19mm caliber ammunition and a magazine from the National Firearms Collection. After I inserted a one-round ammunition load, set the selector to the semiautomatic fire position, and pulled the trigger, Exhibit 1 successfully expelled a projectile by the action of an explosive. Next, after inserting a 2-round ammunition load, Exhibit 1 fired a single round of ammunition for each function of the trigger. I repeated this 2-round test achieving the same results.

Finally, I set the selector to the automatic-fire position, inserted a 2-round ammunition load, pulled the trigger, and the Exhibit fired two rounds automatically with a single function of the trigger. I next inserted a 3-round ammunition load, pulled the trigger, and the Exhibit fired all three rounds automatically with a single function of the trigger. I repeated this 3-round test achieving the same results. Finally, I inserted a 5-round ammunition load, pulled the trigger, and the Exhibit fired all five rounds automatically with a single function of the trigger.

Exhibit 1, with the Exhibit 1a machinegun-conversion device installed, fired automatically when the selector switch of the Exhibit 1-a machinegun conversion device was in the automatic position.

**Exhibit 2** is a metal, cylindrical muzzle device measuring approximately 4-3/4 inches in length and 1-1/8 inches at its major diameter. The device is one solid unit, contains a .390-inch diameter hole lengthwise through the center, and contains internal 1/2-28 threads in the rear end of the hole. The exterior of the device is machined to mimic the appearance of a firearm silencer. I observed that the Exhibit has no visible manufacturer's markings or a serial number. There are two raised, knurled areas around the rear of the device.

As background information, fundamental firearm silencer characteristics include:

- Ported inner sleeve or tube (bleed holes)
- **Expansion chambers**
- **Baffles** or washers which create separate expansion chambers
- **Sound-dampening material** such as foam, steel wool, and other substances
- **End caps**
- Spirals
- Encapsulators

The report of a firearm is partially the consequence of superheated, high-pressure propellant gases being instantaneously released into the atmosphere. One method of reducing the report of a firearm is to slow these gases and allow them to cool prior to their release. Expansion chambers perform this function by providing a void for the gases to expand and cool prior to exiting the muzzle of a silencer.

Baffles in firearms silencers create expansion chambers, as mentioned above, which are instrumental in the process of silencing, muffling, or diminishing the report of a firearm.

Sound-dampening materials create a porous space within the expansion chamber to further disrupt the flow of the expanding propellant gases.

**Findings (cont.):**

My examination of the interior of Exhibit 2 was accomplished by use of a lighted optical probe.

The Exhibit is not for use in silencing or diminishing the report of a portable firearm. This item does not incorporate the following silencer characteristics:

- Ported inner tube.
- Expansion chambers.
- Baffles or washers that create separate expansion chambers.
- Sound-dampening material such as foam, steel wool, and other materials.
- End caps.
- Encapsulators.

**Exhibit 3** is a metal, cylindrical device, tan in color, approximately 7-5/8 inches in length, and 1-7/16 inches at its major diameter. I observed that the Exhibit has no visible manufacturer's markings or a serial number.

The tube, or body, of Exhibit 3 is manufactured from aluminum tubing that creates an **expansion chamber** and contains other components. The forward end contains threads to facilitate attaching an end-cap to the device. A 3-1/8 inch exterior section is knurled.

The rear of the device contains a threaded hole in its center, threaded with 1/2-28 threads that facilitate attaching the device to a threaded firearm barrel.

My examination of the interior of the device was accomplished by disassembly. Disassembly revealed that the interior of the device consists of a series of six sections of gray, foam-type **sound-dampening material** and a coil spring (see attached photos). These sections of sound-dampening material are approximately 15/16 inch long, 1-1/4 inches in exterior diameter, and contain a 5/8 inch hole through the center. The coil spring is approximately 7-1/8 inches in length and 5/8 inch in diameter.

Sound-dampening material, as mentioned above, is beneficial in the process of silencing, muffling, or diminishing the report of a firearm.

These features and characteristics of Exhibit 3 are consistent with those of known firearm silencers I have observed.

My examination revealed that Exhibit 3 is a device for silencing, muffling, or diminishing the report of a portable firearm.

As received, no front end-cap is included with the device, which prevented sound-comparison testing.

**Exhibit 4** is a cylindrical, metal device and is gray in color. As received, the Exhibit is approximately 7-3/4 inches in length and approximately 1-13/16 inches at its major diameter. The interior diameter of the device is approximately 1-1/16 inches. I observed that the Exhibit has no visible NFA manufacturer's markings or a serial number.



**Findings (cont.):**

My examination of the interior of the device was accomplished by disassembly. My examination revealed that the interior of the device consists of multiple expansion chambers and baffles and is designed to function as a firearm silencer (see attached photos).

The cylindrical body of the device creates a large **expansion chamber** and was originally manufactured, by Maglite, as the barrel of a flashlight. Flashlight barrels are commonly used to manufacture homemade firearm silencers.

I observed the following markings on the exterior of the device:

- ML25LT (Maglite model number)
- (b) (6), (b) (7)(C) Maglite serial number

The tube or body of Exhibit 4 appears to be manufactured from a flashlight body and creates an **expansion chamber** when assembled with the other components. A portion of the exterior surface of the device is knurled (see attached photos). Each end of the body contains threads compatible with the two end-caps of the device.

There are multiple **baffles** contained within the Exhibit. These baffles partition the larger expansion chamber of the device, and create multiple smaller expansion chambers. Five baffles have center holes to allow passage of a bullet. However, three of the baffles are unfinished and contain "starter" holes approximately .095 inch in diameter (see attached photos).

A starter hole creates a reference point indicating the correct location to drill the center hole. It is critical that the hole be centered to minimize the potential of a bullet striking a baffle, commonly referred to as a "baffle strike," when a bullet is fired through a silencer. Containing starter holes, the baffles, in and of themselves, are parts intended only for use in the assembly or fabrication of a firearm silencer and, by definition, silencers themselves.

There are two **end-caps** attached to the body of the Exhibit (see attached photos). The front end-cap has an unthreaded center hole approximately .460 inch in diameter to allow passage of a bullet. The rear end-cap has a threaded center hole with 1/2-28 threads to facilitate attaching the device to a threaded firearm barrel.

These features and characteristics of Exhibit 4 are consistent with those of known homemade firearm silencers I have observed. My examination revealed that Exhibit 4 is a device for silencing, muffling, or diminishing the report of a portable firearm.

As received, three of the baffles included with the device were not completed, which prevented sound-comparison testing.

**Exhibit 5** is a metal, cylindrical device, black in color, approximately 11-3/8 inches in length, and 2 inches in diameter. I observed that the Exhibit has no visible manufacturer's markings or a serial number.

**Findings (cont.):**

The tube or body of Exhibit 5 creates an **expansion chamber** when assembled with the other components. Each end of the body contains threads compatible with the end-caps of the device.

There are two **end-caps** on the body of the Exhibit. The front end-cap has an unthreaded center hole approximately .765 inch in diameter to allow passage of a bullet. The rear end-cap has a threaded center hole with 1/2-28 threads to facilitate attaching the device to a threaded firearm barrel.

There are six **baffles** contained within the Exhibit. These baffles partition the larger expansion chamber of the device, and create multiple smaller expansion chambers. Each baffle is marked with directional arrows and the words "to gun" in order to indicate the side that should be oriented toward the muzzle of the firearm (see attached photos).

A 2-3/8 inch length of PVC pipe is used as a **spacer** in the rear of the device to create a primary blast chamber (see attached photos). The exterior diameter is approximately 1.663 inches and the interior is 1.630 inches. I observed the following markings on the exterior of the Exhibit 5 spacer:

- E@ PLNC TrueFit@System 7100 1-

The baffles, end-caps, and PVC spacer contained in Exhibit 5 are coated with deposits of gray/black residue consistent with fouling byproducts produced by the combustion of propellant powder (see attached photos).

These features and characteristics of Exhibit 5 are consistent with those of known homemade firearm silencers I have observed.

For sound-comparison test purposes, I used a Ruger, Model 22/45, .22 caliber semiautomatic pistol from the ATF National Firearms Collection (NFC), serial number (b) (6), (b) (7)(C) with and without Exhibit 5 attached. I conducted the sound-comparison testing at the ATF test range, Martinsburg, West Virginia, on August 9, 2018, using commercially available, CCI brand, .22 LR caliber ammunition. I conducted this test in the presence of a Bruel & Kjaer, Nexus Acoustic Conditioner Amplifier, calibrated precision sound-level meter, and recorded the results. I used an adapter to attach the device to the NFC Ruger pistol. Manufacturers produce silencers with a wide variety of attachment methods. It is common for a silencer user to utilize threaded adapters, twist-and-lock adapters, or even modify the firearm to fit a silencer.

I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications. The results of the testing are as follows:

NFC Ruger with no silencer	(5-shot average)	156.35 decibels
NFC Ruger with Exhibit 5 attached	(5-shot average)	127.74 decibels

The sound reduction recorded was 28.61 decibels. The test results establish that Exhibit 5 is capable of diminishing the sound report of the NFC Ruger.

**Findings (cont.):**

**Exhibit 6** contains multiple items suspected of being silencer parts. Exhibit 6 also contains various other items of miscellaneous hardware that are not regulated by the provisions of the GCA or NFA. Hereafter, each of these items will be referenced as Exhibits 6a through 6m for clarity.

For your information, any part used (or if intent for use is demonstrated) in the assembly of a device for silencing, muffling or diminishing the report of a portable firearm, would be classified as a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24) and a "firearm" as defined in 18 U.S.C. 921 § (a)(3)(C) and 26 U.S.C. § 5845(a)(7) respectively.

**Exhibits 6a, 6b, and 6c** are baffles for firearm silencers manufactured from Dorman model 555-034 automotive expansion or "freeze" plugs (see attached photos). Each baffle contains portions of the Dorman markings applied to the inside of the expansion plugs during the manufacturing process. Some portions of the markings have been removed or obliterated when the expansion plugs were modified into silencer baffles. The expansion plugs were modified by drilling holes through their centers and around the periphery of the center holes (see attached photos). Having holes drilled in them, these parts are no longer able to perform the function of expansion plugs. The center hole allows the passage of a bullet through the baffles when installed in a firearm silencer. The peripheral holes are designed to aid in capturing, cooling, diverting, diffusing, and slowing the hot gases created by burning propellant powder as it travels through the expansion chambers created by the baffles. These features and characteristics are consistent with those of known homemade firearm silencer baffles I have observed.

**Exhibit 6a** is a completed firearm silencer baffle for use in assembling a firearm silencer and is coated with deposits of gray/black residue consistent with fouling byproducts produced by the combustion of propellant powder (see attached photos). I observed that the Exhibit has no NFA manufacturer's markings or a serial number. I observed the following partial markings on the interior of Exhibit 6a:

- ORMAN
- -034-

**Exhibit 6b** is a completed firearm silencer baffle for use in assembling a firearm silencer and is coated with deposits of gray/black residue consistent with fouling byproducts produced by the combustion of propellant powder (see attached photos). I observed that the Exhibit has no NFA manufacturer's markings or a serial number. I observed the following partial markings on the interior of Exhibit 6b:

- ORM
- 55 34-

**Exhibit 6c** is a completed firearm silencer baffle for use in assembling a firearm silencer and is coated with deposits of gray/black residue consistent with fouling byproducts produced by the combustion of propellant powder (see attached photos). I observed that the Exhibit has no NFA manufacturer's markings or a serial number. I observed the following partial markings on the interior of Exhibit 6c:

- 555 34-B

**Findings (cont.):**

**Exhibit 6d** is a metal device used to allow a threaded muzzle device to be attached to the muzzle of a non-threaded firearm barrel, commonly referred to as a muzzle adapter (see attached photos). Exhibit 6d is not regulated by the GCA or NFA.

**Exhibit 6e** is a flow valve for an inline fuel filter of the Wix 24003/NAPA 4003-type. These types of filters are commonly modified to use as firearm silencers because of their modular design. The Exhibit has been modified by cutting the protrusion from the center of the device. As modified, the valve will not open and is no longer able to perform the function as originally designed (see attached photos). If intent was demonstrated to use Exhibit 6e as a part for assembly or fabrication of a firearm silencer, Exhibit 6e would be subject to regulation by the GCA and NFA.

**Exhibit 6f** appears to be a spring from a fuel filter flow valve comparable to Exhibit 6e. If intent was demonstrated to use Exhibit 6f as a part for assembly or fabrication of a firearms silencer, Exhibit 6f would be subject to regulation by the GCA and NFA.

**Exhibit 6g** is a cylindrical device, approximately 1-3/4 inches in diameter, containing **sound-dampening material**. The body of the device consists of perforated metal screen with metal end-caps attached to each end. Each end cap has holes in the center of approximately 1/2 inch in diameter. There is a coil spring in the center of the device.

This device was originally manufactured as a fuel filter element of the Wix 24003/NAPA 4003-type. It has a "zip" or "cable" tie mount adhered to the "hose end" (see attached photos). As designed, the "hose end" of this type of filter is manufactured with a solid end cap that facilitates opening the flow valve when the element is assembled into the filter housing. Exhibit 6g has a hole machined into the end-cap that prevents the flow valve from opening. As modified, Exhibit 6g is no longer capable of performing the function it was originally designed for.

The interior of the Exhibit is coated with deposits of gray/black residue consistent with fouling byproducts produced by the combustion of propellant powder (see attached photos). Filter elements are commonly used in the manufacture of homemade silencers. The features and characteristics of the Exhibit are consistent with those found in known homemade firearm silencer parts I have observed. I observed that the Exhibit has no NFA manufacturer's markings or a serial number.

**Exhibit 6h** is an end-cap of a Wix 24003/NAPA 4003-type filter housing. The end-cap is designed to accept the filter element when installed in the filter housing. If intent was demonstrated to use Exhibit 6h as a part for assembly or fabrication of a firearms silencer, Exhibit 6h would be subject to regulation by the GCA and NFA.

**Exhibit 6i** is an unfinished, black silencer baffle that is approximately 1 inch in diameter with a .092-inch hole in the center of the cone and is of the same design as those found in Exhibit 4 (see attached photos). As mentioned above, unfinished baffles with starter holes or center-indicating marks are, in and of themselves, parts intended only for use in the assembly or fabrication of a firearm silencer and, by definition, silencers themselves. I observed that the Exhibit has no NFA manufacturer's markings or a serial number.

**Findings (cont.):**

The features and characteristics of the Exhibit are consistent with those of known homemade firearm silencer baffles I have observed.

**Exhibit 6j** is an end-cap intended for assembly to the Exhibit 6k silencer body. The exterior diameter of the Exhibit is compatible with the interior diameter of Exhibit 6k and can be inserted using the "slip fit" method. Further, the paint has been removed from both Exhibit 6j and 6k at the location of attachment (see attached photos). Being an end-cap for a silencer, Exhibit 6j is a part intended only for use in the assembly or fabrication of a firearm silencer and, by definition, a silencer itself. I observed that the Exhibit has no NFA manufacturer's markings or a serial number. The features and characteristics of the Exhibit are consistent with those of known homemade firearm silencer end-caps I have observed.

**Exhibit 6k** is a hollow, metal, cylindrical device, black in color, approximately 7-5/8 inches in overall length, and 1-3/16 inches in diameter. The interior of the device is approximately 1-1/16 inches in diameter. One end of the device is tapered and contains 5/8-24 external threads while the opposite end is open, unthreaded, and has had the paint removed from the last 3/16 inch of the tube. The interior of the device is of sufficient diameter to accept the Exhibit 6i baffle. Further, the Exhibit 6j end-cap mates with the open end of the device (see attached photos). The characteristics of the Exhibit are consistent with those of a silencer body in that it creates an expansion chamber for use in silencing or muffling the report of a portable firearm. I observed that the Exhibit has no NFA manufacturer's markings or a serial number. The features and characteristics of the Exhibit are consistent with those of known homemade firearm silencers I have observed.

**Exhibit 6l** is a tool used to cut external threads on cylindrical material and is not regulated by the GCA or NFA.

**Exhibit 6m** is a fiber washer of the type used in the assembly of a Wix 24003/NAPA 4003-type filter. If intent was demonstrated to use Exhibit 6m as a part for assembly or fabrication of a firearms silencer, Exhibit 6m would be subject to regulation by the GCA and NFA.

**Conclusions:**

**Exhibit 1** is a weapon which will expel a projectile by the action of an explosive and incorporates the frame of a firearm; therefore, it is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(A) & (B).

**Exhibit 1**, with the Exhibit 1-a machinegun-conversion device installed, shoots, automatically more than one shot, without manual reloading, by a single function of the trigger; therefore, is a "machinegun" as defined in 26 U.S.C. § 5845(b).

**Exhibit 1**, with the Exhibit 1-a machinegun-conversion device installed, is a "machinegun" as defined in 18 U.S.C. § 921(a)(23).

**Exhibit 1**, with the Exhibit 1-a machinegun-conversion device installed, being a machinegun, is also a "firearm" as defined in 26 U.S.C. § 5845(a)(6).

**Conclusions (cont.):**

**Exhibit 1a**, in and of itself, is a part designed and intended solely and exclusively, for use in converting a weapon into a machinegun; thus, a "machinegun" as defined in 26 U.S.C. § 5845(b).

**Exhibit 1a**, in and of itself, is a "machinegun" as defined in 18 U.S.C. § 921(a)(23).

Being a machinegun, **Exhibit 1a** is also a "firearm" as defined in 26 U.S.C. § 5845(a)(6).

**Exhibit 1a** bears no manufacturer's marks of identification or serial number as required by 26 U.S.C. § 5842.

**Exhibit 2** is not regulated by the GCA or NFA.

**Exhibit 3** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 3**, being a device for silencing, muffling, or diminishing the report of a portable firearm, is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 3** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 3** bears no manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 4** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 4**, being a device for silencing, muffling, or diminishing the report of a portable firearm, is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 4** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 4** bears no manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 5** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 5**, being a device for silencing, muffling, or diminishing the report of a portable firearm, is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 5** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 5** bears no manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 6a** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Conclusions (cont.):**

**Exhibit 6a** is a part intended only for use in the assembly or fabrication of a firearm silencer; therefore, it is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 6a** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 6a** bears no NFA manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 6b** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 6b** is a part intended only for use in the assembly or fabrication of a firearm silencer; therefore, it is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 6b** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 6b** bears no NFA manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 6c** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 6c** is a part intended only for use in the assembly or fabrication of a firearm silencer; therefore, it is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 6c** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 6c** bears no NFA manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 6d** is not regulated by the GCA or NFA.

If intent was demonstrated to use **Exhibit 6e** as a part for assembly or fabrication of a firearm silencer, Exhibit 6e would be classified as a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24) and a "firearm" as defined in 18 U.S.C. 921 § (a)(3)(C) and 26 U.S.C. § 5845(a)(7) respectively.

If intent was demonstrated to use **Exhibit 6f** as a part for assembly or fabrication of a firearm silencer, Exhibit 6f would be classified as a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24) and a "firearm" as defined in 18 U.S.C. 921 § (a)(3)(C) and 26 U.S.C. § 5845(a)(7) respectively.

**Exhibit 6g** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Conclusions (cont.):**

**Exhibit 6g** is a part intended only for use in the assembly or fabrication of a firearm silencer; therefore, it is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 6g** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 6g** bears no NFA manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

If intent was demonstrated to use **Exhibit 6h** as a part for assembly or fabrication of a firearm silencer, **Exhibit 6h** would be classified as a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24) and a "firearm" as defined in 18 U.S.C. 921 § (a)(3)(C) and 26 U.S.C. § 5845(a)(7) respectively.

**Exhibit 6i** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 6i** is a part intended only for use in the assembly or fabrication of a firearm silencer; therefore, it is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 6i** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 6i** bears no NFA manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 6j** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 6j** is a part intended only for use in the assembly or fabrication of a firearm silencer; therefore, it is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 6j** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 6j** bears no NFA manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 6k** is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 6k** is a part intended only for use in the assembly or fabrication of a firearm silencer; therefore, it is a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 6k** is a "silencer" as defined in 18 U.S.C. § 921(a)(24); therefore, it is also a "firearm silencer" as defined in 26 U.S.C. § 5845(a)(7).



**Conclusions (cont.):**

**Exhibit 6k** bears no NFA manufacturer's marks of identification or a serial number as required by 26 U.S.C. § 5842.

**Exhibit 6l** is not regulated by the GCA or NFA.

If intent was demonstrated to use **Exhibit 6m** as a part for assembly or fabrication of a firearms silencer, **Exhibit 6m** would be classified as a "firearm silencer" as defined in 18 U.S.C. § 921(a)(24) and a "firearm" as defined in 18 U.S.C. 921 § (a)(3)(C) and 26 U.S.C. § 5845(a)(7) respectively.

Examined by:

Witnessed by:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

Firearms Enforcement Officer

Approved by:

  
Max M. Kingery  
Chief, Firearms Technology Criminal Branch

Attachments: 54 pages bearing 89 photos and U.S. Patent 5,705,763.

**Enclosed is a Firearms Technology Criminal Branch report provided in response to your request for assistance. Please be aware that these documents constitute "taxpayer return information" that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. §§ 6103(h)(2)(C) and (o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. § 6103 could result in civil and/or criminal liability.**

# **Glock MG & Silencers**

(b)(3) (26 USC 6103), (b) (6), (b) (7)(C)

A large black rectangular redaction box covers the majority of the page content below the title and the exemption codes.

# Exhibit 1

Exhibit 1a →



# Exhibit 1 Markings



(b) (6), (b) (7)(C)



# Exhibit 1 barrel



ZEV TECHNOLOGIES BARREL REPLACEMENT G17, DIMPLED, BURNT BRONZE

★ ★ ★ ★ ★ No Reviews yet

Part: ZEV-125-010

ZEV Technologies™ Match Grade drop-in barrels feature extremely tight tolerances and are manufactured with pre-hardened chromium stainless steel (416R)

Price: **\$225.00**

1



ADD TO CART



## Glock barrel vs. Ex. 1 Aftermarket Barrel



# Unmodified Glock Slide vs. Ex. 1

Glock



Top View

Ex. 1



Glock



Bottom View

Ex. 1



# Unmodified Glock Slide vs. Ex. 1

Glock



Left Side View

Ex. 1

Ex. 1



Right Side View

Glock



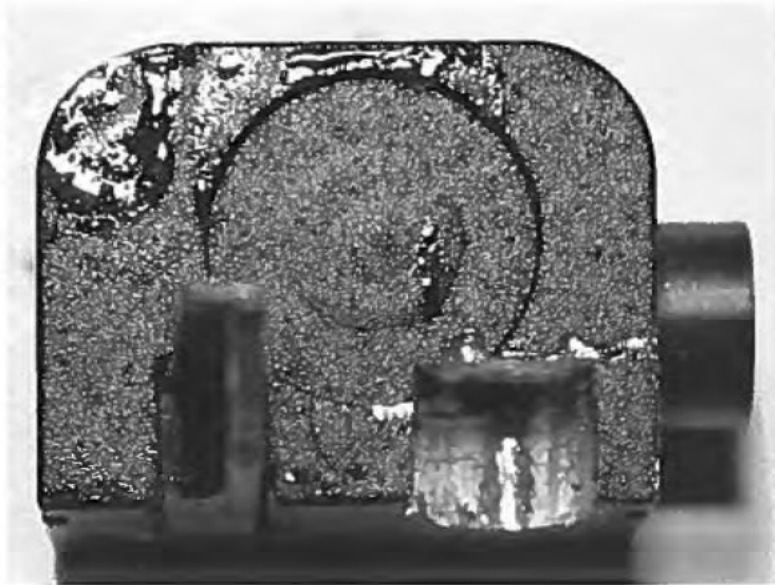
# Exhibit 1 Frame modifications

## Unmodified Glock vs. Ex. 1 Frame

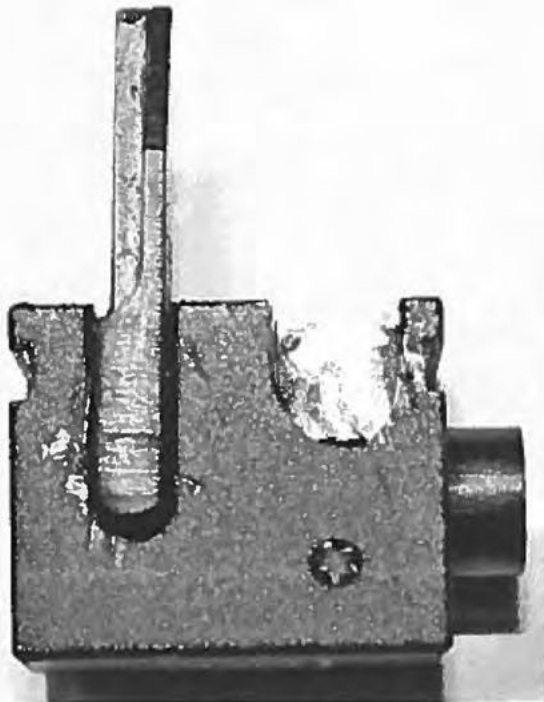


**Frame  
modified for  
Exhibit 1a**

# Exhibit 1a



# Exhibit 1a



# Exhibit 1a



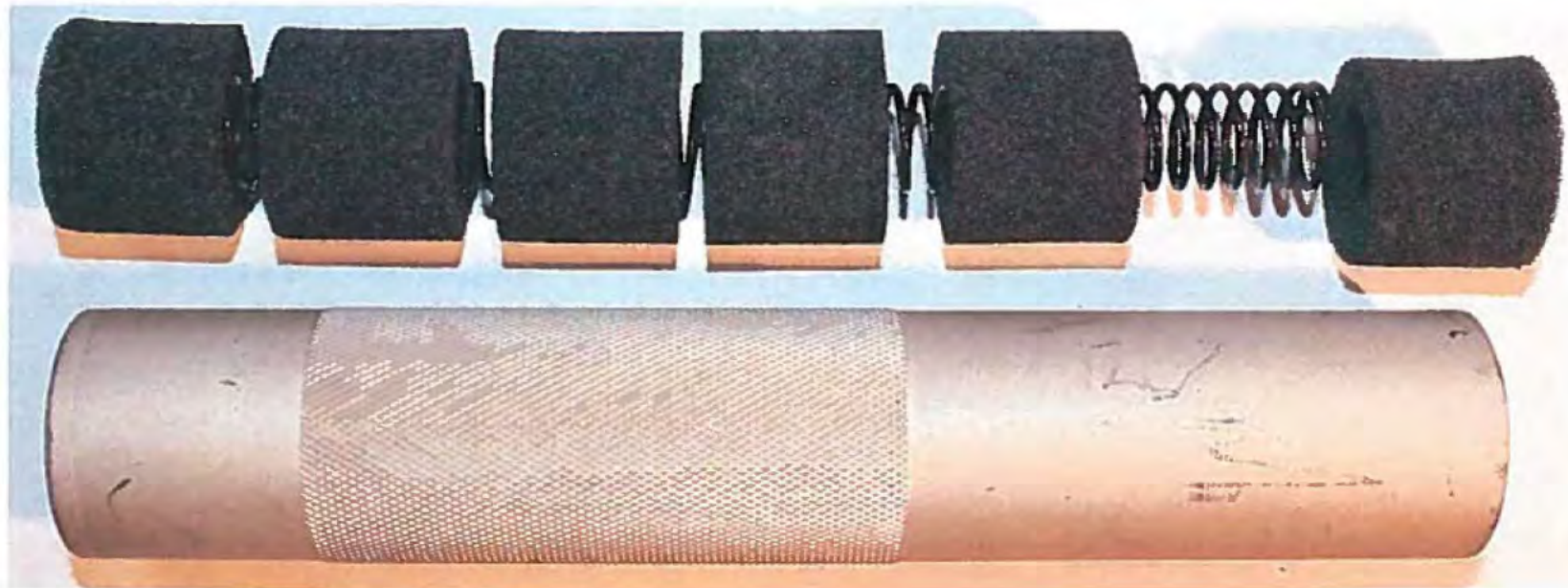
## Exhibit 2 – Dummy Silencer



## **Exhibit 3 Silencer**



## Exhibit 3 Silencer



# Exhibit 3 - Silencer

Rear End



Front End





## Exhibit 4 - Silencer



# Maglite Example Photo

## Maglite® ML25LT™ LED Flashlight



\$30.00

Color Gray



Packaging

Blister

Combos

None

QUANTITY

1

ADD TO CART



Free Standard Shipping and Handling on orders \$50 or more

MAGLITE® online sales to U.S. street addresses only; no P.O. boxes.

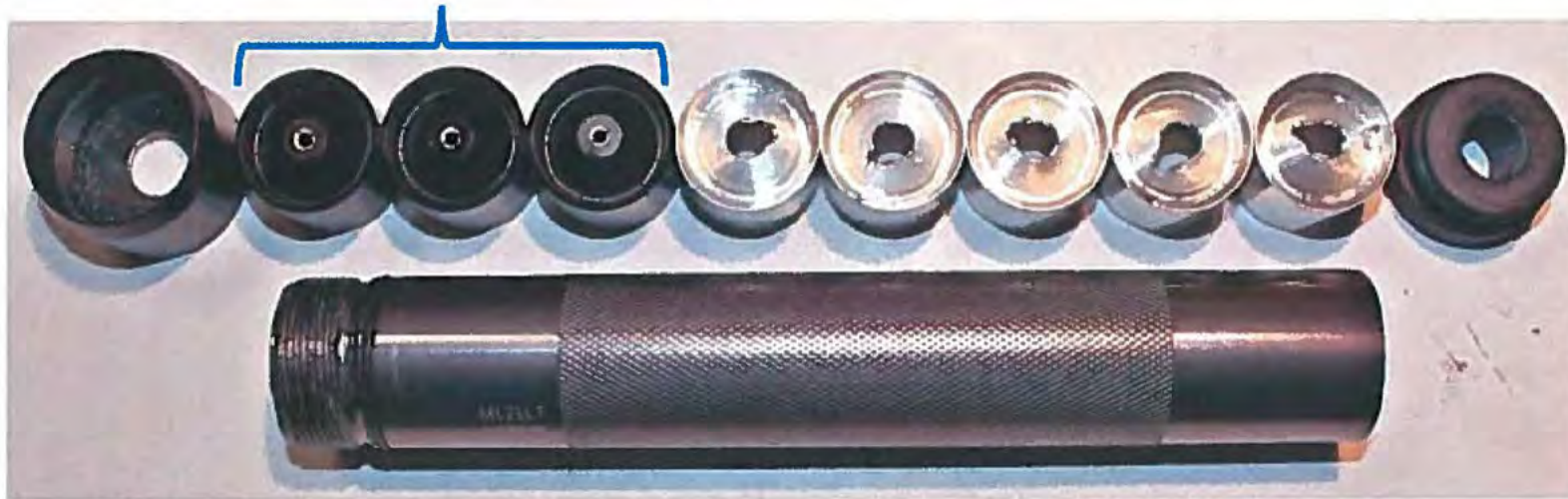


## Exhibit 4 - Markings



# Exhibit 4 - Silencer

3 baffles with unfinished center holes



# Exhibit 4

Front End



Rear End



# Exhibit 4 Baffles

5 Finished - .251" hole



3 Unfinished - .094" hole



# Exhibit 5



# Exhibit 5





## Exhibit 5



# Exhibit 5

Front End



Rear End



## Exhibit 5 Baffle markings



## Exhibit 5 PVC Spacer markings



# Expansion Plug Exemplar



## Exhibit 6a



## Exhibit 6a Markings



## Exhibit 6b





## Exhibit 6b Markings



## Exhibit 6c



## Exhibit 6c Markings



# Expansion Plug Comparison



Exemplar

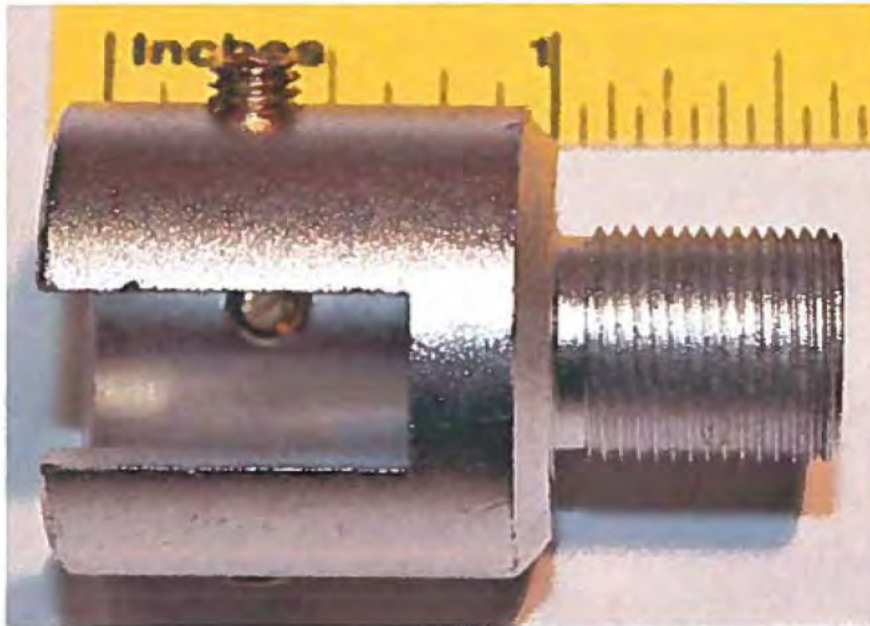
Ex. 6a

Ex. 6b

Ex. 6c



## Exhibit 6d



# Muzzle Adapter on Ebay



Aluminum Silver Ruger 10 22 1022 10/22 Thread Muzzle Adapter 1/2-28  
1/2"x28

Condition: **New**

Quantity:

More than 10 available  
11 sold / See feedback

Price: **US \$11.99**

**Buy It Now**

**Add to cart**

[Add to watch list](#)

100% buyer satisfaction

Free shipping

30-day returns

Shipping: **FREE** Standard Shipping | [See details](#)

Item location: Corona, California, United States

Ships to: United States | [See exclusions](#)

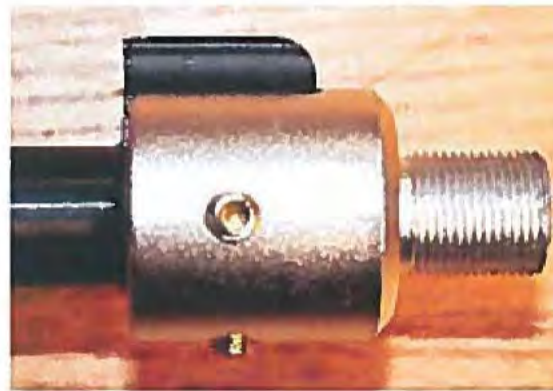
Delivery: Estimated on or before Wed. Aug. 08 to 25403

Payments: **PayPal** **VISA**

Credit Cards processed by PayPal

**PayPal CREDIT**

# Exhibit 6d on NFC Ruger 10/22 barrel



## Exhibit 6e





# Exhibits 6e and 6f

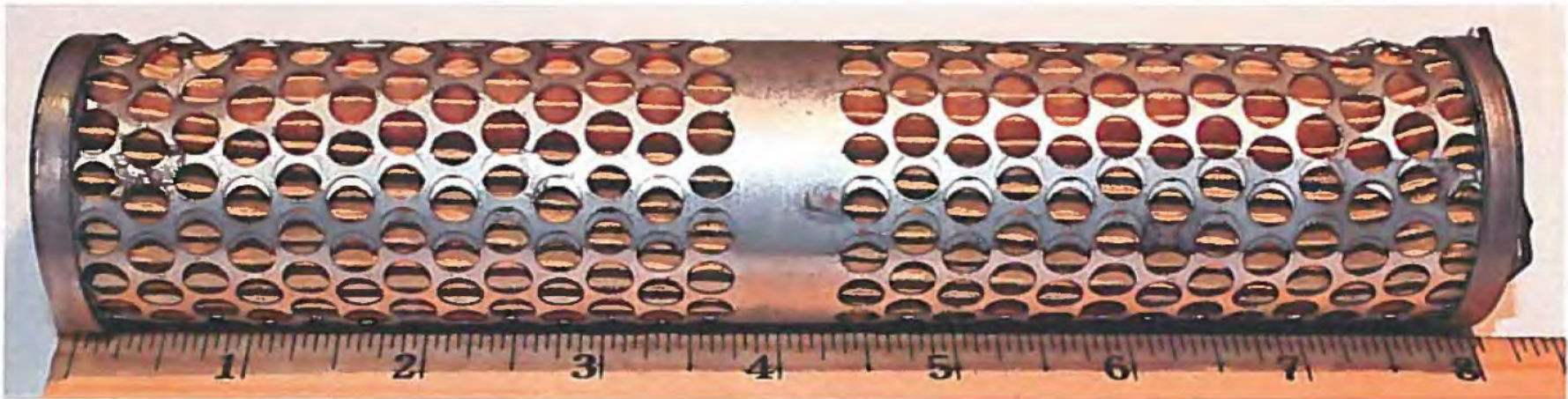
**EX 6e**



**EX 6f**



## Exhibit 6g

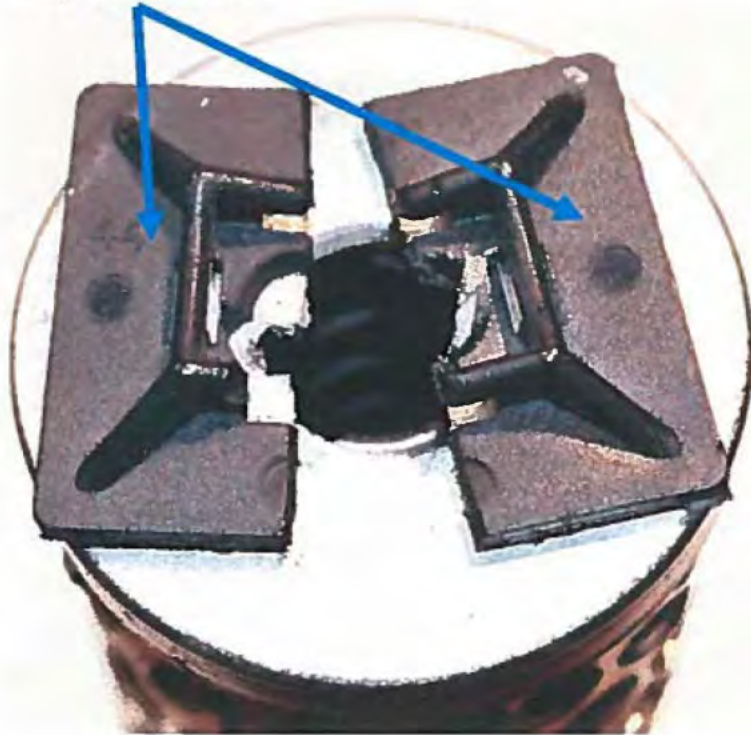


## Exhibit 6g markings



# Exhibit 6g

Zip tie mount



# Zip tie mount



Nova Supply

Zip Tie Adhesive-Backed Mounts 100 Pack by Nova Supply. Professional-Grade, UV Black Cable Tie Bases: 1.1 x 1.1. Screw-Hole Anchor Point Provides Optimal Strength for Long-Term Durability & Use

★★★★☆ · 66 customer reviews | 9 answered questions

Price: \$9.99 ✓prime

Your cost could be \$0.00. Eligible customers get a \$10 bonus when reloading \$100.

FREE Delivery by Saturday  
if you order within 7 hrs 46 mins. Details  
In Stock.

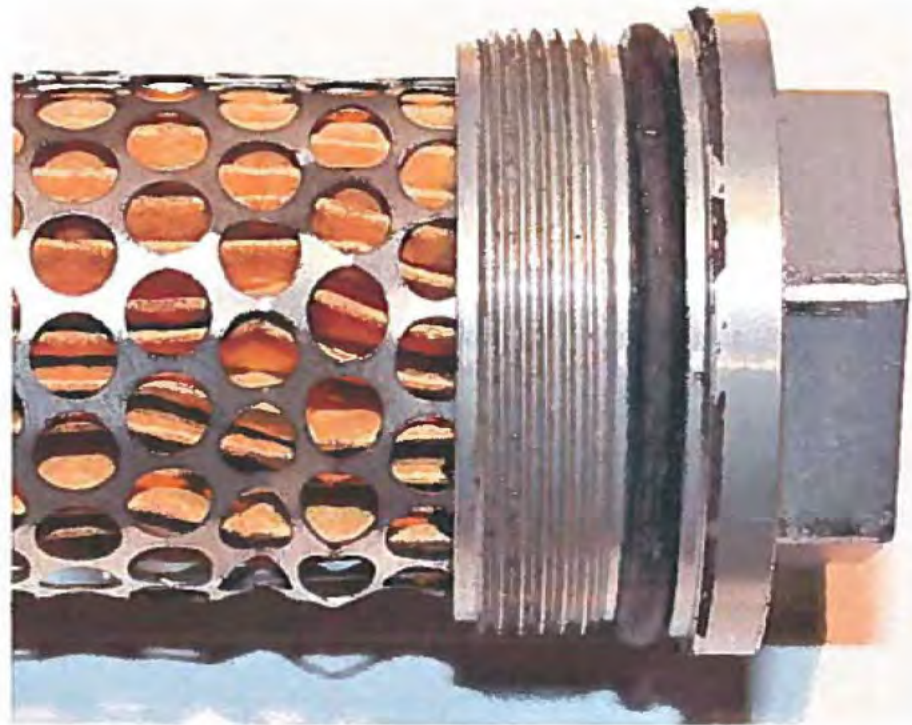
Sold by Deal Guys USA and Fulfilled by Amazon. Gift-wrap available.

- MAKE YOUR PROJECT GO EASIER by giving yourself flexible anchor points for your cable ties.
- STRONG ADHESIVE MADE TO LAST. Don't worry about these popping off in the long-term. If the surface is clean, flat and dry, you'll be good to go.
- LIFETIME MONEY BACK GUARANTEE! We stand behind all of our products. If you're not 100% COMPLETELY SATISFIED, just send us an email, and we promise to make it right!
- ELIMINATE CABLE TANGLES AND CLUTTER. Dealing with cable ties all day is already hard enough as it is, make your life easier with sturdy anchors from Nova Supply.
- MOUNTS WITHOUT TOOLS. Simply peel off the backing paper and place firmly on a clean, dust-free surface for best adhesion. Use the built-in screw hole for added strength.

New (2) from \$9.99 ✓prime

Report incorrect product information.

# Exhibit 6g in 6h



## Exhibit 6h



## **Exhibit 6i – Silencer Baffle**





## Exhibit 6j End-cap for Ex. 6k



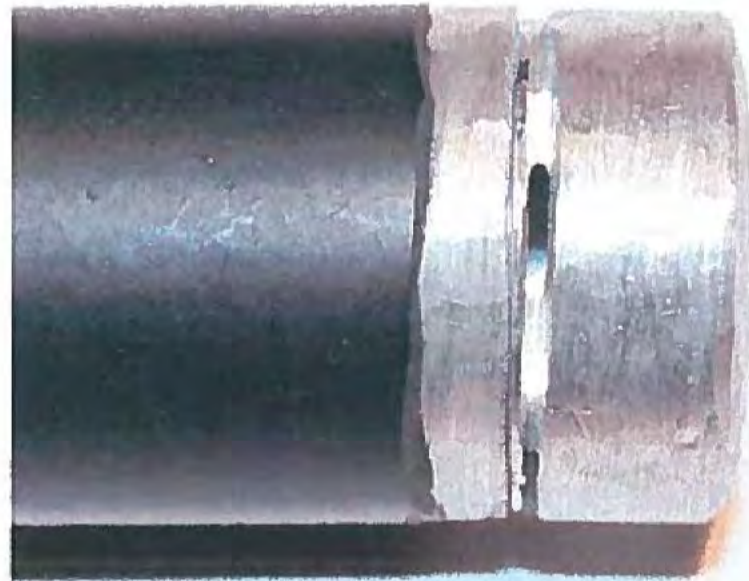
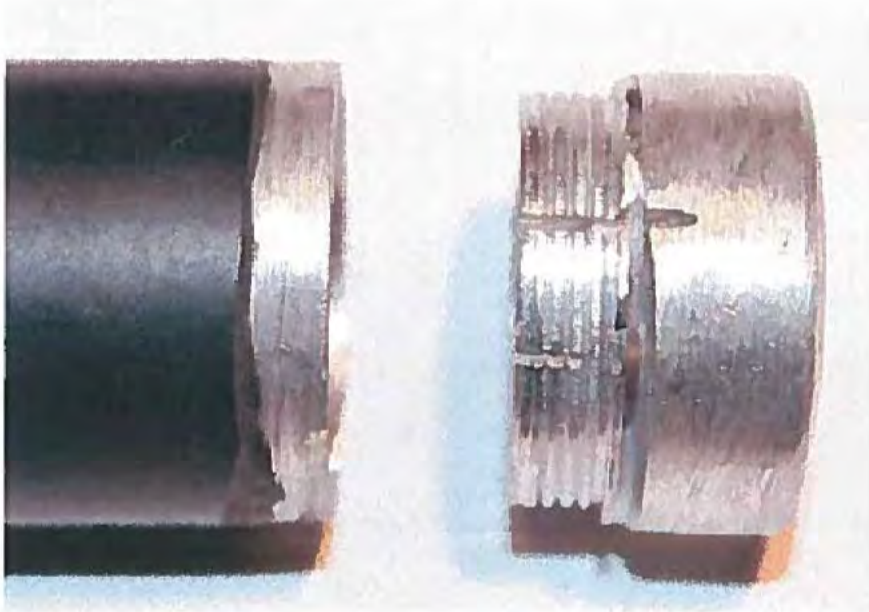
## Exhibit 6k – Silencer tube



## Exhibit 6k



## Exhibits 6j & 6k



# Exhibits 6i, 6j, & 6k

Ex. 6k



Ex. 6i



Ex. 6j



## Exhibit 61 - Die



## Exhibit 6m Fiber washer





US005705763A

# United States Patent [19]

[11] Patent Number: 5,705,763

Leon

[45] Date of Patent: Jan. 6, 1998

[54] FIRE SELECTOR SYSTEM FOR SELECTING BETWEEN AUTOMATIC AND SEMI-AUTOMATIC OPERATION OF A GUN

### FOREIGN PATENT DOCUMENTS

1148550 12/1957 France ..... 89/140

[76] Inventor: Jorge A. Leon, Av. Macuto, Res. Macaracuay, Apto. #4B, Macaracuay Caracas, Venezuela

Woolbridge, J. "The Enforcer," Popular Mechanics, Sep., 1991 pp. 39-42.

Primary Examiner—Stephen M. Johnson  
Attorney, Agent, or Firm—Heslin & Rothenberg, P.C.

[21] Appl. No.: 685,184

### ABSTRACT

[22] Filed: Jul. 18, 1996

[51] Int. Cl.<sup>6</sup> ..... F41A 19/33

[52] U.S. Cl. .... 89/140; 89/128

[58] Field of Search ..... 89/140, 141, 142, 89/128

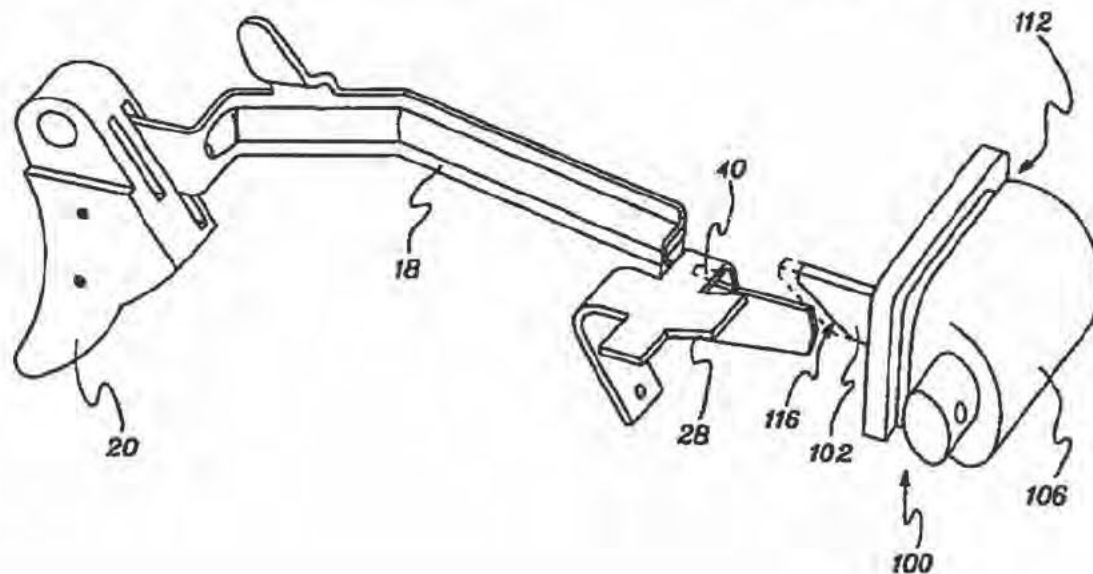
A fire selector system for selecting between automatic and semi-automatic operation of a gun is provided. The system is mountable on a reciprocating slide of the gun and into operative relationship with the trigger bar of the gun. A member of the selector system is movable between forward and rearward longitudinal positions. The forward longitudinal position allows the member to assume an activating longitudinal position for automatic operation of the gun. The rearward longitudinal position prevents the member from assuming its activating longitudinal position, thereby effecting semi-automatic operation of the gun. The member repetitively contacts a contact area of the trigger bar as it reciprocates with a reciprocating slide of the gun during automatic operation. Further, the device is easily installed and removed from the reciprocating slide depending on user requirements.

### References Cited

#### U.S. PATENT DOCUMENTS

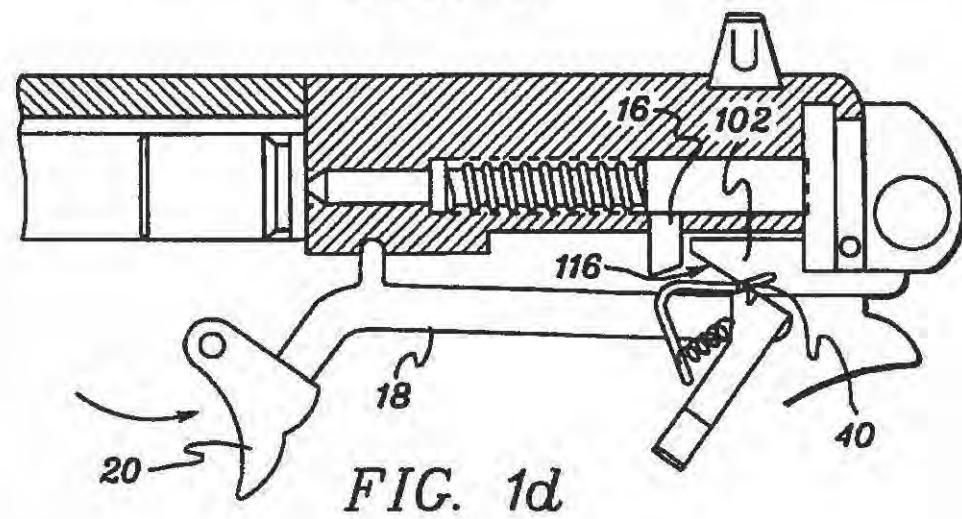
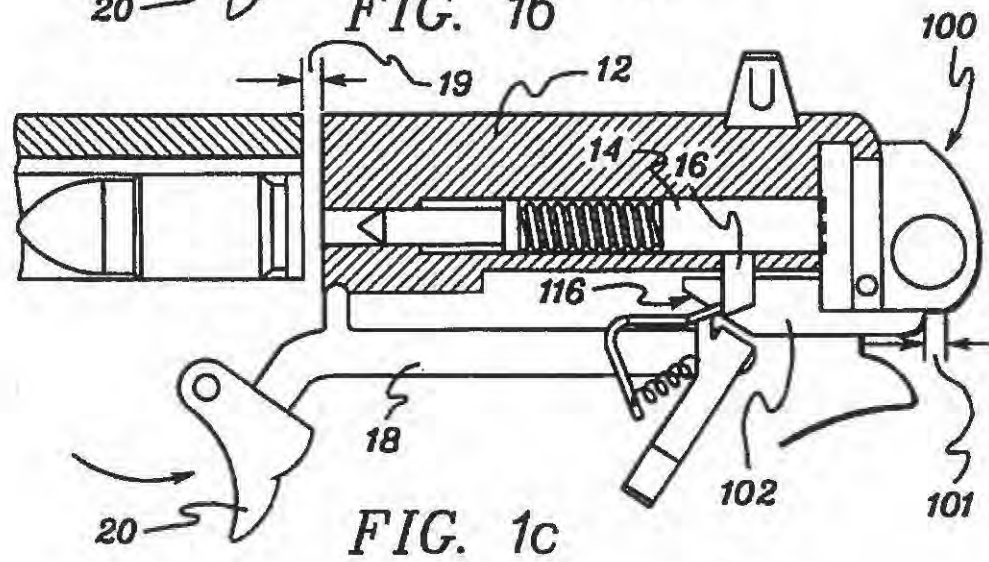
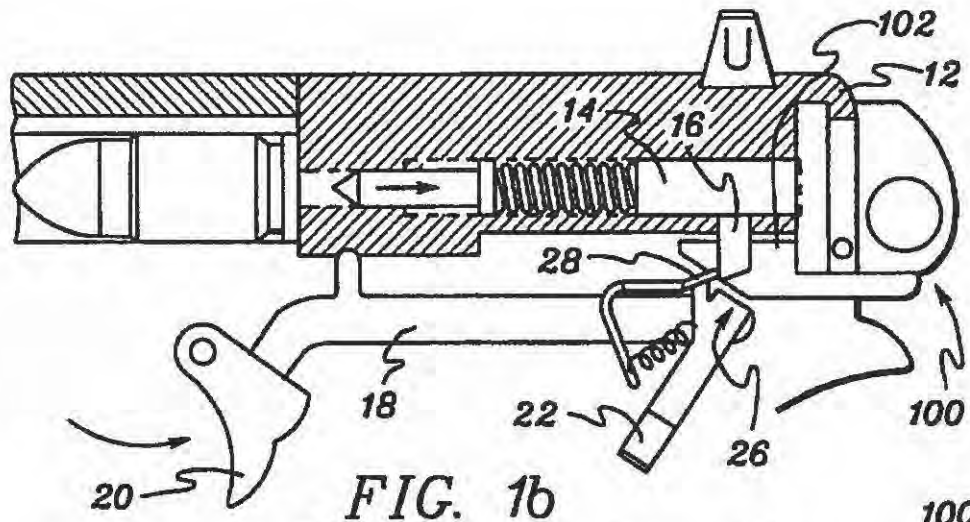
2,216,412	10/1940	Holek	89/142
2,432,486	12/1947	Patchett	89/142
2,572,872	10/1951	Ketterer	89/140
2,718,818	9/1955	Cuppini et al.	89/142
2,909,100	10/1959	Kennedy-Taylor	89/140
3,012,479	12/1961	Ruffell	89/142
3,021,763	2/1962	Beretta	89/140
3,358,560	12/1967	Ruffell	89/142
4,539,889	9/1985	Clock	89/147
5,355,768	10/1994	Felk	89/147

7 Claims, 6 Drawing Sheets









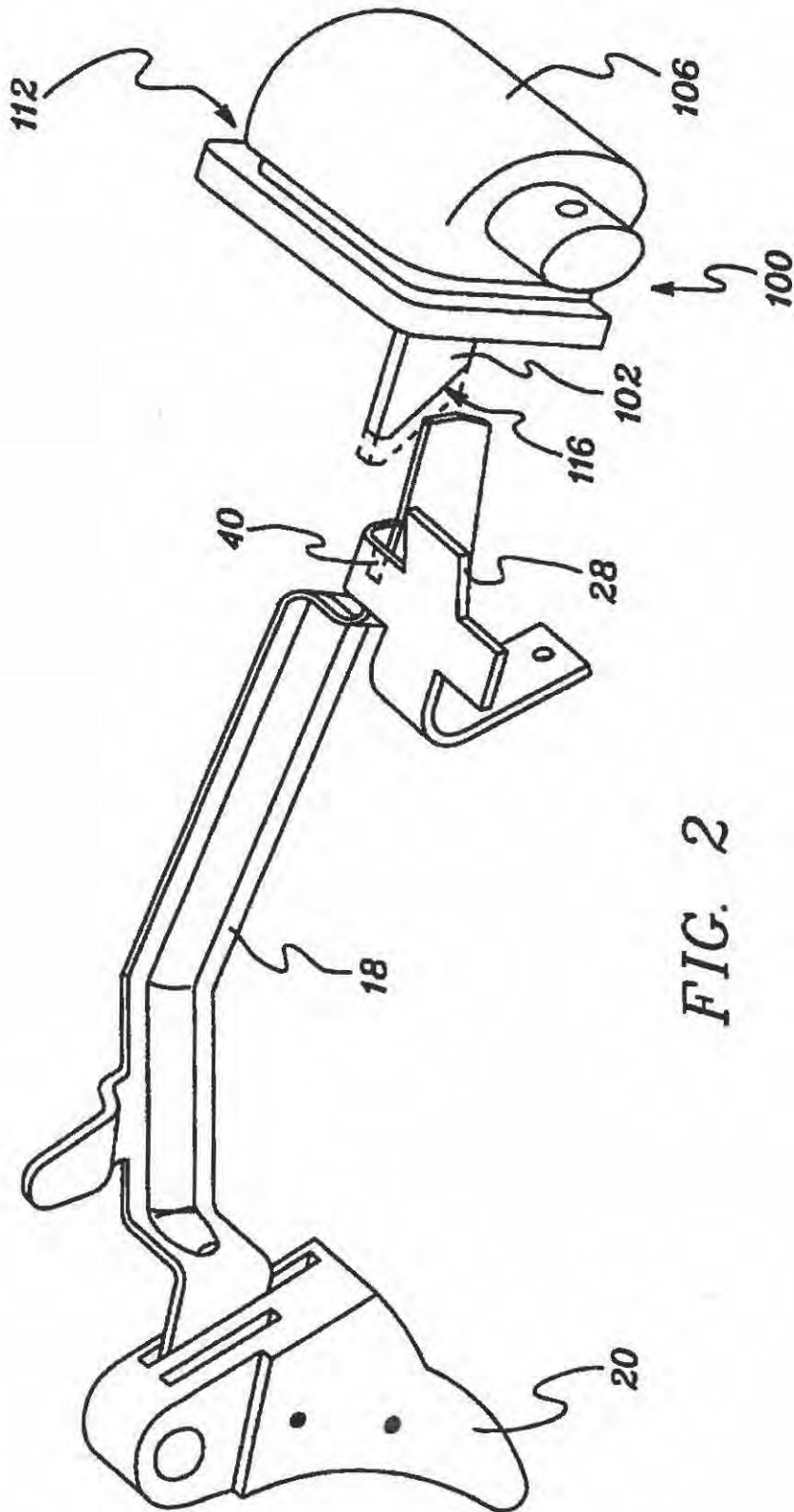


FIG. 2

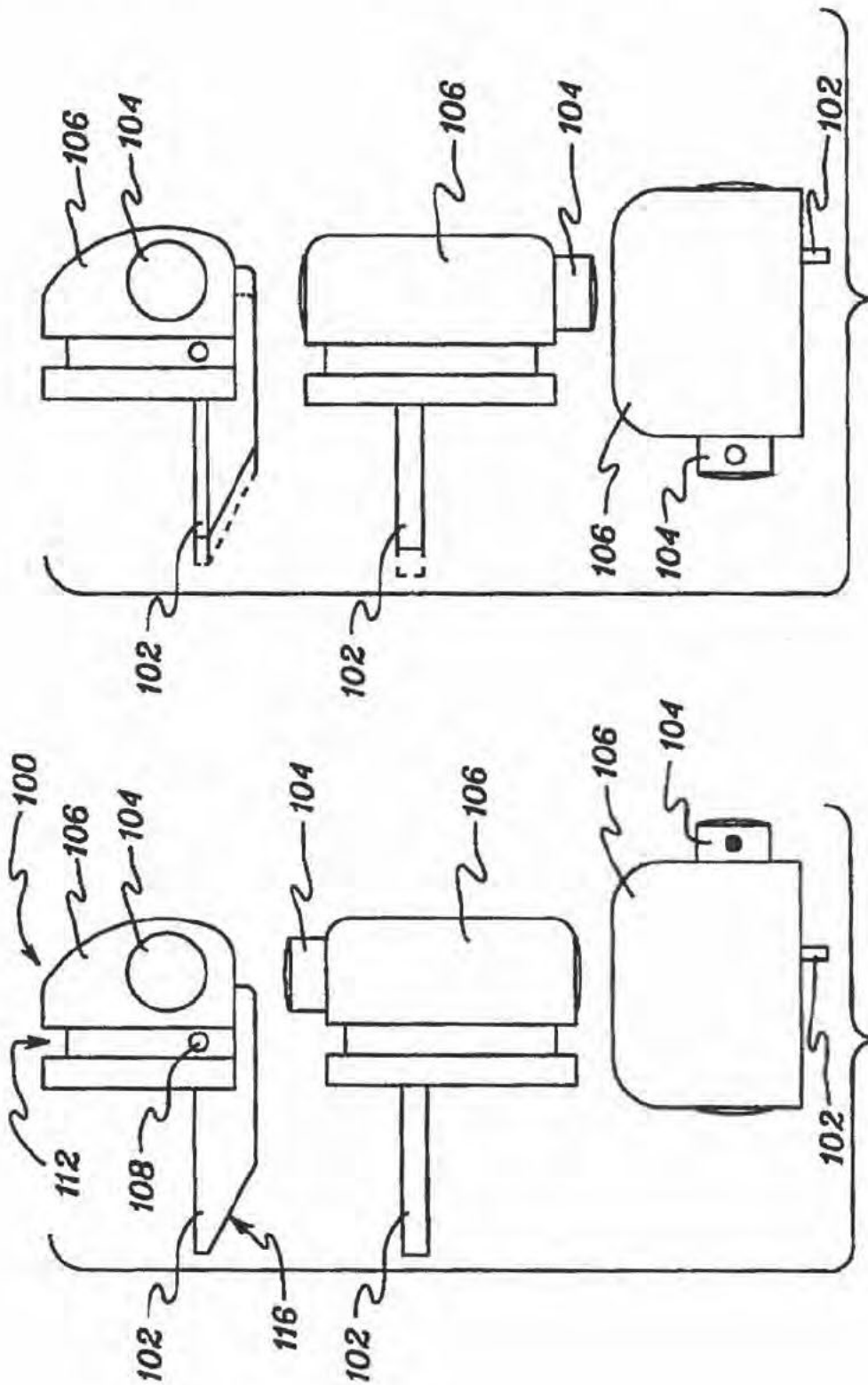
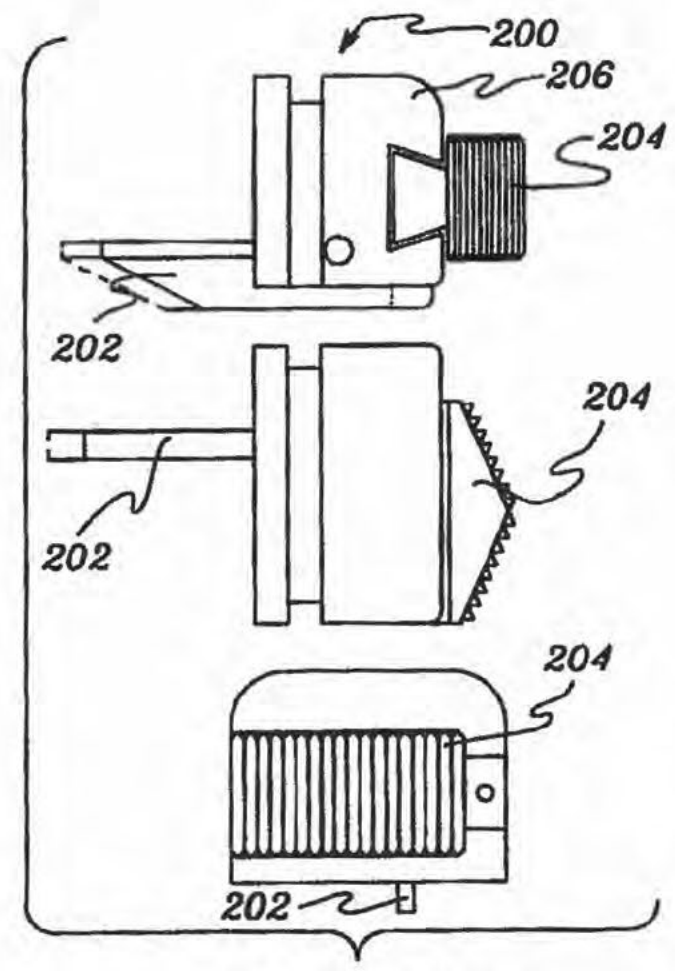
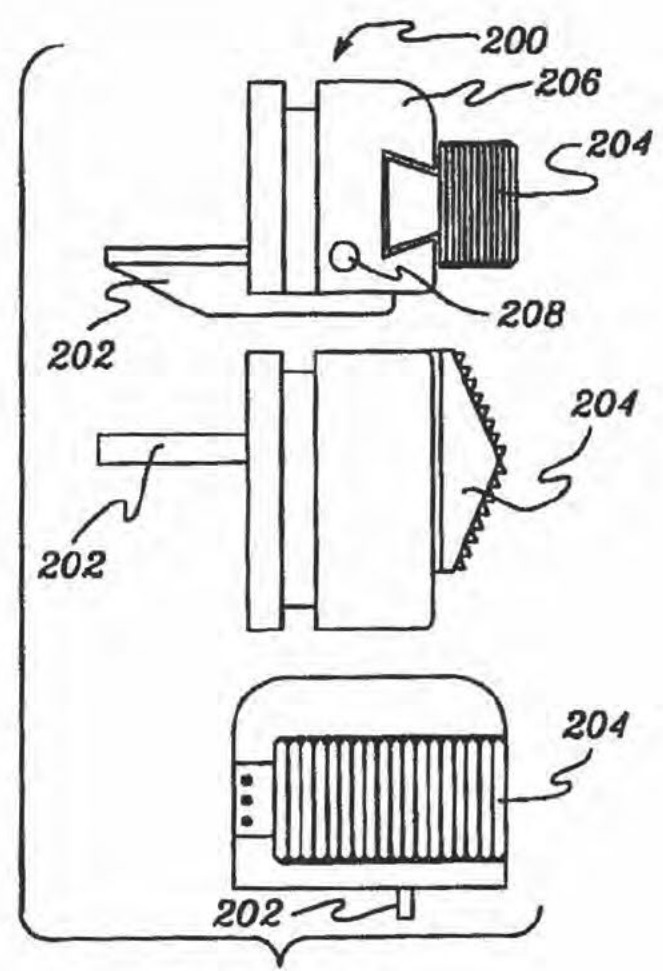
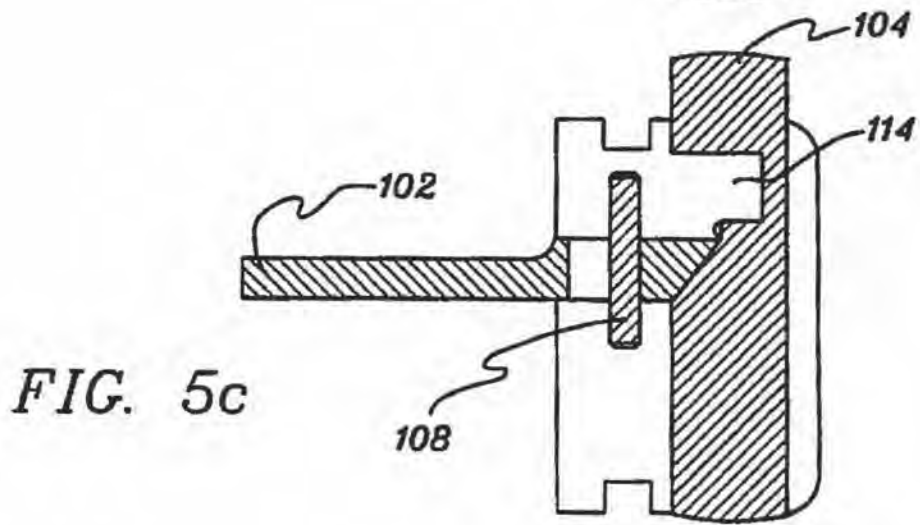
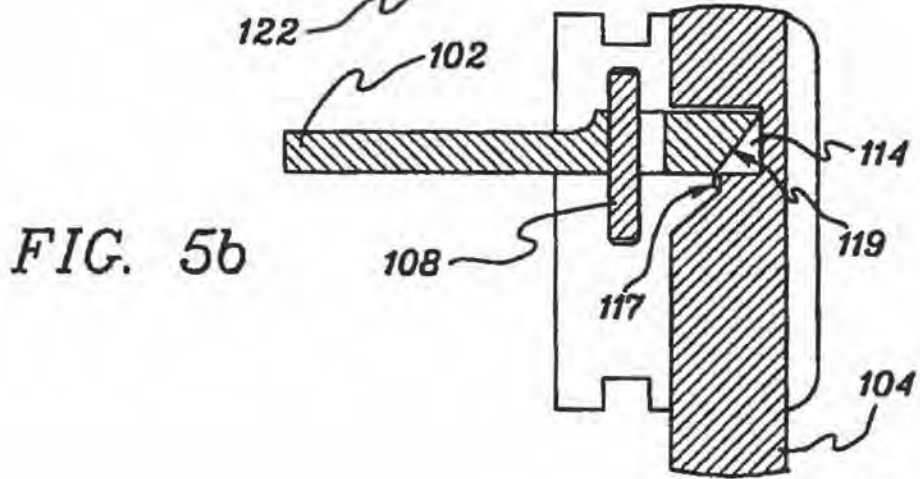
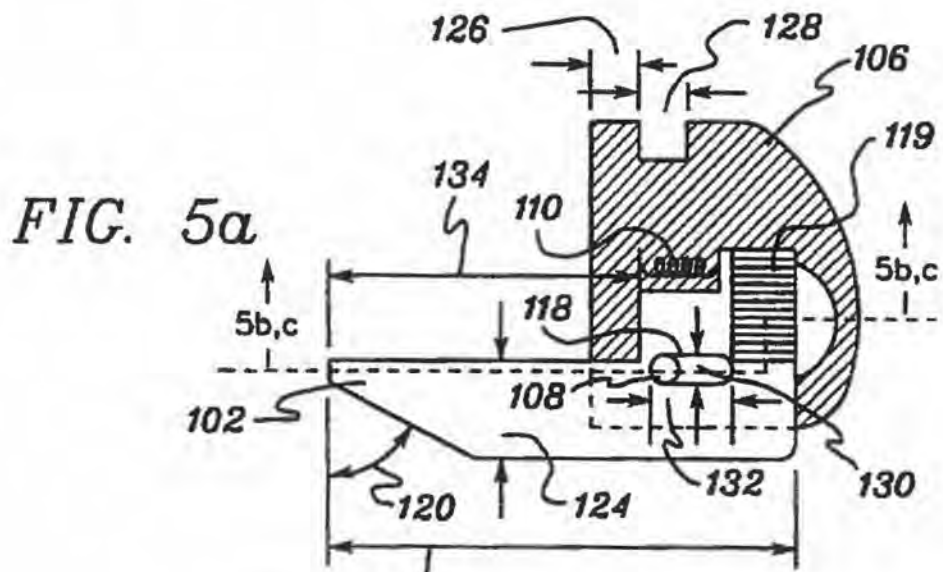


FIG. 3b

FIG. 3a





# FIRE SELECTOR SYSTEM FOR SELECTING BETWEEN AUTOMATIC AND SEMI-AUTOMATIC OPERATION OF A GUN

## TECHNICAL FIELD

This invention relates to semi-automatic and automatic firearms. More particularly, this invention is a fire selector system for selectively converting a firearm between semi-automatic and automatic operation.

## BACKGROUND OF THE INVENTION

Many firearms are sold in configurations which provide semi-automatic operation or automatic operation. However, it is often desirable to convert an existing semi-automatic firearm to an automatic firearm, without significant modification thereof.

Having made an initial investment in a semi-automatic firearm, many users are inclined not to make an additional, potentially equal investment in a related firearm which provides automatic operation.

Various mechanisms have been proposed in the prior art for effecting selection between semi-automatic and automatic operation. For example, U.S. Pat. No. 3,012,479 to L. E. Ruffell discloses an abutment opposite a recess in a sear, and movable between three positions for safe, semi-automatic, and automatic operation. However, this device does not appear to convert an existing semi-automatic gun to automatic operation. U.S. Pat. No. 2,572,872 to S. J. Ketterer discloses an attachment for converting a semi-automatic rifle to full automatic, but which is dependent on pivoting motion of a lever, triggered by forward movement of a bolt. An arm of the lever thereby rotates a sear into a hammer releasing position to effect automatic operation. This pivoting action of the retrofitted attachment requires significant, independent movement of the attachment itself during automatic operation, which is undesirable as it may lead to failures, mis-fires, etc. Further, cuts to the stock of the rifle are necessary to install the attachment.

Thus, what is required is a simple device for converting a semi-automatic firearm into an automatic firearm. It is preferable that such a device have few moving parts, be easily installed and removed from the existing semi-automatic firearm, operate in a simple manner, and be inexpensive.

## SUMMARY OF THE INVENTION

The shortcomings of the prior art are overcome by the present invention, which in one aspect is a device for converting a semi-automatic gun into an automatic gun. The gun has a trigger bar, a reciprocating slide, and a longitudinal firing mechanism. The trigger bar is normally mounted below the firing mechanism and is movable into a first position in which the trigger bar engages the firing mechanism and prevents forward motion of the firing mechanism following trigger activation. Semi-automatic operation is thus effected by this engagement. The converting device includes a member mountable on the reciprocating slide of the gun and into operative relationship with the trigger bar of the gun. The member is movable into an activating longitudinal position in which contact between the member and a contact area of the trigger bar occurs to urge the trigger bar away from its first position following trigger activation. Automatic operation of the gun is thus effected by this contact.

The member may be reciprocable by a user between forward and rearward longitudinal positions. The forward

longitudinal position allows the member to assume its activating longitudinal position for automatic operation of the gun. The rearward longitudinal position prevents the member from assuming its activating longitudinal position and thereby allows the trigger bar to assume and retain its first position following trigger activation thus effecting semi-automatic operation.

The device may include a switch for longitudinally moving the member between its forward and rearward longitudinal positions.

The device reciprocates with the reciprocating slide upon its mounting thereon, and, when in its forward longitudinal position, can assume its activating longitudinal position and repetitively contact the contact area of the trigger bar during its reciprocation with the reciprocating slide. The member does not assume its activating longitudinal position and is thus isolated from the contact area of the trigger bar during its reciprocation when the member is in its rearward longitudinal position.

The member may include a tapered tip for contacting the contact area of the trigger bar, the tapered tip gradually urging the trigger bar away from its first position as the member is moved into its activating longitudinal position.

As set forth in greater detail hereinbelow, the fire selector system of the present invention can be easily installed and removed from an existing semi-automatic firearm, thus providing the option of a convertible gun or a non-convertible gun. Further, the fire selector system has very few moving parts, operates in a simple manner and is relatively inexpensive to fabricate.

## BRIEF DESCRIPTION OF DRAWINGS

The subject matter which is regarded as the invention is particularly pointed out and distinctly claimed in the concluding portion of the specification. The invention, however, both as to organization and method of practice, together with further objects and advantages thereof, may best be understood by reference to the following detailed description of the preferred embodiment(s) and the accompanying drawings in which:

FIG. 1a depicts a partial cross-section of an exemplary gun having the fire selector system of the present invention mounted therein, the gun being cocked and ready to fire a single round, the fire selector system being set for semi-automatic operation;

FIG. 1b depicts a position of the components of the gun of FIG. 1a at a point during a trigger activation;

FIG. 1c depicts the gun having the fire selector system therein, the fire selector system being set for automatic operation, the components shown at a point following trigger activation and during forward movement of the reciprocating slide;

FIG. 1d depicts the moment of firing of the gun of FIG. 1c;

FIG. 2 is a perspective view of the trigger bar and fire selector systems of FIGS. 1a-d, and further illustrates the positional relationship therebetween;

FIGS. 3a-b are various views of the fire selector system of the present invention in its extended (automatic) and retracted (semi-automatic) settings, respectively;

FIGS. 4a-b depict an alternate embodiment of the fire selector system in its extended and retracted positions, respectively; and

FIGS. 5a-c are cross-sectional views depicting additional detail of the fire selector system of FIGS. 1-3.

DETAILED DESCRIPTION OF THE  
PREFERRED EMBODIMENT(S)

With reference to FIGS. 1a-d, depicted therein is an exemplary pistol 10 having a fire selector system 100 installed thereon, according to the principles of the present invention. FIGS. 1a-b depict the fire selector system in its setting for semi-automatic operation. FIGS. 1c-d depict the fire selector system in its setting for automatic operation.

As shown in FIG. 1a, the components of the gun 10 relevant to the instant invention are as follows. Trigger 20, shown in its unactivated position, is hingedly connected to a trigger bar 18. A wing 28 of trigger bar 18 is engaging a leg 16 of firing pin 14 (or mechanism). Following backward motion of the trigger, or trigger activation, trigger bar 18 moves rearward and an inclined end 24 thereof contacts an inclined control surface 26 (perpendicular to the page) of a connector 22. As end 24 reaches inclined control surface 26, the trigger bar is pushed downward such that nose 16 is released and, urged by spring 32, firing pin tip 34 will move forward, contact bullet 30, and discharge the same.

Pursuant to the principles of the present invention, a fire selector system 100 is provided on the rear of the slide 12. The system 100 has a housing 106 adapted for mounting on the slide, a switch 104 and a disconnecter member 102. Disconnecter 102 is movable into either a forward or rearward longitudinal position using switch 104. Disconnecter 102 in FIGS. 1a-b is shown in its rearward longitudinal position, for semi-automatic operation. In this position, no interaction will take place between the fire selector system and the trigger bar of the gun. Therefore, as discussed above, normal semi-automatic operation will occur based on the interaction between trigger bar end 24 and control surface 26 upon activation of the trigger.

Such trigger activation is shown in FIG. 1b, wherein the components of the gun are shown at a moment during trigger activation. Wing 28 has pulled leg 16 backward to a point where the end 24 of trigger bar 18 (now obscured by connector 22) is beginning to contact inclined control surface 26. Upon further trigger pull, the control surface 26 will guide trigger bar 18 downward, thereby releasing leg 16 and bolt 14 and firing the gun. As discussed above, the disconnecter 102 of fire selector system 100 is generally out of engagement with any of these firing components of the gun during semi-automatic operation. Thus, the gun functions in its normal, semi-automatic operation with disconnecter 102 in its rearward longitudinal position. Discharge of the bullet and the subsequent backward motion of the slide 12, and release of the trigger, will effect a re-engagement of wing 28 with leg 16, in preparation for another trigger activation.

FIGS. 1c-d depict automatic operation of the gun, wherein the disconnecter 102 of the fire selector system 100 is shown in its forward longitudinal position (i.e., moved a distance 101). FIG. 1c depicts forward motion of the slide following recoil from a previous trigger activation. Inclined surface 116 of the forward tip of the disconnecter 102 has been moved a sufficient distance 101 forward such that contact and downward motion of the trigger bar occurs. This contact occurs at a point 19 about 1 or 2 millimeters before the slide 12 reaches its normal forward position. The firing pin 14 is thus released at this point in the reciprocation of the slide and another shot is fired without a trigger activation. Control surface 116 of the disconnecter 102 contacts the trigger bar 18 to effect this firing. FIG. 1d depicts the moment of firing at which time the control surface 116 of the disconnecter 102 has made contact approximately at a point or contact area 40 of the trigger bar. The longitudinal

position at which the disconnecter begins to engage the trigger bar is referred to herein as the activating longitudinal position.

As long as the trigger is pulled, and ammunition is provided in the clip, the disconnecter will repetitively disengage the firing pin by repetitively engaging the trigger bar and repetitive firing will result as the selector system reciprocates with the slide.

FIG. 2 depicts, in perspective form, the relevant components effecting automatic operation including trigger 20, trigger bar 18 and selector system 100. The inclined control surface 116 of disconnecter 102 of the selector system 100 is designed to effect contact at about contact area 40 of trigger bar 18, and gradually urge the trigger bar 18 downward as the disconnecter moves forward.

FIG. 3a includes side, top and rear views of the fire selector system of the present invention, with the disconnecter 102 in its extended (automatic) setting. As discussed above, the components of this system 100 include a disconnecter 102, housing 106 and a cylindrical switch 104 running laterally through the housing. A pin 108 can be provided to hold the disconnecter 102 in housing 106. Further, the housing 106 may have a flange 112 formed thereon to effect simple installation and removal of this selector system from the gun. FIG. 3b depicts the same views of the selector system with the disconnecter in its retracted position, using the opposite switch setting. FIGS. 3a and 3b clearly show that a first switch position effects extension of the disconnecter 102 thus effecting automatic operation, and a second switch position effects retraction of the disconnecter 102 thus effecting semi-automatic operation.

FIG. 4a includes side, top and rear views of an alternate embodiment 200 of a selector system pursuant to the principles of the present invention, with the disconnecter in its extended (automatic) setting. Disconnecter 202, housing 206 and pin 208 are similarly provided, however, a thumb switch 204 is provided in this embodiment rather than the cylindrical switch running laterally through the housing set forth in FIG. 3. FIG. 4b depicts the same views of the alternate embodiment 200 of the fire selector system with the disconnecter in its retracted (semi-automatic) setting.

FIG. 5a is a sectional, side view of the fire selector system of FIGS. 3a-b, illustrating additional detail of the system. A spring 110 is shown therein which operates to urge the disconnecter 102 into a rearward position. Pin 108 is shown positioned through a via 118 of the member 102. The pin is shown in front of the via indicating that the disconnecter 102 is in its retracted longitudinal position. An inclined surface 119 of the disconnecter 102 facilitates movement of the disconnecter 102 between its retracted and extended longitudinal positions, as illustrated in the sectional, top views of FIGS. 5b-c, which also show a cross-section of the laterally positioned switch 104. Switch 104 includes a recess 114 into which disconnecter 102 is urged by spring 110 in its retracted position. Further, a small ridge 117 is provided which, as shown in FIG. 5c, holds disconnecter 102 in its extended longitudinal position. The inclined surface 119 of the disconnecter facilitates movement into the extended position, and the inclined surfaces of ridge 117 similarly facilitate movement from the extended position into the retracted position.

Various dimensions of the fire selector system of FIGS. 5a-c are set forth in the table below.



120	54*
122	21.95 mm
124	4.65 mm
126	2 mm
128	2.45 mm
130	2.06 mm
132	4.81 mm
134	14.7 mm

An exemplary embodiment of the fire selector system is fabricated using glass filled reinforced polymer for the switch and housing, hardened steel for the disconnecter and spring, and carbon steel for the pin.

The above-described selector system therefore has few moving parts, and further is composed of relatively inexpensive parts.

Using the above-described dimensions for the housing and disconnecter, a fire selector system is provided to select between semi-automatic and automatic operation of a Glock pistol of the type described in U.S. Pat. No. 4,825,744, hereby incorporated herein by reference in its entirety. The fire selector system of the present invention can be adapted to replace a slide cover plate of that pistol at the rear of the slide, and it can thus be easily installed and removed from the pistol. In its installed position, the fire selector system provides the user with a choice between semi-automatic and automatic operation; and upon its removal, the gun operates in its normal semi-automatic mode.

While the invention has been described in detail herein in accordance with certain preferred embodiments thereof, many modifications and changes therein may be affected by those skilled in the art. Accordingly, it is intended by the following claims to cover all such modifications and changes as fall within the true spirit and scope of the invention.

What is claimed is:

1. A device for converting a semi-automatic gun into an automatic gun, the gun having a trigger bar, a reciprocating slide, and a longitudinal firing mechanism, the trigger bar mounted below the firing mechanism and movable into a first position in which the trigger bar engages the firing mechanism and prevents forward motion of the firing mechanism following trigger activation, thereby effecting semi-automatic operation, the device comprising:

a member mountable on the reciprocating slide of the gun and in operative relationship with the trigger bar of the gun, the member movable into an activating longitudinal position in which contact between the member and a contact area of the trigger bar occurs to urge the trigger bar away from its first position following trigger activation thereby effecting automatic operation of the gun, wherein the member is reciprocable between forward and rearward longitudinal positions, the forward longitudinal position allowing the member to assume its activating longitudinal position for said automatic operation of the gun, the rearward longitudinal position preventing the member from assuming its activating longitudinal position, thereby allowing the trigger bar to assume and retain its first position following trigger activation to effect said semi-automatic operation of the gun;

and wherein the device further comprises a user switch coupled for longitudinally moving the member, the user switch having a first position corresponding to the forward longitudinal position of the member and a second position corresponding to the rearward longitudinal position of the member.

2. The device of claim 1, further comprising a housing in which the member and the user switch are mounted, the housing adapted to be mountable on a rearward portion of the reciprocating slide of the gun with said member extending forward into the reciprocating slide and into the operative relationship with the trigger bar of the gun upon mounting of the housing on the rearward portion of the reciprocating slide.

3. The device of claim 2, wherein the device reciprocates with the reciprocating slide upon its mounting thereon, the member assuming its activating longitudinal position and repetitively contacting the contact area of the trigger bar during its reciprocation with the reciprocating slide when the member is moved into its forward longitudinal position, the member not assuming its activating longitudinal position and being isolated from the contact area of the trigger bar during its reciprocation with the reciprocating slide when the member is moved into its rearward longitudinal position.

4. The device of claim 1, wherein the user switch is elongate and runs laterally through the housing, and wherein the device comprises a spring for urging a rearward end of the member against a side of the user switch, the side of the user switch having a recess, such that:

in a first lateral switch position comprising said first position, the rearward end of the member is positioned outside of the recess and the member thereby assumes its forward longitudinal position, and

in a second lateral switch position comprising said second position, the rearward end of the member is urged into the recess and the member thereby assumes its rearward longitudinal position.

5. A device, mountable on a rearward portion of a semi-automatic gun, for selectively converting the gun between semi-automatic and automatic operation, the device comprising:

a housing adapted to be mountable on the rearward portion of the gun; and

a member extending from said housing and into the gun upon mounting of the device on the gun, the member movable between an extended longitudinal position and a retracted longitudinal position, wherein

in the extended longitudinal position a forward end of the member engages a trigger bar of the gun and urges the trigger bar out of engagement with a firing mechanism of the gun following trigger activation thereby effecting said automatic operation, and

in the retracted longitudinal position, the member is disengaged from the trigger bar of the gun following trigger activation, thereby effecting said semi-automatic operation;

and wherein the device further comprises a switch for moving the member between its extended and retracted longitudinal positions.

6. The device of claim 5, wherein the forward end of the member is tapered, the tapered forward end gradually urging the trigger bar out of engagement with the firing mechanism when the member is in its extended longitudinal position.

7. A gun having a device therein for facilitating selection between semi-automatic and automatic operation of the gun, the gun having a trigger bar and a firing mechanism, the trigger bar being disposed below the firing mechanism and movable into an upper position in which the trigger bar engages the firing mechanism and prevents forward motion of the firing mechanism following trigger activation to effect said semi-automatic operation, the device comprising:

a member for placement in operative relationship with the trigger bar of the gun and moveable by a user between

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a forward and rearward longitudinal position, the rearward longitudinal position of the member allowing the trigger bar to assume its upper position following trigger activation thereby effecting said semi-automatic operation by allowing engagement between the trigger bar and the firing mechanism, the forward longitudinal position of the member effecting contact between the device and the trigger bar and urging the trigger bar

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away from its upper position following trigger activation thereby effecting said automatic operation, wherein the device includes a user switch for longitudinally moving the member, the user switch having a first position corresponding to the forward longitudinal position of the member and a second position corresponding to the rearward longitudinal position of the member.

\* \* \* \* \*

Firearms Technology Criminal Branch  
Report of Technical Examination



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To: Special Agent (b) (6), (b) (7)(C)  
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30 South 6<sup>th</sup> Street  
RM B129A  
Fort Smith, AR 72901

Date: AUG 07 2018

UI#: 777026-18-0035

RE: (b)(3) (28 USC 6103), (b) (6), (b) (7)(C)

FTCB#: 2018-612 (b) (6), (b) (7)(C)  
309282

Date Exhibits Received: 7/13/2018

Type of Examination Requested:

Delivered By: FedEx (b) (6), (b) (7)(C)

Examination, Test, Classification

Exhibits:

20. Modified oil filter, no manufacturer's markings or serial number (suspected silencer).

Pertinent Authority:

Title 28 of the United States Code (U.S.C.) provides the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF) the authority to investigate criminal and regulatory violations of Federal firearms law at the direction of the Attorney General. Under the corresponding Federal regulation at 28 C.F.R. 0.130 the Attorney General provides ATF with the authority to investigate, administer, and enforce the laws related to firearms, in relevant part, under 18 U.S.C. Chapter 44 (Gun Control Act) and 26 U.S.C. Chapter 53 (National Firearms Act). Pursuant to the aforementioned statutory and regulatory authority, the ATF Firearms Ammunition and Technology Division (FATD) provides expert technical support on firearms and ammunition to federal, state and local law enforcement agencies regarding the Gun Control Act and the National Firearms Act.

The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "firearm" as follows: "...*(A) 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; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.*"

In addition, the GCA defines the terms "firearm silencer" and "firearm muffler" to mean—

"...*any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.*" (See 18 U.S.C. § 921(a)(24).)

The National Firearms Act (NFA), 26 U.S.C. § 5845(a), defines "firearm" as:

*"... (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) 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; (5) any other weapon, as defined in subsection (6) a machinegun; (7) any silencer (as defined in 18 U.S.C. § 921); and (8) a destructive device. The term 'firearm' shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the ...[Attorney General]... finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon."*

The NFA, § 5842, "Identification of firearms," states:

*"...(a) Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the ...[Attorney General]... may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the ...[Attorney General]... and any other information the...[latter]... may by regulations prescribe."*

### Findings:

**Exhibit 20** is a modified Fram oil filter. The oil filter has been modified by creating a hole through the internal wall and the external wall. As modified, it is no longer designed to function as an oil filter. Nor is it useful as a so-called "solvent trap." The Exhibit is approximately 5-3/4 inches in length and approximately 3 inches in diameter.

As modified, Exhibit 20 is now designed to function as a firearm silencer. Specifically, it contains an outer body, front and rear end-caps, and multiple internal expansion chambers separated by metal baffles.

I conducted testing to determine the effectiveness of Exhibit 20 in diminishing the sound levels of a portable firearm. For sound-comparison test purposes, I used a Ruger, model 22/45, .22 caliber semiautomatic pistol from the ATF National Firearms Collection (NFC), serial number (b) (6), (b) (7)(C) with and without Exhibit 20 attached. I conducted the sound-comparison testing at the ATF test range, Martinsburg, West Virginia, on August 3, 2018, using commercially available, CCI brand, .22 LR caliber ammunition. This test was conducted in the presence of a Bruel & Kjaer, Model 2690 NEXUS Acoustic Conditioning Amplifier and the results recorded. I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications. The results of the silencer test for Exhibit 20 are as follows:

- NFC Ruger without Exhibit 20 attached (5-shot average) 156.47 decibels

- NFC Ruger with Exhibit 20 attached (5-shot average) 146.02 decibels  
The indicated sound reduction recorded was **10.45** decibels. The test results confirm that Exhibit 20 is capable of reducing the report of a portable firearm.

**Conclusions:**

**Exhibit 20**, being a device for silencing, muffling or diminishing the report of a portable firearm, is a "**firearm silencer**" as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 20** is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 20**, being a "**firearm silencer**" is also a "**firearm**" as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 20** contains no markings of identification or a serial number as required by 26 U.S.C § 5842.

Examined by:

Witnessed by:

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

Firearms Enforcement Officer

Approved by:

  
Max Kingery  
Chief, Firearms Technology Criminal Branch

Attachments: 3 pages, each bearing photos.

**Enclosed is a Firearms Technology Criminal Branch report provided in response to your request for assistance. Please be aware that these documents constitute "taxpayer return information" that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. § 6103(h)(2)(C) and (o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. § 6103 could result in civil and/or criminal liability.**

# Exhibit 20



777026-18-0035 2018-612 (b) (6), (b) (7)(C)

# Exhibit 20 front end-cap



777026-18-0035 2018-612 (b) (6), (b) (7)(C)

# Exhibit 20 rear end-cap



777026-18 0035 2018 612

(b) (6), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

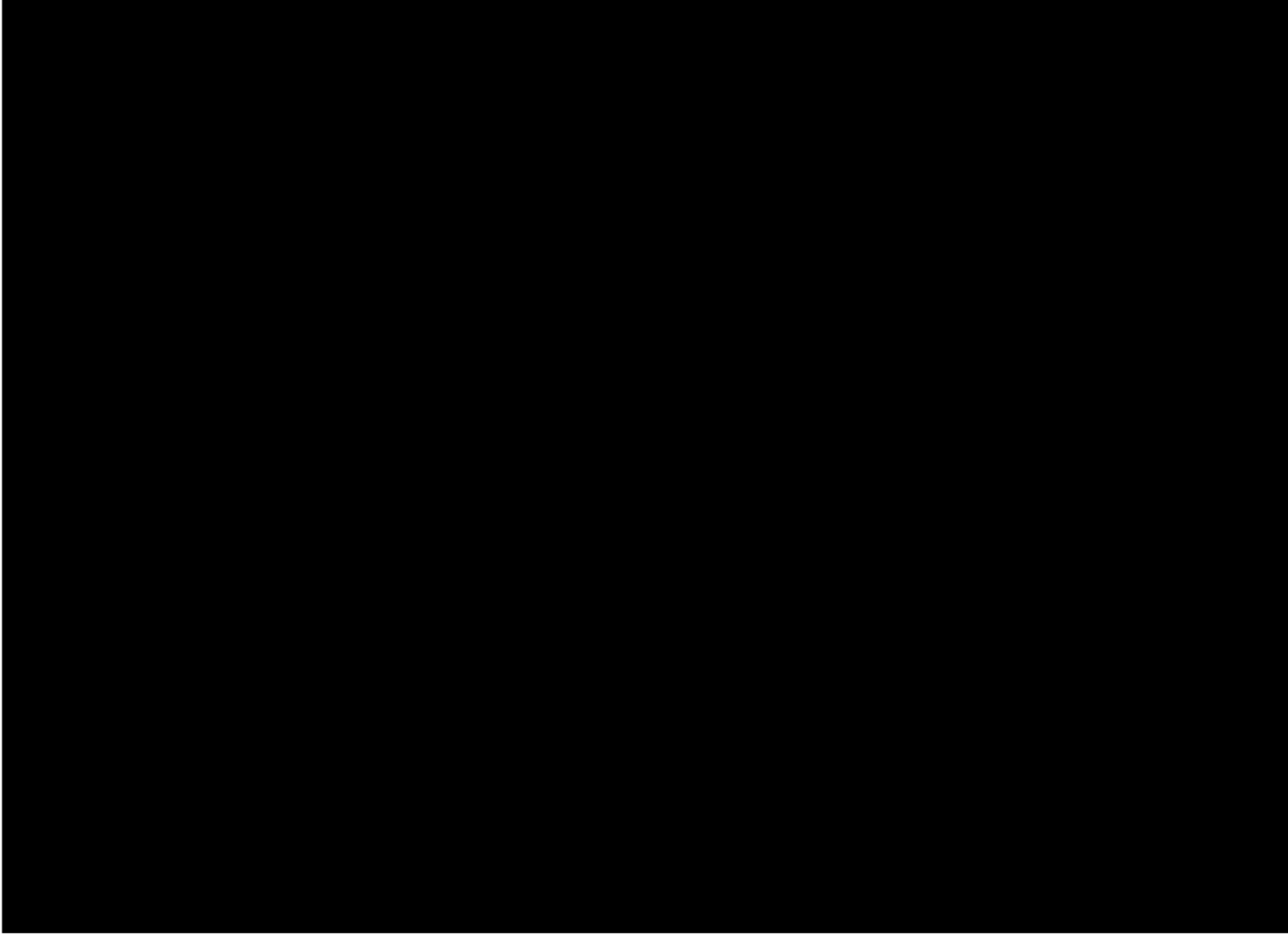
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(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

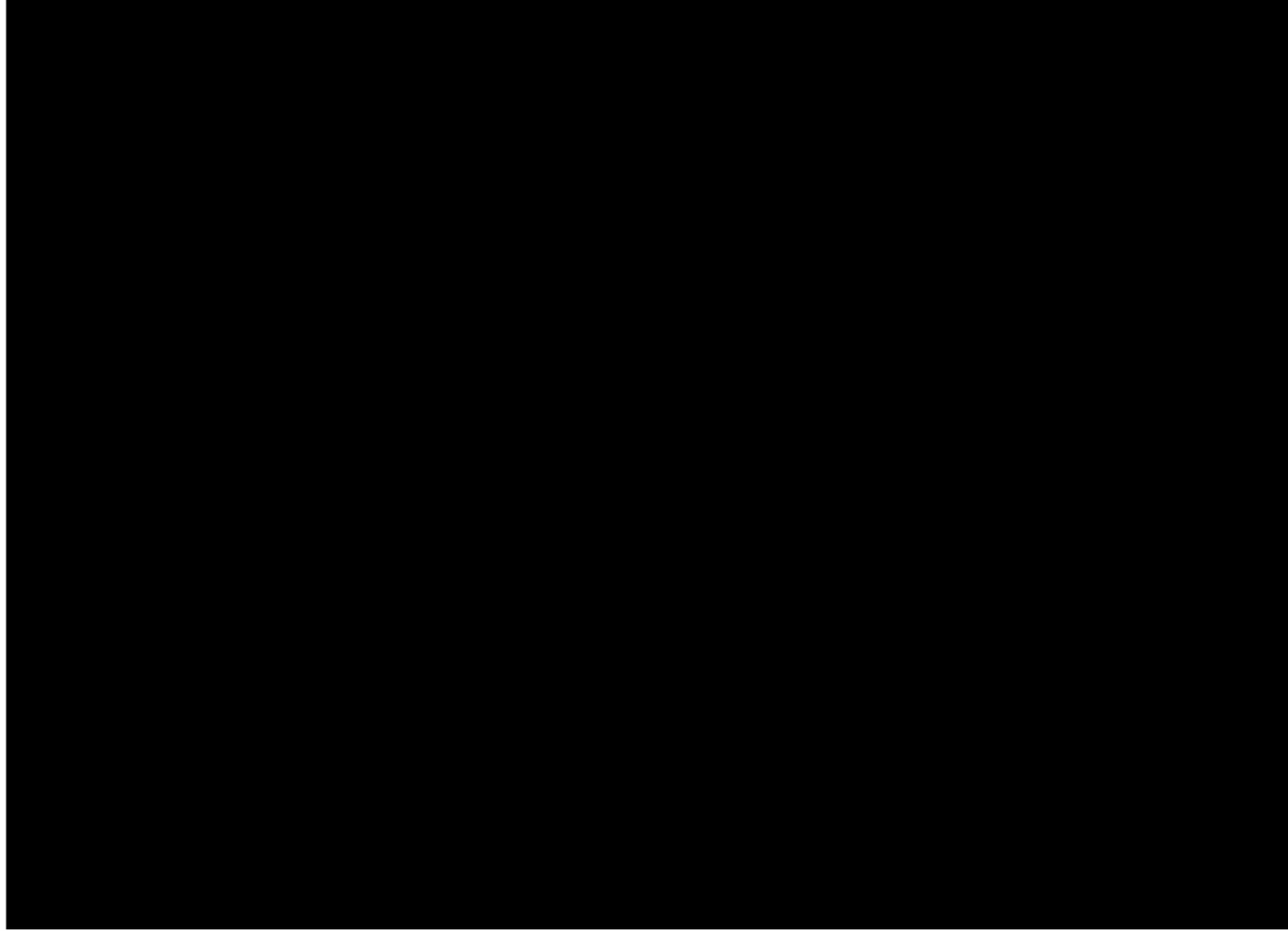
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(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)





(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

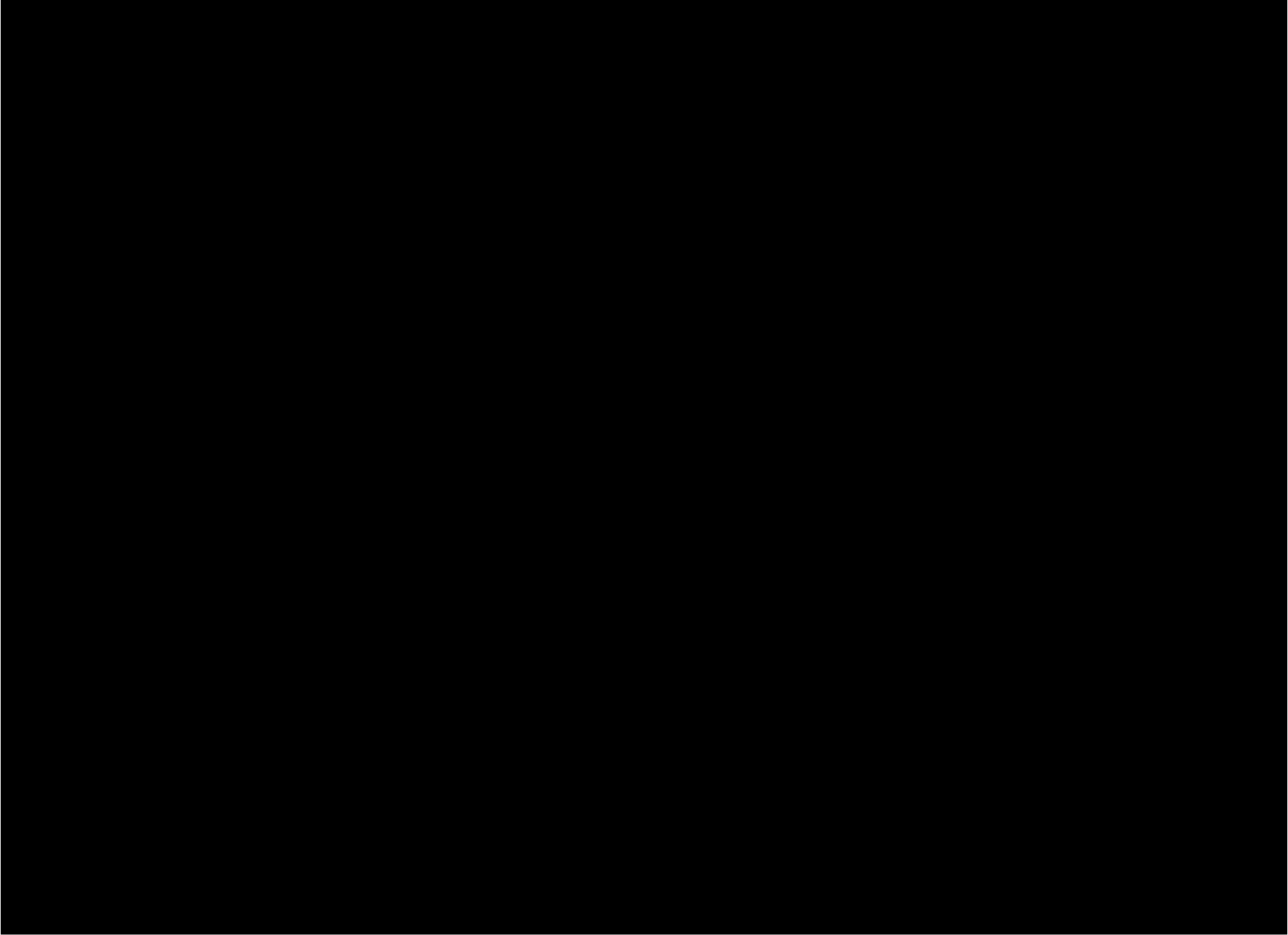
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(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



Firearms Technology Criminal Branch  
Report of Technical Examination



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To:  
Special Agent (b) (6), (b) (7)(C)  
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Baton Rouge, Louisiana 70808

Date: **SEP 17 2018**

UI#: 777010-18-0176

RE: (b)(3) (26 USC 6103), (b) (6), (b) (7)(C)

FTCB#: 2018-71 (b) (6), (b) (7)(C)  
309589

Date Exhibits Received: 8/30/2018

Type of Examination Requested:

Delivered By: FedEx (b) (6), (b) (7)(C)

Examination, Test, Classification

Exhibits:

37. Metal cylindrical device, no manufacturer's markings or serial number (suspected silencer).

Pertinent Authority:

Title 28 of the United States Code (U.S.C.) provides the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF) the authority to investigate criminal and regulatory violations of Federal firearms law at the direction of the Attorney General. Under the corresponding Federal regulation at 28 C.F.R. 0.130 the Attorney General provides ATF with the authority to investigate, administer, and enforce the laws related to firearms, in relevant part, under 18 U.S.C. Chapter 44 (Gun Control Act) and 26 U.S.C. Chapter 53 (National Firearms Act). Pursuant to the aforementioned statutory and regulatory authority, the ATF Firearms Ammunition and Technology Division (FATD) provides expert technical support on firearms and ammunition to federal, state and local law enforcement agencies regarding the Gun Control Act and the National Firearms Act.

The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "**firearm**" as follows: "...*(A) 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; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.*"

In addition, the GCA defines the terms "**firearm silencer**" and "**firearm muffler**" to mean—

"...*any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.*" (See 18 U.S.C. § 921(a)(24).)



The National Firearms Act (NFA), 26 U.S.C. § 5845(a), defines “firearm” as:

“... (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) 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; (5) any other weapon, as defined in subsection (6) a machinegun; (7) any silencer (as defined in 18 U.S.C. § 921); and (8) a destructive device. The term ‘firearm’ shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the ...[Attorney General]... finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector’s item and is not likely to be used as a weapon.”

The NFA, § 5842, “Identification of firearms,” states:

“...(a) Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the ...[Attorney General]... may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the ...[Attorney General]... and any other information the...[latter]... may by regulations prescribe.”

### Findings:

Exhibit 37 is a metal cylindrical device, approximately 9-7/8 inches in length and approximately 1.990 inches at its major diameter. The main body is hollow and has two metal end-caps. The rear end-cap has a threaded hole at its center that facilitates attachment to a firearm barrel. The front end-cap has a smooth hole at its center to allow a projectile to pass through.

The internal components consist of a modified fuel filter cartridge, a flashlight body, flashlight end-cap, and other metal devices. When the internal components are inserted into the outer body they create multiple expansion chambers.

While disassembling Exhibit 37 for examination, I observed a dark residue on the baffles and the internal body of the exhibit.

The design and construction characteristics are consistent with those of other firearm silencers I have observed; specifically, it contains an outer body, front and rear end-caps, and multiple internal expansion chambers separated by metal baffles.

I conducted testing to determine the effectiveness of Exhibit 37 in diminishing the sound levels of a portable firearm. For sound-comparison test purposes, I used a Ruger, model 22/45, .22 caliber semiautomatic pistol from the ATF National Firearms Collection (NFC), serial number (b) (6), (b) (7)(C) with and without Exhibit 37 attached. I conducted the sound-comparison testing at the ATF test range, Martinsburg, West Virginia, on

September 4, 2018, using commercially available, CCI brand, .22 LR caliber ammunition. This test was conducted in the presence of a Bruel & Kjaer, Model 2690 NEXUS Acoustic Conditioning Amplifier and the results recorded. I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications. The results of the silencer test for Exhibit 37 are as follows:

- NFC Ruger without Exhibit 37 attached (5-shot average) 155.49 decibels
- NFC Ruger with Exhibit 37 attached (5-shot average) 131.20 decibels

The indicated sound reduction recorded was 24.30 decibels. The test results confirm that Exhibit 37 is capable of reducing the report of a portable firearm.

**Conclusions:**

Exhibit 37, being a device for silencing, muffling or diminishing the report of a portable firearm, is a “**firearm silencer**” as defined in 18 U.S.C. § 921(a)(24).

Exhibit 37 is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(C).

Exhibit 37, being a “**firearm silencer**” is also a “**firearm**” as defined in 26 U.S.C. § 5845(a)(7).

Exhibit 37 contains no markings of identification or a serial number as required by 26 U.S.C § 5842.

Examined by:

Witnessed by:

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

Approved by:

  
\_\_\_\_\_  
Max Kingery

Chief, Firearms Technology Criminal Branch

Attachments: seven pages, each bearing photos.

**Enclosed is a Firearms Technology Criminal Branch report provided in response to your request for assistance. Please be aware that these documents constitute "taxpayer return information" that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. § 6103(h)(2)(C) and (o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. § 6103 could result in civil and/or criminal liability.**

# Exhibit 37



777010-18-0176 2018 713 [REDACTED]

# Exhibit 37 front end-cap



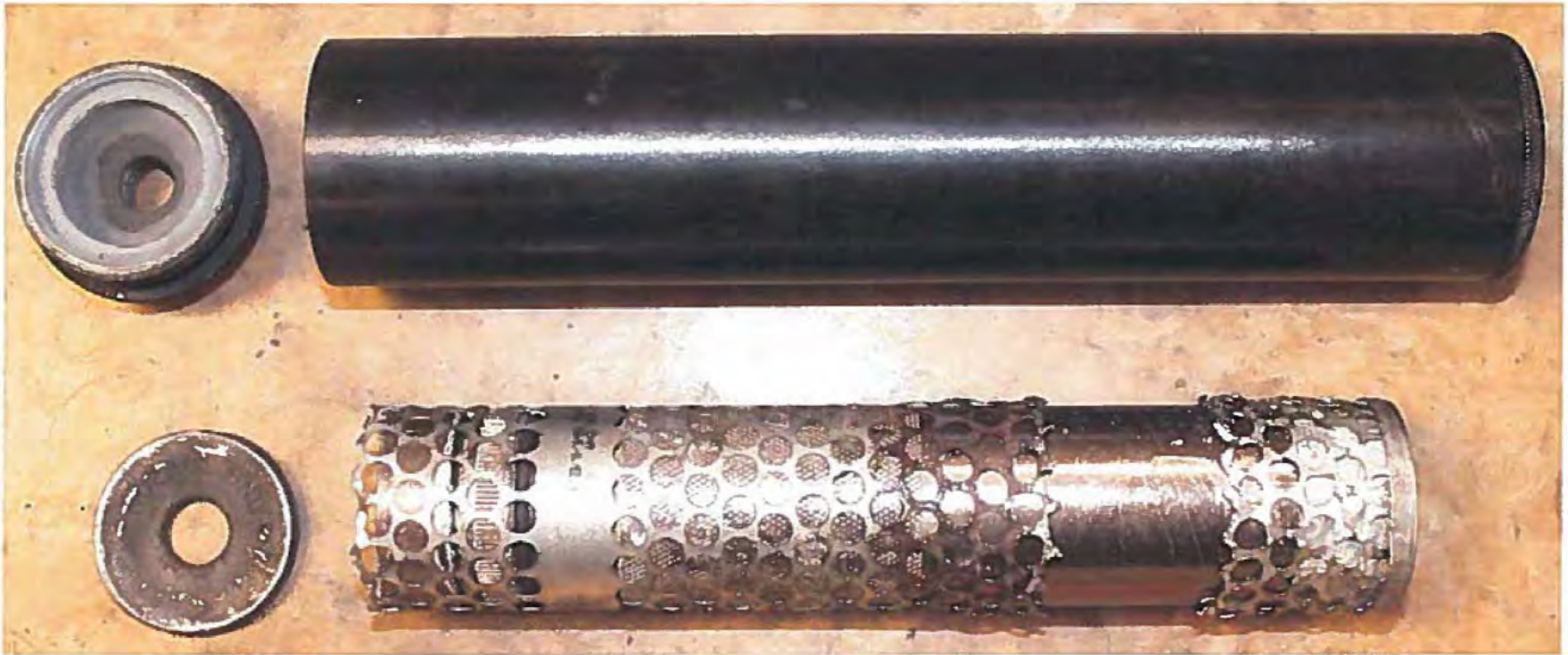
777010-18-0176 2018-711 [REDACTED]

# Exhibit 37 rear end-cap



777010 18 0176 2018 71 (b) (6), (b) (7)(C)

# Exhibit 37 disassembled



777010-18-0176 2018-71

(b) (6), (b) (7)(C)

# Exhibit 37 modified fuel filter cartridge



777010-18 0176 2018-711

(b) (6), (b) (7)(C)



# Exhibit 37 modified fuel filter cartridge



777010 18 0176 2018-711

(b) (6), (b) (7)(C)

# Exhibit 37 modified fuel filter cartridge



777010-18 0176 2018 71

(b) (6), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

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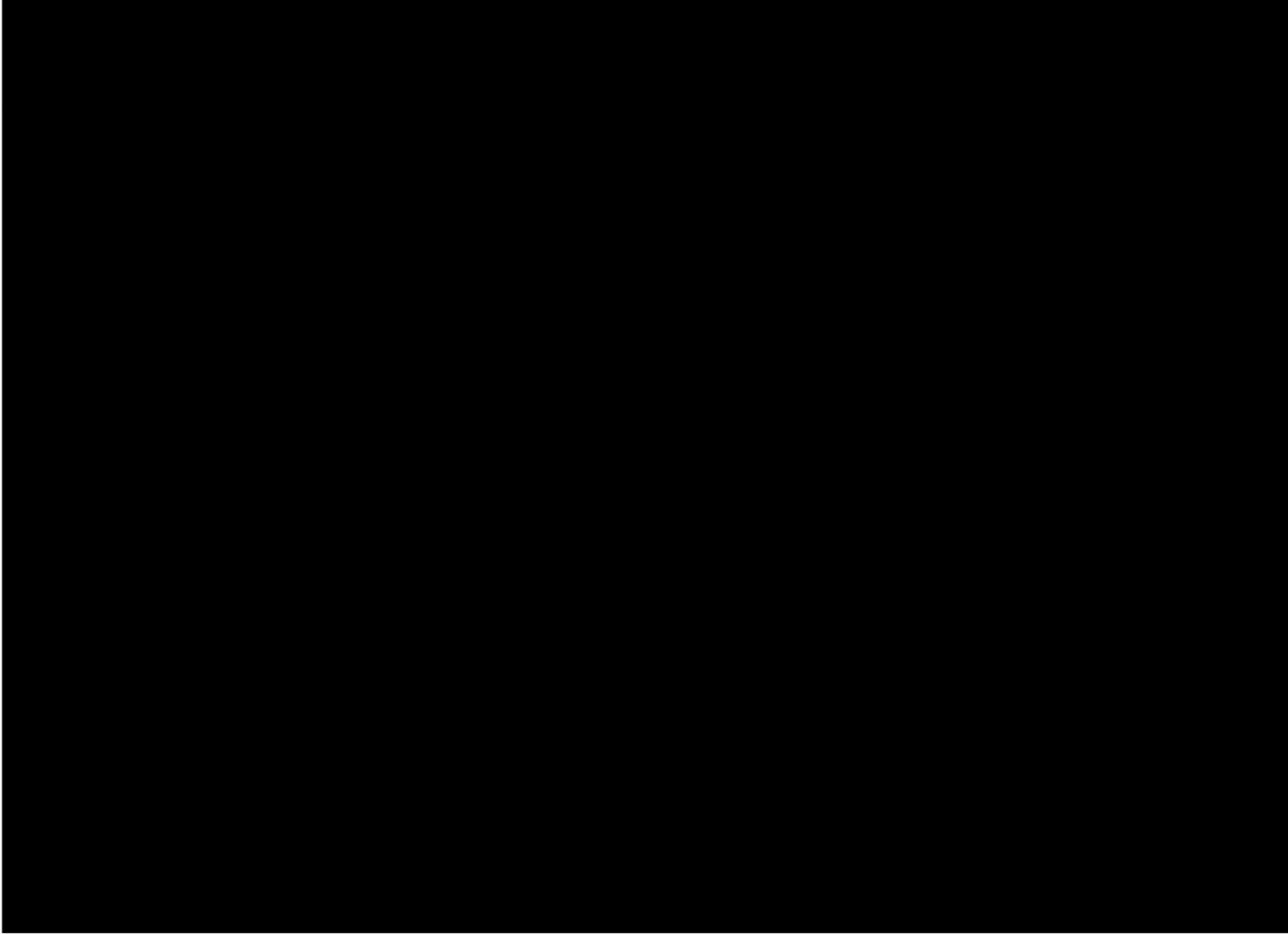
(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)





(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

Firearms Technology Criminal Branch  
Report of Technical Examination



244 Needy Road #1600  
Martinsburg, WV 25405

Phone: 304-616-4300  
Fax: 304-616-4301

To:

Special Agent (b) (6), (b) (7)(C)  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
1521 First Avenue South, Suite 1600  
Seattle, Washington 98134

Date: **OCT 15 2018**

UI#: 787046-18-0005

RE: (b)(3) (26 USC 6103), (b) (6), (b) (7)(C)

FTCB#: 2018-746- (b) (6), (b) (7)(C)  
309672

Date Exhibits Received: 9/14/2018

Type of Examination Requested:

Delivered By: Fed Ex (b) (6), (b) (7)(C)

Examination, Test, Classification

Exhibits:

9. Cylindrical metal device, no manufacturer's markings or serial number (suspected firearm silencer).
10. Milling fixture for an AR15-type receiver.
12. Threaded metal cap (suspected firearm silencer).
14. Three AR15-type receiver-blanks (suspected firearms).
15. Three AR15-type receiver-blanks (suspected firearms).
16. One AR15-type receiver-blank (suspected firearm).
17. Two pieces of metal, one milled and one containing a template (suspected machinegun).
19. Two rectangular pieces of aluminum.
20. Threaded metal cap (suspected firearm silencer).
21. Two circular metal objects (suspected firearm silencers).
22. One 1911-type receiver-blank with parts and schematics (suspected firearm).

Pertinent Authority:

Title 28 of the United States Code (U.S.C.) provides the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF) the authority to investigate criminal and regulatory violations of Federal firearms law at the direction of the Attorney General. Under the corresponding Federal regulation at 28 C.F.R. 0.130 the Attorney General provides ATF with the authority to investigate, administer, and enforce the laws related to firearms, in relevant part, under 18 U.S.C. Chapter 44 (Gun Control Act) and 26 U.S.C. Chapter 53 (National Firearms Act). Pursuant to the aforementioned statutory and regulatory authority, the ATF Firearms Ammunition and Technology Division (FATD) provides expert technical support on firearms and ammunition to federal, state and local law enforcement agencies regarding the Gun Control Act and the National Firearms Act.

**Pertinent Authority (cont.):**

The **Gun Control Act of 1968 (GCA)**, 18 U.S.C. § 921(a)(3), defines “firearm” to include:

*“...(A) 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; (B) the frame or receiver of any such weapon; (C) any firearm muffler or silencer; or (D) any destructive device. Such term does not include an antique firearm.”*

Further, 18 U.S.C. § 921(a)(24), defines the term “firearm silencer” and “firearm muffler” as:

*“...any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.”*

The **National Firearms Act (NFA)**, 26 U.S.C. § 5845(a), defines the term “firearm” as:

*“...(1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length (4) 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; (5) any other weapon, as defined, as defined in subsection (e); (6) a machinegun; (7) any silencer (as defined in 18 U.S.C. § 921); and (8) a destructive device. The term “firearm” shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the...[Attorney General]...finds by reason of the date of its manufacture, value, design and other characteristics is primarily a collector's item and is not likely to be used as a weapon.”*

Also, the NFA, 26 U.S.C. § 5845(b) defines “machinegun” as:

*“...any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person.”*

Further, the NFA, 26 U.S.C. § 5842, “Identification of firearms,” states:

*“... (a) Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the ...[Attorney General]... may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the ... [Attorney General]... and any other information the...[latter]... may by regulations prescribe.”*

**Findings:**

**Exhibit 9** consists of two cylindrical metal devices hereafter referred to as Exhibits 9A and 9B.

**Exhibit 9A** is a cylindrical device which is constructed of a non-ferrous alloy, measures approximately 11-3/8 inches in overall length, and has an outside diameter of approximately 1-3/4 inches at its major diameter. The Exhibit utilizes the body of a Maglite-type flashlight as the outer-tube. My examination revealed that Exhibit 9A does not have a serial number or marks of identification associated with the maker or manufacturer. During my examination I observed the following external markings on Exhibit 9A:

**On the outer tube**

- **D3050031893** *[flashlight body inventory number-not considered the serial number for this device]*

I found that the Exhibit consists of front and rear end-caps, eight baffles, and an outer-tube.

The rear end-cap, which measures approximately 1-1/2 inches in diameter, contains a centrally located hole of approximately 1/2-inch in diameter which is internally threaded to facilitate attachment to a portable firearm. The front end-cap, which measures approximately 1-3/4 inches in diameter, contains a centrally located indexing mark. The outer-tube, which measures approximately 1-1/2 inches in diameter and approximately 10 inches in length, is internally threaded at either end to receive end-caps. The outer tube appears to be constructed from a Maglite-type flashlight body and it retains an opening of approximately 1/2-inch in diameter where the power button would be located in a flashlight.

Exhibit 9A contains a series of baffles which create expansion chambers within the device. These features are designed to aid in capturing, cooling, diverting, diffusing, and slowing the hot gases created by burning propellant powder. While the center of each baffle is unperforated, the location of the central hole in each baffle is indexed.

ATF has long held that indexing the location of a hole and drilling the actual hole are synonymous with respect to determining if a critical feature has been created. In this case, indexing creates a reference point which designates the correct location to drill the center hole in the front endcap and each interior baffle which creates an unobstructed passage for a projectile to travel through the device.

The center hole is only important to allow a projectile to pass through the device, and it is critical that the hole in the front endcap and each baffle is centered to minimize the potential of a projectile striking either when it is fired through the *firearm silencer*. A center hole feature is useless and even counterproductive in a "solvent-trap".

Exhibit 9A contains an indexed front end-cap, an internally threaded rear end-cap, indexed baffles, and an outer tube. Therefore, Exhibit 9A is a device for silencing, muffling, or diminishing the report of a portable firearm, a *firearm silencer* as defined. Further, each component of Exhibit 9A (end-caps, baffles, and outer tube), in and of themselves, each being a part intended only for use in the assembly or fabrication of a *firearm silencer*, are each a *firearm silencer* as defined.

**Findings (cont.):**

**Exhibit 9B** is a cylindrical device which is constructed of a non-ferrous alloy, measures approximately 11-3/8 inches in overall length, and has an outside diameter of approximately 1-3/4 inches at its major diameter. The Exhibit utilizes the body of a Maglite-type flashlight as the outer-tube. My examination revealed that Exhibit 9B does not have a serial number or marks of identification associated with the maker or manufacturer. During my examination I observed the following external markings on Exhibit 9B:

**On the outer tube**

- **D3050032090** [*flashlight body inventory number-not considered the serial number for this device*]

I found that Exhibit 9B consists of front and rear end-caps, eight baffles, and an outer-tube.

The rear end-cap, which measures approximately 1-1/2 inches in diameter, contains a centrally located hole of approximately 1/2-inch in diameter which is internally threaded to facilitate attachment to a portable firearm. The front end-cap, which measures approximately 1-3/4 inches in diameter, contains a centrally located indexing mark. The outer-tube, which measures approximately 1-1/2 inches in diameter and approximately 10 inches in length, is internally threaded at either end to receive end-caps. The outer tube appears to be constructed from a Maglite-type flashlight body and it retains an opening of approximately 1/2-inch in diameter where the power button would be located in a flashlight.

Exhibit 9B contains a series of baffles which create expansion chambers within the device. These features are designed to aid in capturing, cooling, diverting, diffusing, and slowing the hot gases created by burning propellant powder. While the center of each baffle is unperforated, the location of the central hole in each baffle is indexed.

ATF has long held that indexing the location of a hole and drilling the actual hole are synonymous with respect to determining if a critical feature has been created. In this case, indexing creates a reference point which designates the correct location to drill the center hole in the front endcap and each interior baffle which creates an unobstructed passage for a projectile to travel through the device.

The center hole is only important to allow a projectile to pass through the device, and it is critical that the hole in the front endcap and each baffle is centered to minimize the potential of a projectile striking either when it is fired through the *firearm silencer*. This center-hole is useless and even counterproductive in a "solvent-trap".

Exhibit 9B contains two end-caps having either indexed or internally threaded holes; indexed baffles; and an outer tube. Therefore, Exhibit 9B is a device for silencing, muffling, or diminishing the report of a portable firearm, a *firearm silencer* as defined. Further, each component of Exhibit 9B (end-caps, baffles, and outer tube), in and of themselves, each being a part intended only for use in the assembly or fabrication of a *firearm silencer*, are each a *firearm silencer* as defined.

**Exhibit 10** is a milling fixture for an AR-15 type firearm receiver. This fixture is used as a machining template to manufacture AR15-type firearm receivers to the correct operational specifications. Exhibit 10 is not an item regulated under the GCA or the NFA.

**Findings (cont.):**

**Exhibit 12** is a *firearm silencer* rear end-cap, which measures approximately 1-1/2 inches in diameter, contains a centrally located hole of approximately 1/2-inch in diameter that is internally threaded to facilitate attachment to a portable firearm. Exhibit 12 is undistinguishable from the *firearm silencer* rear end-caps described in Exhibits 9A and 9B, and my examination revealed that the Exhibit does not have a serial number or marks of identification associated with the maker or manufacturer. Exhibit 12, being a part intended only for use in the assembly or fabrication of a *firearm silencer*, is a *firearm silencer* as defined.

**Exhibit 14** is comprised of three items hereafter referred to as Exhibits 14A, 14B, and 14C.

**Exhibit 14A** is an AR15-type receiver-blank which has been partially machined to include; the pivot-pin hole, takedown pin hole, and the clearance area for the takedown-pin lug.

An AR-type receiver-blank which has no machining of any kind performed in the area of the trigger/hammer (fire-control) recess might not be classified as a firearm. Such a receiver-blank could have all other machining operations performed, including pivot-pin and takedown-pin hole(s) and clearance for the takedown-pin lug, but must be completely solid and un-machined in the fire-control recess area. We have determined that in order to be considered "completely solid and un-machined in the fire-control recess area," the takedown-pin lug clearance area must be no longer than 0.8 inch, measured from immediately forward of the front of the buffer-retainer hole.

As received, the takedown-pin clearance area of Exhibit 14A is approximately 0.77 inch, measured from immediately forward of the front of the buffer-retainer hole. Exhibit 14A has not yet reached the stage in the manufacturing process where it is classified as a *firearm*; therefore, Exhibit 14A is not an item regulated under the GCA nor the NFA.

**Exhibit 14B** is an AR15-type receiver-blank which has been partially machined to include; the pivot-pin hole, takedown pin hole, the clearance area for the takedown-pin lug, and portions of the fire-control recess area. The machining which has been completed on Exhibit 14B is consistent with the operations that can be performed utilizing the Exhibit 10 fixture as a guide. My examination revealed that Exhibit 14B does not have a serial number or marks of identification associated with the manufacturer.

An AR-type receiver-blank which has no machining of any kind performed in the area of the fire-control recess might not be classified as a firearm. Such a receiver-blank could have all other machining operations performed, including pivot-pin and takedown-pin hole(s) and clearance for the takedown-pin lug, but must be completely solid and un-machined in the fire-control recess area. We have determined that in order to be considered "completely solid and un-machined in the fire-control recess area," the takedown-pin lug clearance area must be no longer than 0.8 inch, measured from immediately forward of the front of the buffer-retainer hole.

As received, the takedown-pin clearance area of Exhibit 14B is approximately 0.78 inch, measured from immediately forward of the front of the buffer-retainer hole. However, the fire-control recess has been partially machined; therefore, Exhibit 14B has reached the stage in the manufacturing process where it is classified as a *firearm* defined in 18 U.S.C. § 921(a)(3)(B).

**Findings (cont.):**

**Exhibit 14C** is an AR15-type receiver-blank which has been partially machined to include; the pivot-pin hole, takedown pin hole, the clearance area for the takedown-pin lug, and portions of the fire-control recess area. The machining which has been completed on Exhibit 14C is consistent with the operations that can be performed utilizing the Exhibit 10 fixture as a guide. My examination revealed that Exhibit 14C does not have a serial number or marks of identification associated with the manufacturer.

An AR-type receiver-blank which has no machining of any kind performed in the area of the fire-control recess might not be classified as a firearm. Such a receiver-blank could have all other machining operations performed, including pivot-pin and takedown-pin hole(s) and clearance for the takedown-pin lug, but must be completely solid and un-machined in the fire-control recess area. We have determined that in order to be considered "completely solid and un-machined in the fire-control recess area," the takedown-pin lug clearance area must be no longer than 0.8 inch, measured from immediately forward of the front of the buffer-retainer hole.

As received, the takedown-pin clearance area of Exhibit 14C is approximately 0.93 inch, measured from immediately forward of the front of the buffer-retainer hole, and the fire-control recess has been partially machined. Therefore, Exhibit 14C has reached the stage in the manufacturing process where it is classified as a *firearm* defined in 18 U.S.C. § 921(a)(3)(B).

**Exhibit 15** contains three AR15-type receiver-blanks which have been partially machined to include; the pivot-pin hole, takedown pin hole, and the clearance area for the takedown-pin lug.

An AR-type receiver-blank which has no machining of any kind performed in the area of the fire-control recess might not be classified as a firearm. Such a receiver-blank could have all other machining operations performed, including pivot-pin and takedown-pin hole(s) and clearance for the takedown-pin lug, but must be completely solid and un-machined in the fire-control recess area. We have determined that in order to be considered "completely solid and un-machined in the fire-control recess area," the takedown-pin lug clearance area must be no longer than 0.8 inch, measured from immediately forward of the front of the buffer-retainer hole.

As received, the takedown-pin clearance area in each receiver-blank contained within Exhibit 15 is approximately 0.78 inch, measured from immediately forward of the front of the buffer-retainer hole. The three receiver-blanks within Exhibit 15 have not yet reached the stage in the manufacturing process where they are classified as a *firearm*; therefore, Exhibit 15 does not contain items regulated under the GCA nor the NFA.

**Exhibit 16** is an AR15-type receiver-blank which has been partially machined to include; the pivot-pin hole, takedown pin hole, the clearance area for the takedown-pin lug, safety selector hole, and portions of the fire-control recess area. The machining which has been completed on Exhibit 16 is consistent with the operations that can be performed utilizing the Exhibit 10 fixture as a guide. My examination revealed that Exhibit 16 does not have a serial number or marks of identification associated with the manufacturer.

An AR-type receiver-blank which has no machining of any kind performed in the area of the fire-control recess might not be classified as a firearm. Such a receiver-blank could have all other machining operations performed, including pivot-pin and takedown-pin hole(s) and clearance for the takedown-pin lug, but must be completely solid and un-machined in the fire-control recess area. We have determined that in order to be considered "completely solid and un-machined in the fire-control recess area," the takedown-pin lug clearance area must be no longer than 0.8 inch, measured from immediately forward of the front of the buffer-retainer hole.



**Findings (cont.):**

As received, the fire-control recess has been partially machined. Therefore, Exhibit 16 has reached the stage in the manufacturing process where it is classified as a *firearm* defined in 18 U.S.C. § 921(a)(3)(B).

**Exhibit 17** contains one part of an AR15-type Drop in Auto Sear (DIAS). The Exhibit consists of a partially machined sear mounting body and a small rectangular block of ferrous alloy with a sear template adhered. The sear has not been machined or partially machined. Also, the return spring and pivot pin are missing from the Exhibit, and the pivot pin holes in the sear mounting body are not machined or indexed.

A DIAS is designed to replicate the function of an M16 machinegun automatic sear. The DIAS generally does not require machining of the receiver for installation; with minor adjustment to the mounting body it simply fits into the rear, internal area of the receiver, where the M16 machinegun automatic sear would be installed. The sear mounting body and sear together serve no other functional purpose and are therefore a combination of parts designed and intended solely and exclusively, to convert a semiautomatic AR-15 type firearm. However, the Exhibit 17 sear mounting body is incomplete and the Exhibit is devoid of the sear. Therefore, Exhibit 17 is not a *machinegun* as defined in 26 U.S.C. § 5845(b).

**Exhibit 19** contains two small rectangular blocks of aluminum. These items are not regulated under the GCA or the NFA.

**Exhibit 20** is a *firearm silencer* front end-cap, which measures approximately 1-1/2 inches in diameter, contains a centrally located hole of approximately 1/4-inch in diameter that is slightly misshapen due to a possible bullet strike. My examination revealed that Exhibit 20 does not have a serial number or marks of identification associated with the maker or manufacturer.

Exhibit 20 is similar to the *firearm silencer* front end-caps described in Exhibits 9A and 9B. Exhibit 20, being a part intended only for use in the assembly or fabrication of a *firearm silencer*, is a *firearm silencer* as defined.

**Exhibit 21** contains a threaded metal pipe-plug and an unidentified circular metal object of approximately 1-1/2 inch in diameter which is perforated by a centrally located hole of approximately 1/8-inch in diameter. As received, neither item in Exhibit 21 is regulated under the GCA nor the NFA.

**Exhibit 22** contains firearm parts, schematics for a 1911-type pistol, and a 1911-type receiver-blank which bears no manufacturer's marks of identification.

In 2011, ATF held that in order not to be recognized as a firearm, a 1911-style receiver-blank or receiver-casting must not have: a) slide rails or slide rail indexing marks; b) a barrel seat; and c) no more than two of any of the four critical holes drilled or indexed – 1) slide-stop pivot, 2) sear-pivot, 3) disconnecter, or 4) hammer-pivot pin.

Later, the criteria was amended to not more than one of three critical holes (completed or indexed) with the disconnecter eliminated as a critical hole. Further amendment of the criteria removed the barrel-seat and slide-stop pivot as critical features.

**Findings (cont.):**

ATF currently holds that in order for a 1911-style receiver-blank or receiver-casting to be recognized as a *firearm*, the following features must be machined or indexed: a) slide rails, b) sear pivot-pin hole, or c) hammer pivot-pin hole.

Exhibit 22 does not have any of the critical features machined; therefore, the frame-blank in Exhibit 22 is not a *firearm* as defined.

**Conclusions:**

**Exhibit 9A** is a combination of parts, designed or redesigned, and intended for use in assembling or fabricating a *firearm silencer* or *firearm muffler*; therefore, Exhibit 9A is a "**firearm silencer**" or "**firearm muffler**" as defined in 18 U.S.C. § 921(a)(24).

Exhibit 9A, being a firearm silencer or firearm muffler, is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(C).

Being a firearm silencer or firearm muffler, Exhibit 9A is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(7).

Exhibit 9A bears no NFA manufacturer's marks of identification or serial number as required by 26 U.S.C. § 5842.

Each of the eleven parts identified in Exhibit 9A, in and of themselves, is a part intended only for use in assembling or fabricating a *firearm silencer* or *firearm muffler*; therefore, each of the eleven parts identified in Exhibit 9A, in and of themselves, is a "**firearm silencer**" or "**firearm muffler**" as defined in 18 U.S.C. § 921(a)(24).

Each of the eleven parts identified in Exhibit 9A, being a firearm silencer or firearm muffler, is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(C).

Being a firearm silencer or firearm muffler, each of the eleven parts identified in Exhibit 9A is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(7).

Each of the eleven parts identified in Exhibit 9A are devoid of the NFA manufacturer's marks of identification or serial number required by 26 U.S.C. § 5842.

**Exhibit 9B** is a combination of parts, designed or redesigned, and intended for use in assembling or fabricating a *firearm silencer* or *firearm muffler*; therefore, Exhibit 9B is a "**firearm silencer**" or "**firearm muffler**" as defined in 18 U.S.C. § 921(a)(24).

Exhibit 9B, being a firearm silencer or firearm muffler, is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(C).

Being a firearm silencer or firearm muffler, Exhibit 9B is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(7).

**Conclusions (cont.):**

Exhibit 9B bears no NFA manufacturer's marks of identification or serial number as required by 26 U.S.C. § 5842.

Each of the eleven parts identified in Exhibit 9B, in and of themselves, is a part intended only for use in assembling or fabricating a *firearm silencer* or *firearm muffler*; therefore, each of the eleven parts identified in Exhibit 9B, in and of themselves, is a "**firearm silencer**" or "**firearm muffler**" as defined in 18 U.S.C. § 921(a)(24).

Each of the eleven parts identified in Exhibit 9B, being a firearm silencer or firearm muffler, is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(C).

Being a firearm silencer or firearm muffler, each of the eleven parts identified in Exhibit 9B is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(7).

Each of the eleven parts identified in Exhibit 9B are devoid of the NFA manufacturer's marks of identification or serial number required by 26 U.S.C. § 5842.

**Exhibit 10** is not subject to regulation under the provisions of the GCA or NFA.

**Exhibit 12** is a part intended only for use in assembling or fabricating a *firearm silencer* or *firearm muffler*; therefore, Exhibit 12 is a "**firearm silencer**" or "**firearm muffler**" as defined in 18 U.S.C. § 921(a)(24).

Exhibit 12, being a firearm silencer or firearm muffler, is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(C).

Being a firearm silencer or firearm muffler, Exhibit 12 is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(7).

Exhibit 12 is devoid of the NFA manufacturer's marks of identification and serial number required by 26 U.S.C. § 5842.

**Exhibit 14A** is not subject to regulation under the provisions of the GCA or NFA.

**Exhibit 14B** is the receiver of a firearm; therefore, Exhibit 14B is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(B).

**Exhibit 14C** is the receiver of a firearm; therefore, Exhibit 14C is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(B).

**Exhibit 15** is not subject to regulation under the provisions of the GCA or NFA.

**Exhibit 16** is the receiver of a firearm; therefore, Exhibit 16 is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(B).

**Exhibit 17** is not subject to regulation under the provisions of the GCA or NFA.

**Conclusions (cont.):**

**Exhibit 19** is not subject to regulation under the provisions of the GCA or NFA.

**Exhibit 20** is a part intended only for use in assembling or fabricating a *firearm silencer* or *firearm muffler*; therefore, Exhibit 20 is a "**firearm silencer**" or "**firearm muffler**" as defined in 18 U.S.C. § 921(a)(24).

Exhibit 20, being a firearm silencer or firearm muffler, is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(C).

Being a firearm silencer or firearm muffler, Exhibit 20 is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(7).

Exhibit 20 is devoid of the NFA manufacturer's marks of identification and serial number required by 26 U.S.C. § 5842.

**Exhibit 21** is not subject to regulation under the provisions of the GCA or NFA.

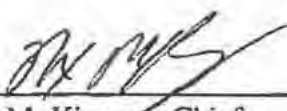
**Exhibit 22** is not subject to regulation under the provisions of the GCA or NFA.

Examined by:

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

Approved by:

  
\_\_\_\_\_  
Max M. Kingery, Chief  
Firearms Technology Criminal Branch

Attachment: Twenty pages bearing twenty-five photographs

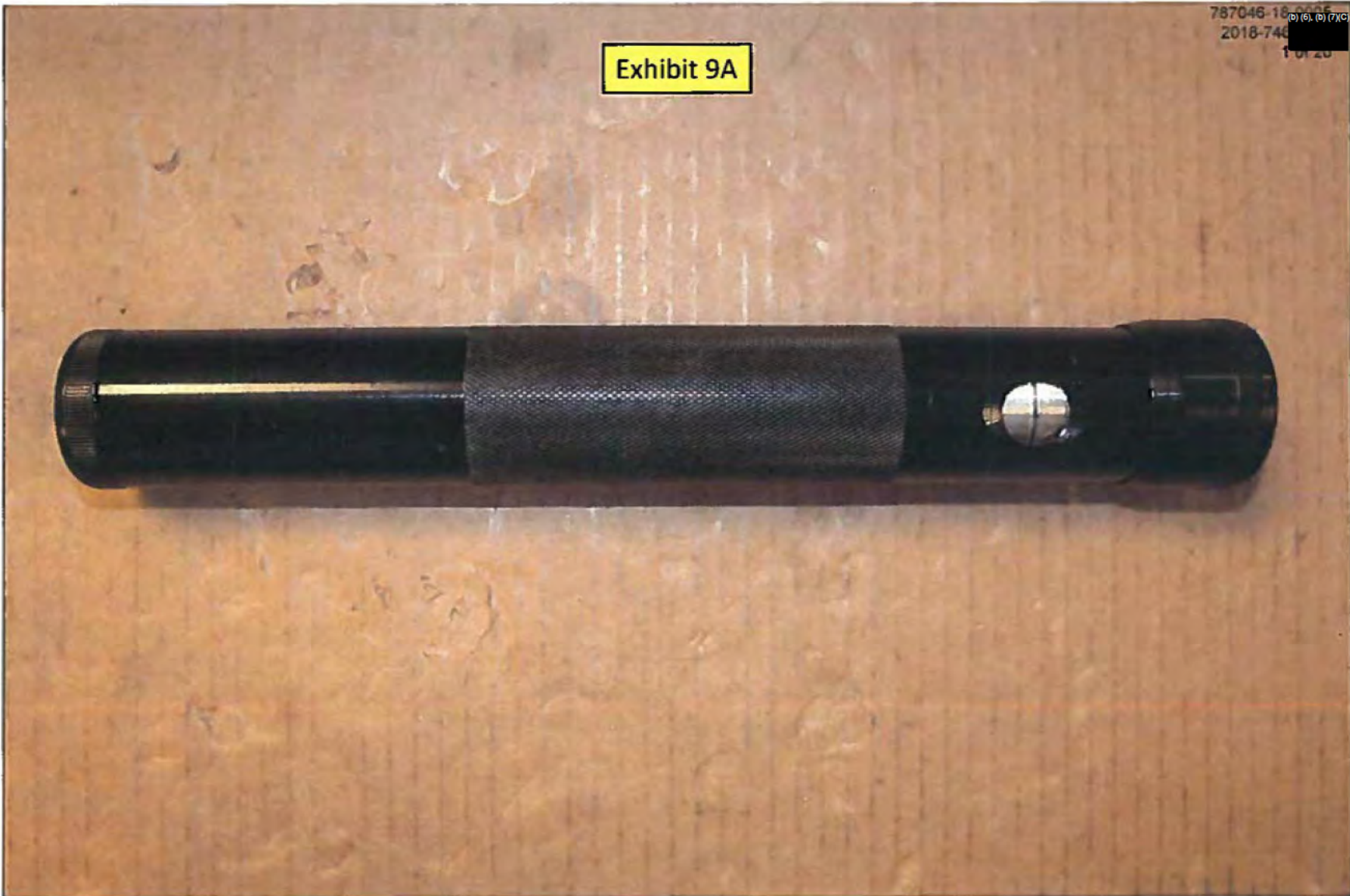
Special Agent (b) (6), (b) (7)(C)

787046-18-0005  
2018-746 (b) (6), (b) (7)(C)  
Page 11

**This Firearms Technology Criminal Branch report is provided in response to your request for assistance. Please be aware that these documents may constitute "taxpayer return information" that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. § 6103(h)(2)(C) and o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. 6103 could result in civil and/or criminal liability.**

Exhibit 9A

787046-18  
2018-746  
1 of 20



787046-18  
2018-746  
2 of 20  
(b) (6), (b) (7)(C)

Exhibit 9A disassembled



Exhibit 9B





787046-18-0005  
2018-746 (b) (6), (b) (7)(C)  
4/1/20

Exhibit 9B disassembled



Exhibit 10

787046-18-6695  
2018-746  
5 of 20



Exhibit 12



Exhibit 14

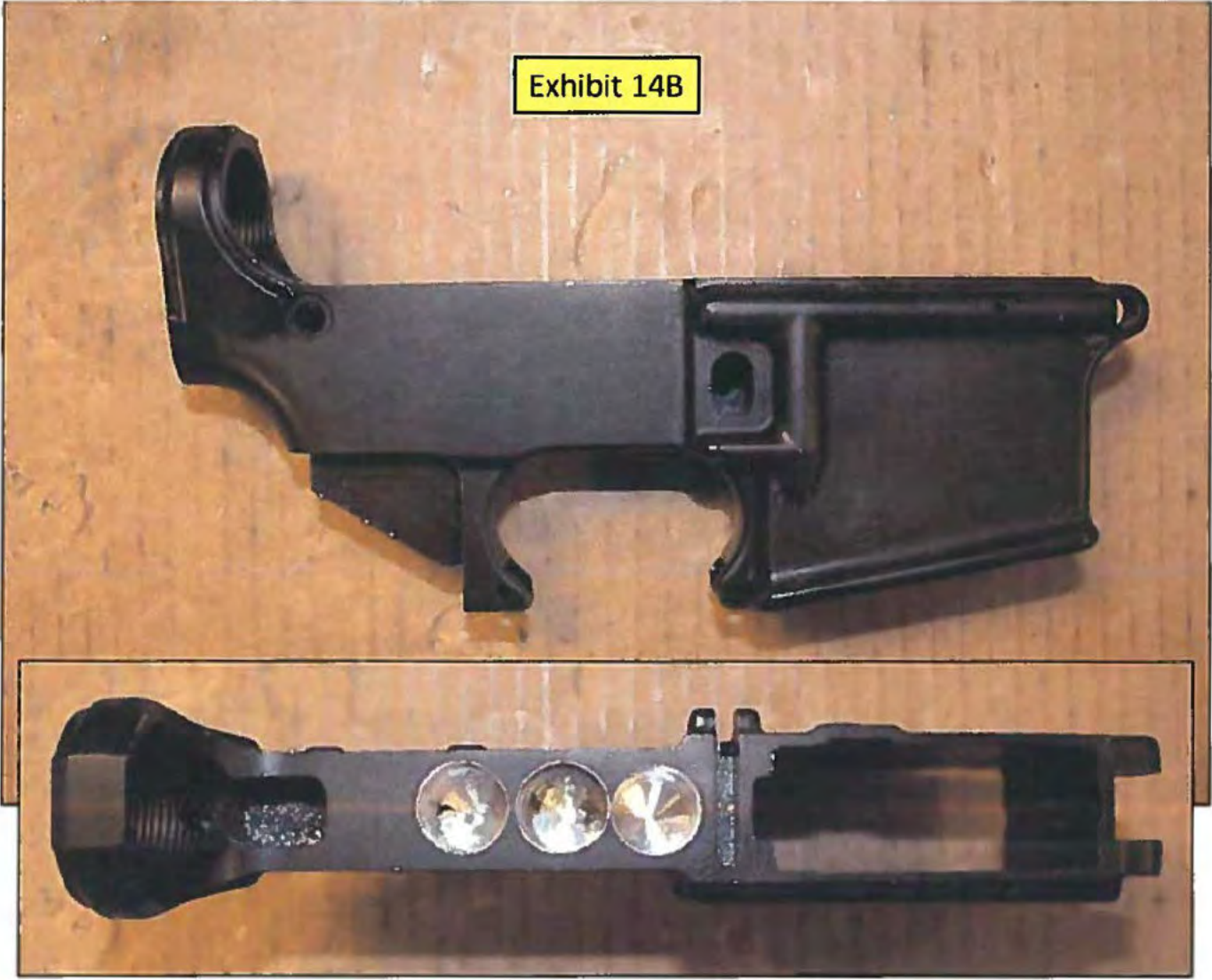


787046-18 0005  
2018-746 (b) (6), (b) (7)(C)  
8/1/20

Exhibit 14A



Exhibit 14B



787046-18-0005  
2018-746 (b) (6), (b) (7)(C)  
9 of 20

787046-18-0005  
2018-746 (b) (3), (b) (7)(C)  
10-01-20

Exhibit 14C



787046-18-0005  
2018-746 (b) (6), (b) (7)(C)  
11/01/20

Exhibit 15





Exhibit 15 top view

787046-18-0006  
2018-745 (b) (6), (b) (7)(C)  
12 of 20



787046-18-0005  
2018-74 (b) (6), (b) (7)(C)  
15 of 20

Exhibit 16

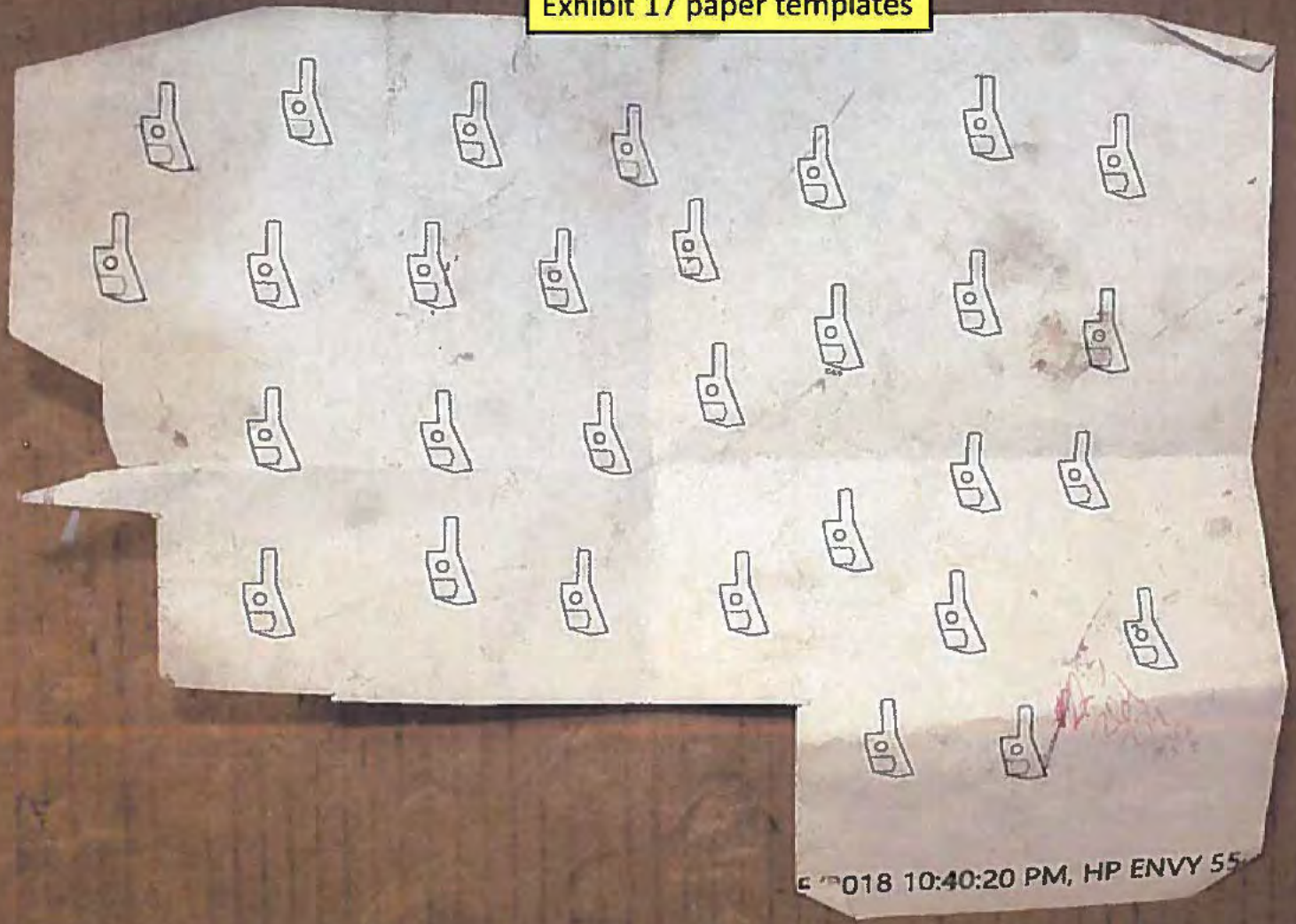


787046-18-0005  
2018-74  
1

Exhibit 17



Exhibit 17 paper templates



E 018 10:40:20 PM, HP ENVY 55

87046-1  
2018-74  
16 01 20

Exhibit 19



Exhibit 20



787046-18-0005  
2018-74  
15 01 20

Exhibit 21



767045-13  
2018-7  
(b) (6), (b) (7)(C)

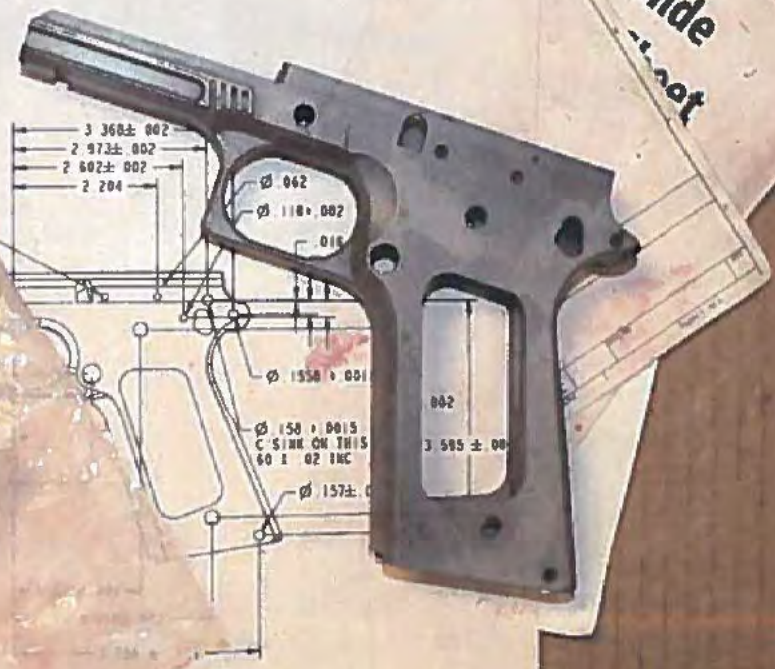
Exhibit 22

1911

1911 Frame Side View

ALDERS

and Slide



3.368 ± .002  
2.973 ± .002  
2.602 ± .002  
2.204

Ø .042  
Ø .118 ± .002  
Ø .016

Ø .155 ± .001  
Ø .150 ± .0015  
60 ± .02 INC  
Ø .157 ± .001

Ø .002  
3.585 ± .001

C SINK ON THIS



787046-18-0005  
2018-746  
20 01 20  
(b) (6), (b) (7)(C)

Exhibit 22 frame-blank







(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

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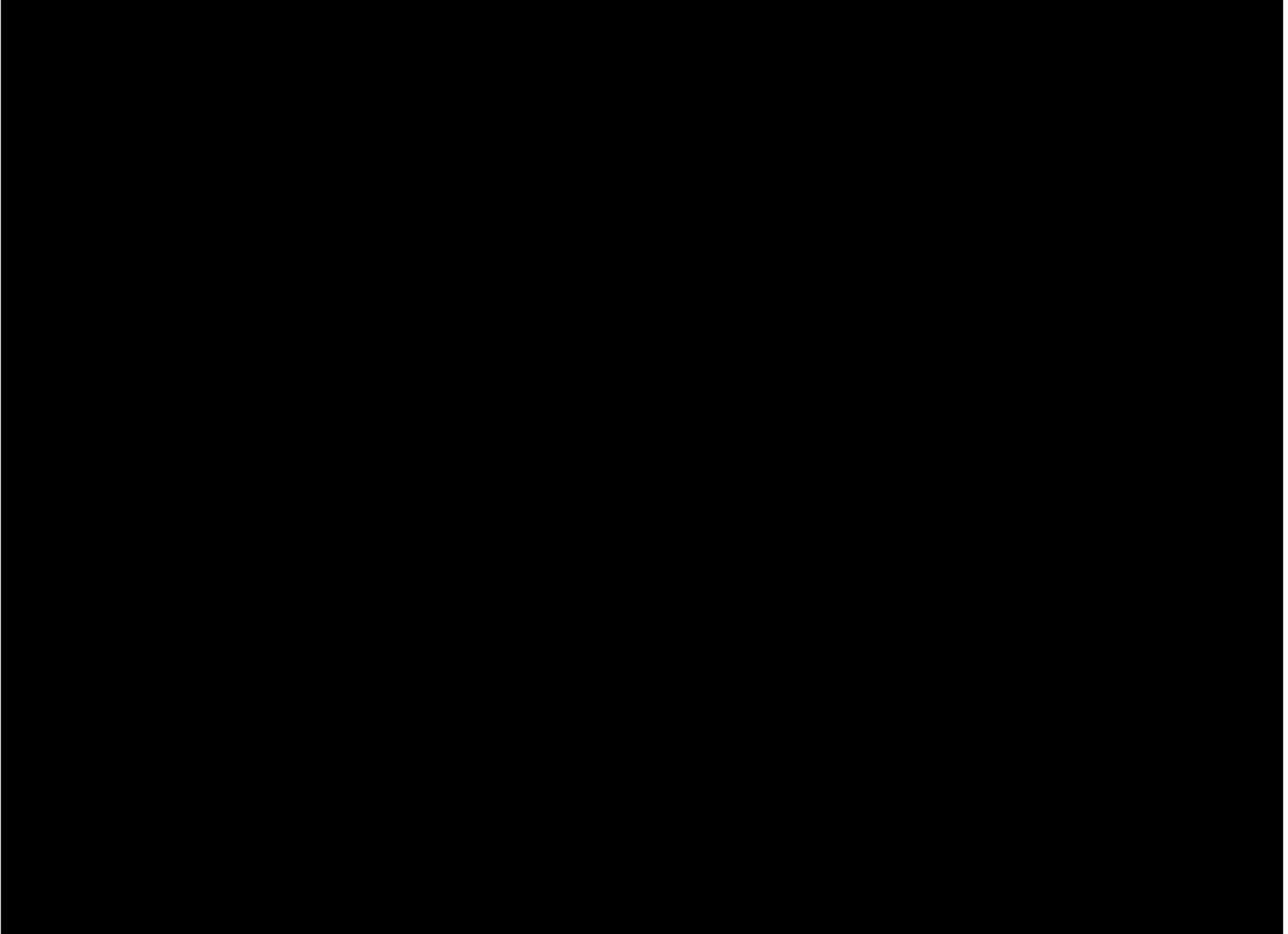


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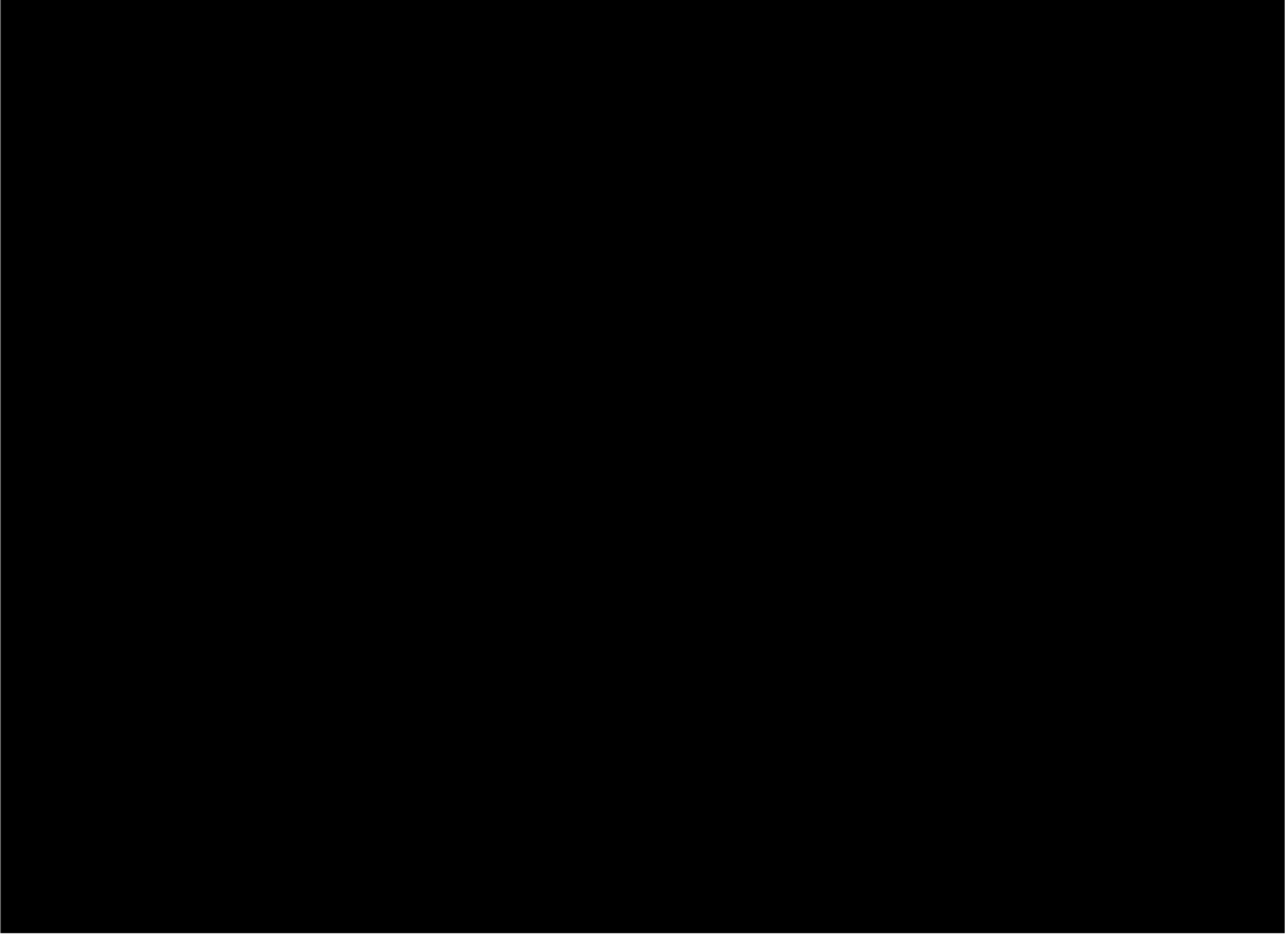
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(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)





(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

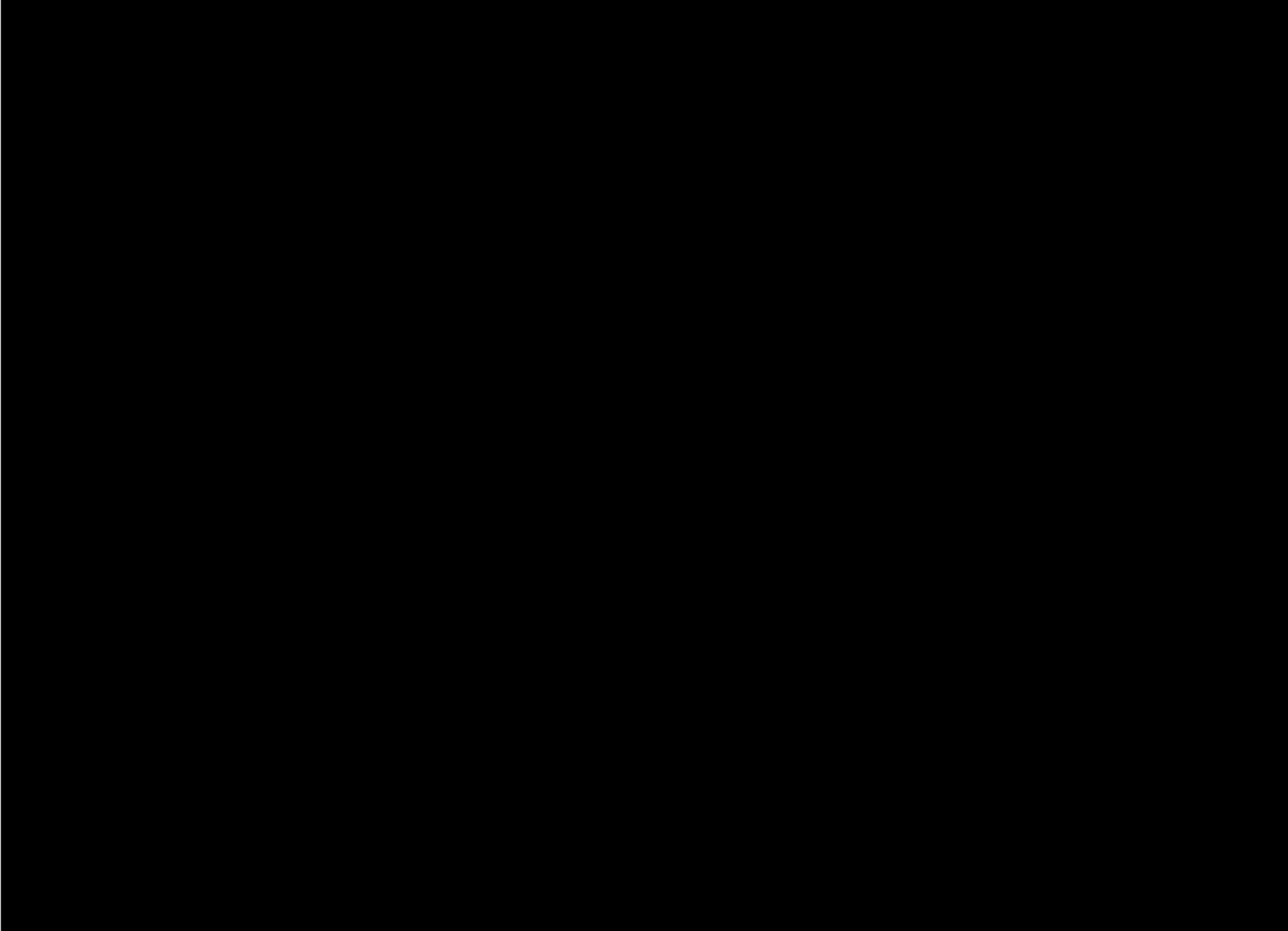
(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

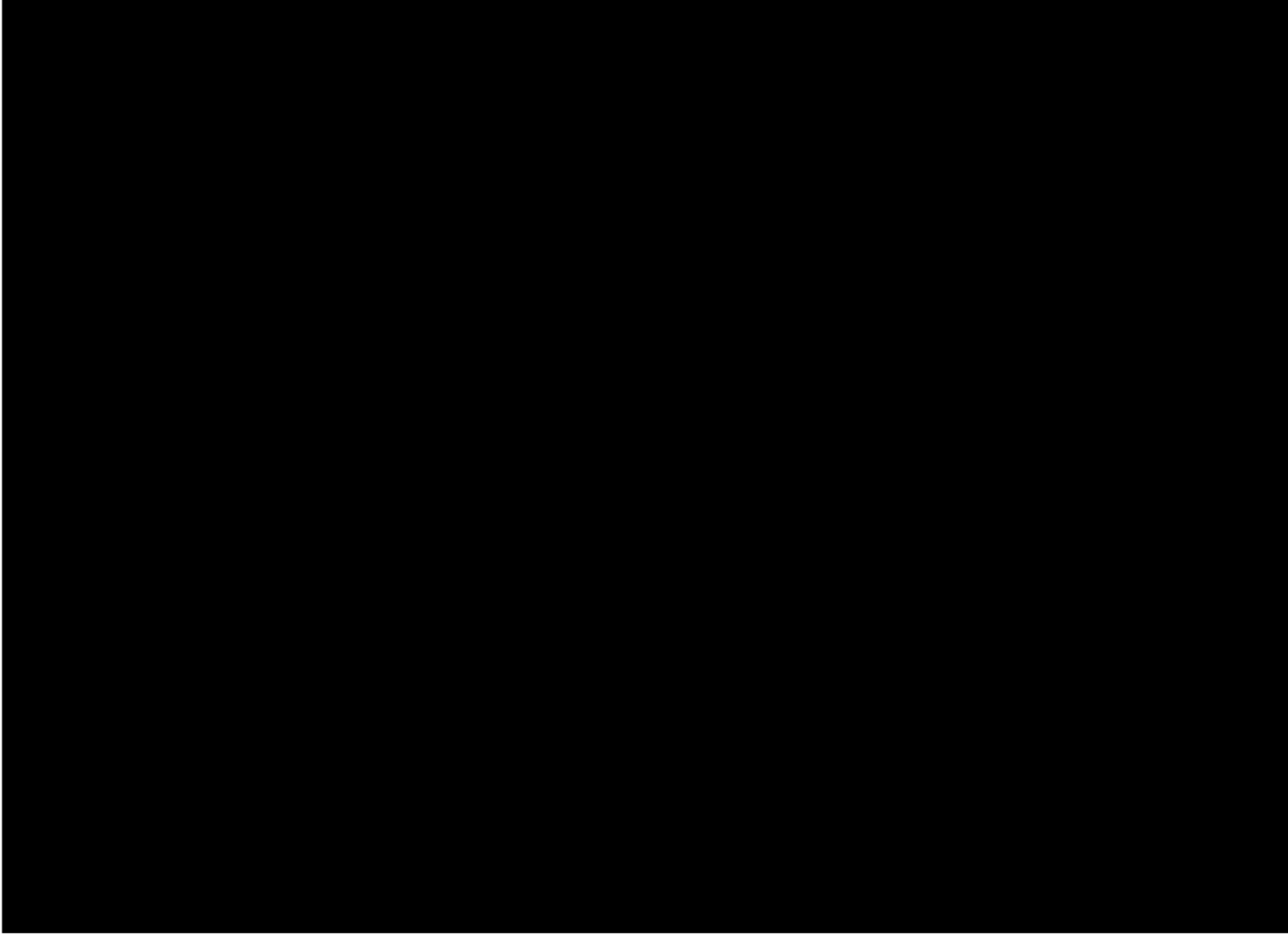
(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



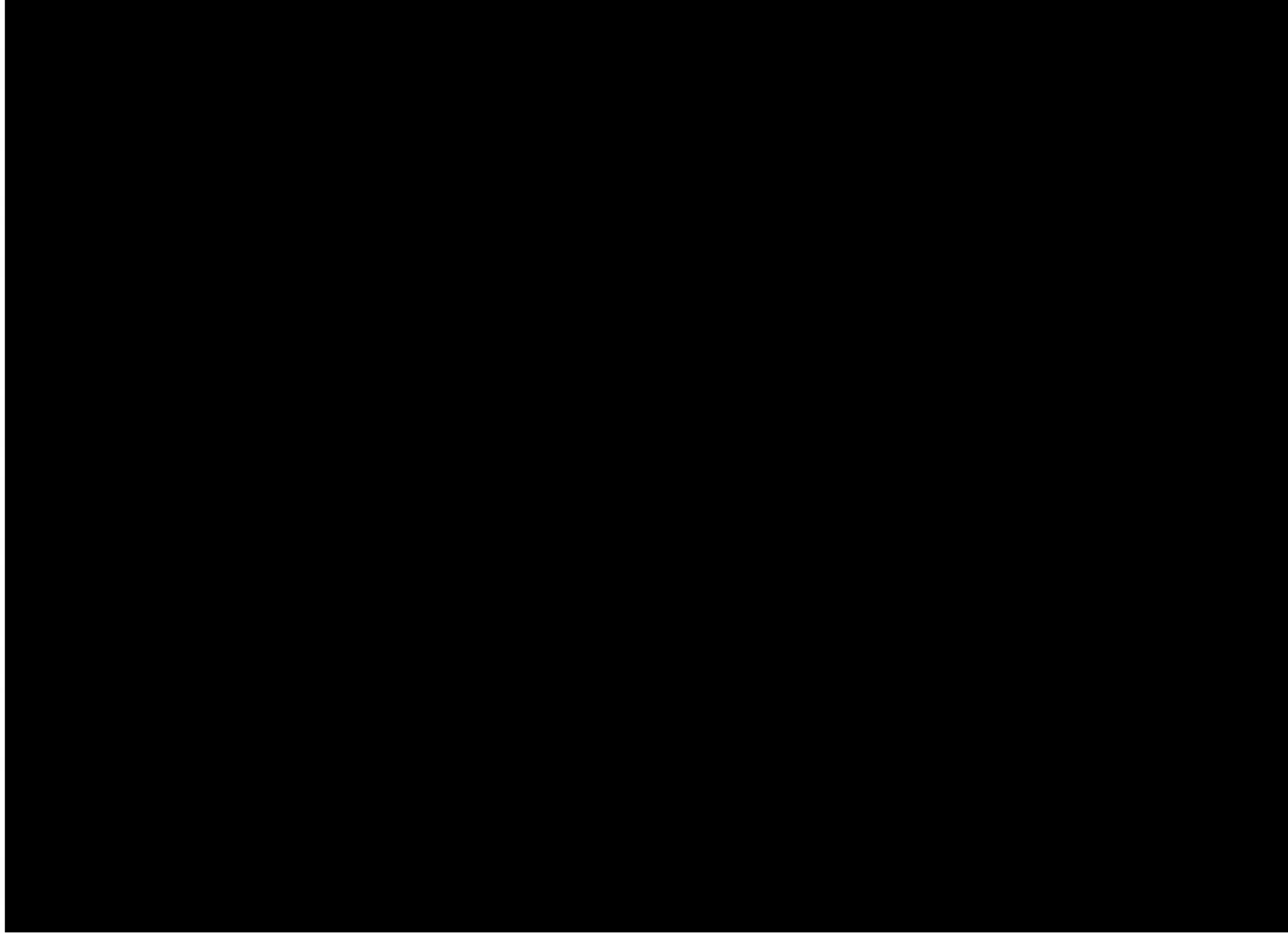


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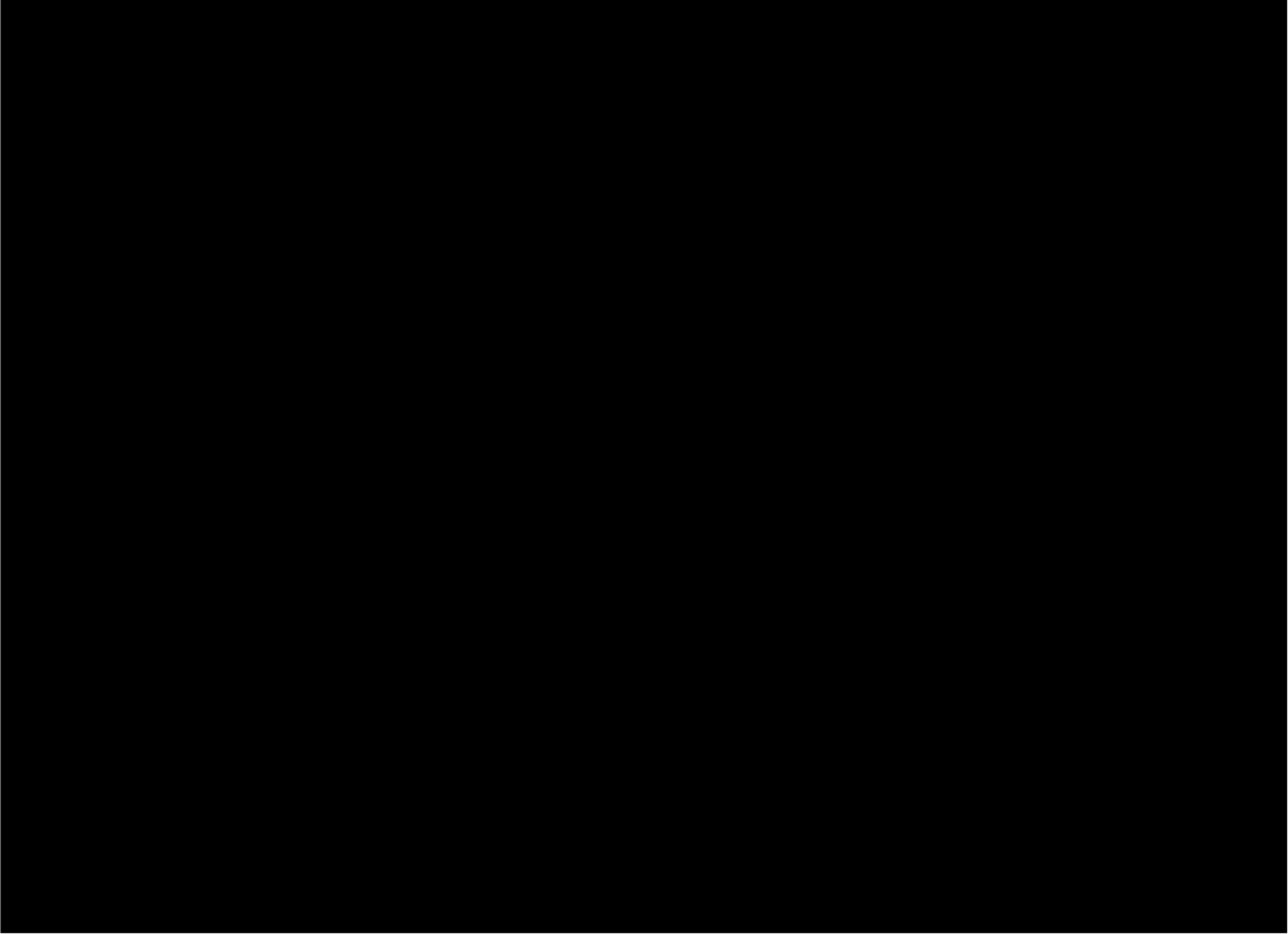


(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



Firearms Technology Criminal Branch  
Report of Technical Examination



244 Needy Road #1600  
Martinsburg, WV 25405

Phone: 304-616-4300  
Fax: 304-616-4301

To:  
Special Agent (b) (6), (b) (7)(C)  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
600 East Main Street  
Suite 1401  
Richmond, Virginia 23219

Date: **OCT 16 2018**

UI#: 768080-18-0053

RE: (b)(3) (26 USC 6103), (b) (6), (b) (7)(C)

FTCB#: 2019-002 (b) (6), (b) (7)(C)  
309741

Date Exhibits Received: 10/02/2018

Type of Examination Requested:

Delivered By: FedEx (b) (6), (b) (7)(C)

Examination, Test, Classification

Exhibits:

1. Modified fuel filter, no manufacturer's markings or serial number (suspected silencer).

Pertinent Authority:

Title 28 of the United States Code (U.S.C.) provides the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF) the authority to investigate criminal and regulatory violations of Federal firearms law at the direction of the Attorney General. Under the corresponding Federal regulation at 28 C.F.R. 0.130 the Attorney General provides ATF with the authority to investigate, administer, and enforce the laws related to firearms, in relevant part, under 18 U.S.C. Chapter 44 (Gun Control Act) and 26 U.S.C. Chapter 53 (National Firearms Act). Pursuant to the aforementioned statutory and regulatory authority, the ATF Firearms Ammunition and Technology Division (FATD) provides expert technical support on firearms and ammunition to federal, state and local law enforcement agencies regarding the Gun Control Act and the National Firearms Act.

The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "firearm" as follows: "...*(A) 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; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.*"

In addition, the GCA defines the terms "firearm silencer" and "firearm muffler" to mean—

"...*any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.*" (See 18 U.S.C. § 921(a)(24).)

The National Firearms Act (NFA), 26 U.S.C. § 5845(a), defines “firearm” as:

“... (1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18 inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) 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; (5) any other weapon, as defined in subsection (6) a machinegun; (7) any silencer (as defined in 18 U.S.C. § 921); and (8) a destructive device. The term ‘firearm’ shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the ...[Attorney General]... finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector’s item and is not likely to be used as a weapon.”

The NFA, § 5842, “Identification of firearms,” states:

“...(a) Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the ...[Attorney General]... may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the ...[Attorney General]... and any other information the...[latter]... may by regulations prescribe.”

### Findings:

**Exhibit 1** is a modified fuel filter, approximately 11-3/4 inches in length and approximately 2.05 inches at its major diameter. The main body is hollow and has two metal end-caps. Each end-cap has a threaded hole at its center that facilitates attachment to a firearm barrel.

The fuel filter has been modified by removing the internal flow valve to allow passage of a projectile. The filter itself already has a hole through its center. The end of the filter cartridge acts as a metal baffle that creates expansion chambers. As modified, it is no longer designed to function as a fuel filter or so called solvent trap.

The design and construction characteristics are consistent with those of other firearm silencers I have observed that were made from modified fuel filters; specifically, it contains an outer body, front and rear end-caps, and multiple internal expansion chambers separated by metal baffles.

I conducted testing to determine the effectiveness of Exhibit 1 in diminishing the sound levels of a portable firearm. For sound-comparison test purposes, I used a Ruger, model 22/45, .22 caliber semiautomatic pistol from the ATF National Firearms Collection (NFC), serial number (b) (6), (b) (7)(C) with and without Exhibit 1 attached. I conducted the sound-comparison testing at the ATF test range, Martinsburg, West Virginia, on October 12, 2018, using commercially available, CCI brand, .22 LR caliber ammunition. This test was conducted in the presence of a Bruel & Kjaer, Model 2690 NEXUS Acoustic Conditioning Amplifier and the results recorded. I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted.

The instrument passed both the pre and post self-test calibration verifications. The results of the silencer test for Exhibit 1 are as follows:

- NFC Ruger without Exhibit 1 attached (5-shot average) 155.49 decibels
- NFC Ruger with Exhibit 1 attached (5-shot average) 141.74 decibels

The indicated sound reduction recorded was 13.75 decibels. The test results confirm that Exhibit 1 is capable of reducing the report of a portable firearm.

**Conclusions:**

**Exhibit 1**, being a device for silencing, muffling or diminishing the report of a portable firearm, is a “**firearm silencer**” as defined in 18 U.S.C. § 921(a)(24).

**Exhibit 1** is a “**firearm**” as defined in 18 U.S.C. § 921(a)(3)(C).

**Exhibit 1**, being a “**firearm silencer**” is also a “**firearm**” as defined in 26 U.S.C. § 5845(a)(7).

**Exhibit 1** contains no markings of identification or a serial number as required by 26 U.S.C § 5842.

Examined by:

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

Witnessed by:

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

Approved by:

  
Max Kingery  
Chief, Firearms Technology Criminal Branch

Attachments: four pages, each bearing photos.

**Enclosed is a Firearms Technology Criminal Branch report provided in response to your request for assistance. Please be aware that these documents constitute “taxpayer return information” that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. § 6103(h)(2)(C) and (o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. § 6103 could result in civil and/or criminal liability.**

# Exhibit 1



768080 18-0053 2019 003 [REDACTED]



# Exhibit 1 end-caps

Front



Rear



768080-18 0053 2019-00-  
(b) (6), (b) (7)(C)

# Exhibit 1 disassembled



768080-18-0053 2019-00

(b) (6), (b) (7)(C)

# Exhibit 1 filter cartridge ends



768080-18-0053 2019 00

(b) (6), (b) (7)(C)

(b) (7)(A)

(b) (7) (A)

(b) (7)(A)

(b) (7)(A)

(b) (7)(A)



(b) (7)(A)

(b) (7)(A)

(b) (7)(A)

(b) (7)(A)

(b) (7)(A)

(b) (7)(A)

(b) (7)(A)

(b) (7) (A)



Firearms Technology Criminal Branch  
Report of Technical Examination



244 Needy Road #1600  
Martinsburg, WV 25405

Phone: 304-616-4300  
Fax: 304-616-4301

To:  
Special Agent (b) (6), (b) (7)(C)  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
110 N. College Ave, #1500  
Tyler, TX 75702

Date: DEC 27 2018  
UI#: 781070-19-0011  
RE: Felon in possession of  
firearms  
FTCB#: 2019-140- (b) (6), (b) (7)(C)  
310116

Date Exhibits Received: 11/23/2018

Type of Examination Requested:

Delivered By: FEDEX (b) (6), (b) (7)(C)

Examination, Test, Classification

Exhibits:

2. Metal cylindrical device, unknown manufacturer, no serial number (suspected firearm silencer).
3. Metal cylindrical device, unknown manufacturer, no serial number (suspected firearm silencer).
4. Metal cylindrical device, unknown manufacturer, no serial number (suspected firearm silencer).
5. Metal cylindrical device, unknown manufacturer, no serial number (suspected firearm silencer).
6. Metal cylindrical device, unknown manufacturer, no serial number (suspected firearm silencer).

Pertinent Authority:

Title 28 of the United States Code (U.S.C.) provides the Bureau of Alcohol, Tobacco Firearms and Explosives (ATF) the authority to investigate criminal and regulatory violations of Federal firearms law at the direction of the Attorney General. Under the corresponding Federal regulation at 28 C.F.R. 0.130 the Attorney General provides ATF with the authority to investigate, administer, and enforce the laws related to firearms, in relevant part, under 18 U.S.C. Chapter 44 (Gun Control Act) and 26 U.S.C. Chapter 53 (National Firearms Act). Pursuant to the aforementioned statutory and regulatory authority, the ATF Firearms Ammunition and Technology Division (FATD) provides expert technical support on firearms and ammunition to federal, state and local law enforcement agencies regarding the Gun Control Act and the National Firearms Act.

The Gun Control Act of 1968 (GCA), as amended, defines "firearm" to include—

"...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...[and]...any firearm muffler or firearm silencer..." (See 18 U.S.C. § 921(a)(3).)

**Pertinent Authority: (cont)**

Further, the GCA defines the terms “firearm silencer” and “firearm muffler” to mean:

*“...any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.”*  
(See 18 U.S.C. § 921(a)(24).)

The National Firearms Act (NFA) defines “firearm,” to include “...any silencer (as defined in Section 921 of Title 18, United States Code)...” (See 26 U.S.C. §§ 5845(a)(7).)

Finally, the NFA, § 5842, “Identification of firearms,” states:

*“...(a) Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the Secretary may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the Secretary and any other information the...[latter]... may by regulations prescribe.”*

**Findings:**

**Exhibit 2** consists of a metal cylindrical device measuring approximately 6-15/16 inches in overall length and approximately 1.25 inches at its major diameter. As received, Exhibit 2 incorporates a device for silencing, muffling, or diminishing the report of a portable firearm and incorporates the following design features:

- One metal cylindrical tube, black in color, measuring approximately 6-3/16 inches in length and measuring approximately 1.25 inches at its major diameter. Each end of the tube is internally-threaded; this component serves as the outer body of a firearm silencer.
- One externally-threaded, metal end-cap, measuring approximately 1.25 inches in diameter. This end-cap has a hole measuring approximately 5/16 inch in diameter, machined to allow for the passage of a projectile. This end-cap’s external threads are compatible with the internal-threading observed on the black metal cylindrical tube described above. This component serves as a firearm silencer front end-cap.
- One externally-threaded, rear metal end-cap, measuring approximately 1.25 inches in diameter. The end-cap’s external threads are compatible with the internal threading observed on the black metal cylindrical tube previously described above. This end-cap is comprised of an internally threaded hole machined to allow for the installation to a portable firearm and for the passage of a projectile. I noted the marking of “1/2” on the rear end-cap.

**Findings:(cont)**

- Five (5) metal baffles, each measuring approximately 1.028 inches in diameter. Each of these baffles has a hole to allow the passage of a projectile. As received, the aforementioned (5) items serve to function as silencer baffles—interior components of a firearm silencer that slow the flow of propellant gases by facilitating gas expansion within a silencer outer body, thereby facilitating sound reduction or report, of a portable firearm.
- A metal spacer, measuring approximately 1.028 inches in diameter, located in front of the rear end-cap. This spacer assists in facilitating gas expansion within a silencer outer body, thereby facilitating sound reduction or report, of a portable firearm.

As received, Exhibit 2 is a device for silencing, muffling, or diminishing the report of a portable firearm, thus **Exhibit 2** is a “firearm silencer” and a “firearm” as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. §§ 5845(a)(7) respectively. I examined Exhibit 2 on December 11, 2018, at the ATF test facility located in Martinsburg, West Virginia.

I conducted sound comparison testing of Exhibit 2 at the ATF test facility located in Martinsburg, West Virginia, on December 27, 2018, utilizing commercially available, CCI-manufactured, .22 Long Rifle caliber, standard-velocity ammunition. I conducted this testing to determine the effectiveness of Exhibit 2 in diminishing the sound levels of a portable firearm. For this sound-comparison testing, I utilized reference firearm #4876, a Ruger 22/45 (S/N (b) (6), (b) (7)(C)) housed in ATF’s National Firearms Reference Collection.

Firearm silencers can be made or manufactured with a wide variety of attachment methods. It is common for a silencer user to utilize threaded adapters, twist-and-lock adapters, or even modify the firearm to fit a silencer. During this testing, I used a thread adapter to attach Exhibit 2 to the NFRC pistol. I fired #4876 with and without Exhibit 2 attached and compared the average sound-pressure level results of each firing. This test was conducted in the presence of a Bruel & Kjaer, 2690 NEXUS Acoustic Conditioning Amplifier.

I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications. The results of the testing are as follows:

- |   |                  |                 |
|---|------------------|-----------------|
| • NFRC #4876 without Exhibit 2 attached | (5-shot average) | 155.30 decibels |
| • NFRC #4876 with Exhibit 2 attached    | (5-shot average) | 141.42 decibels |

The sound reduction recorded was **13.87 decibels**. The test results establish that Exhibit 2 is capable of diminishing the sound report of a portable firearm.

**Exhibit 3** consists of a metal cylindrical device measuring approximately 10-1/8 inches in overall length and approximately 1.49 inches at its major diameter. As received, Exhibit 3 incorporates a device for silencing, muffling, or diminishing the report of a portable firearm and incorporates the following design features:

- One metal cylindrical tube, black in color, measuring approximately 9-1/16 inches in length and measuring approximately 1.49 inches at its major diameter. Each end of the tube is internally-threaded; this component serves as the outer body of a firearm silencer.
- One externally-threaded, metal end-cap, measuring approximately 1.49 inches in diameter. This end-cap has a hole measuring approximately 3/8 inch in diameter, machined to allow for the passage of a projectile. This end-cap's external threads are compatible with the internal-threading observed on the black metal cylindrical tube described above. This component serves as a firearm silencer front end-cap.
- One externally-threaded, rear metal end-cap, measuring approximately 1.49 inches in diameter. The end-cap's external threads are compatible with the internal threading observed on the black metal cylindrical tube previously described above. This end-cap is comprised of an internally threaded hole machined to allow for the installation to a portable firearm and for the passage of a projectile.
- Eight (8) metal baffles, each measuring approximately 1.245 inches in diameter. Each of these baffles has a hole to allow the passage of a projectile. As received, the aforementioned (8) items serve to function as silencer baffles—interior components of a firearm silencer that slow the flow of propellant gases by facilitating gas expansion within a silencer outer body, thereby facilitating sound reduction or report, of a portable firearm.

As received, Exhibit 3 is a device for silencing, muffling, or diminishing the report of a portable firearm, thus **Exhibit 3** is a "firearm silencer" and a "firearm" as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. §§ 5845(a)(7) respectively. I examined Exhibit 3 on December 11, 2018, at the ATF test facility located in Martinsburg, West Virginia.

I conducted sound comparison testing of Exhibit 3 at the ATF test facility located in Martinsburg, West Virginia, on December 27, 2018, utilizing commercially available, CCI-manufactured, .22 Long Rifle caliber, standard-velocity ammunition. I conducted this testing to determine the effectiveness of Exhibit 3 in diminishing the sound levels of a portable firearm. For this sound-comparison testing, I utilized reference firearm #4876, a Ruger 22/45 (S/N (b) (6), (b) (7)(C)) housed in ATF's National Firearms Reference Collection.

Firearm silencers can be made or manufactured with a wide variety of attachment methods. It is common for a silencer user to utilize threaded adapters, twist-and-lock adapters, or even modify the firearm to fit a silencer. During this testing, I used a thread adapter to attach Exhibit 3 to the NFRC pistol. I fired #4876 with and without Exhibit 3 attached and compared the average sound-pressure level results of each firing.

**Findings:(cont)**

This test was conducted in the presence of a Bruel & Kjaer, 2690 NEXUS Acoustic Conditioning Amplifier. I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications. The results of the testing are as follows:

- NFRC #4876 without Exhibit 3 attached (5-shot average) 154.96 decibels
- NFRC #4876 with Exhibit 3 attached (5-shot average) 134.17 decibels

The sound reduction recorded was **20.80 decibels**. The test results establish that Exhibit 3 is capable of diminishing the sound report of a portable firearm.

**Exhibit 4** consists of a metal cylindrical device measuring approximately 9 inches in overall length and approximately 1.55 inches at its major diameter. As received, Exhibit 4 incorporates a device for silencing, muffling, or diminishing the report of a portable firearm and incorporates the following design features:

- One metal cylindrical tube, black in color, measuring approximately 8 inches in length and measuring approximately 1.55 inches at its major diameter. Each end of the tube is internally-threaded; this component serves as the outer body of a firearm silencer.
- One externally-threaded, metal end-cap, measuring approximately 1.55 inches in diameter. This end-cap has a hole measuring approximately 5/8 inch in diameter, machined to allow for the passage of a projectile. This end-cap's external threads are compatible with the internal-threading observed on the black metal cylindrical tube described above. This component serves as a firearm silencer front end-cap. I noted the marking "5/8" on the front end-cap.
- One externally-threaded, rear metal end-cap, measuring approximately 1.55 inches in diameter. The end-cap's external threads are compatible with the internal threading observed on the black metal cylindrical tube previously described above. This end-cap is comprised of an internally threaded hole measuring approximately 1/2 inch in diameter, machined to allow for the installation to a portable firearm and for the passage of a projectile. I noted the marking "1/2" on the rear end-cap.
- Eight (8) metal baffles, each measuring approximately 1.338 inches in diameter. Each of these baffles has a hole to allow the passage of a projectile. As received, the aforementioned (8) items serve to function as silencer baffles—interior components of a firearm silencer that slow the flow of propellant gases by facilitating gas expansion within a silencer outer body, thereby facilitating sound reduction or report, of a portable firearm.

As received, Exhibit 4 is a device for silencing, muffling, or diminishing the report of a portable firearm, thus **Exhibit 4** is a "firearm silencer" and a "firearm" as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. §§ 5845(a)(7) respectively. I examined Exhibit 4 on December 11, 2018, at the ATF test facility located in Martinsburg, West Virginia.

**Findings:(cont)**

I conducted sound comparison testing of Exhibit 4 at the ATF test facility located in Martinsburg, West Virginia, on December 27, 2018, utilizing commercially available, CCI-manufactured, .22 Long Rifle caliber, standard-velocity ammunition. I conducted this testing to determine the effectiveness of Exhibit 4 in diminishing the sound levels of a portable firearm. For this sound-comparison testing, I utilized reference firearm #4876, a Ruger 22/45 (S/N (b) (6), (b) (7)(C)) housed in ATF's National Firearms Reference Collection.

Firearm silencers can be made or manufactured with a wide variety of attachment methods. It is common for a silencer user to utilize threaded adapters, twist-and-lock adapters, or even modify the firearm to fit a silencer. During this testing, I used a thread adapter to attach Exhibit 4 to the NFRC pistol. I fired #4876 with and without Exhibit 4 attached and compared the average sound-pressure level results of each firing.

This test was conducted in the presence of a Bruel & Kjaer, 2690 NEXUS Acoustic Conditioning Amplifier. I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications. The results of the testing are as follows:

- NFRC #4876 without Exhibit 4 attached (5-shot average) 154.76 decibels
- NFRC #4876 with Exhibit 4 attached (5-shot average) 134.92 decibels

The sound reduction recorded was **19.84 decibels**. The test results establish that Exhibit 4 is capable of diminishing the sound report of a portable firearm.

**Exhibit 5** consists of a metal cylindrical device measuring approximately 10 inches in overall length and approximately 1.965 inches at its major diameter. As received, Exhibit 5 incorporates a device for silencing, muffling, or diminishing the report of a portable firearm and incorporates the following design features:

- One metal cylindrical tube, black in color, measuring approximately 9-13/32 inches in length and measuring approximately 1.965 inches at its major diameter. Each end of the tube is internally-threaded; this component serves as the outer body of a firearm silencer.
- One externally-threaded, metal end-cap, measuring approximately 1.965 inches in diameter. This end-cap has a hole measuring approximately 1/2 inch in diameter, machined to allow for the passage of a projectile. This end-cap's external threads are compatible with the internal-threading observed on the black metal cylindrical tube described above. This component serves as a firearm silencer front end-cap.
- One externally-threaded, rear metal end-cap, measuring approximately 1.965 inches in diameter. The end-cap's external threads are compatible with the internal threading observed on the black metal cylindrical tube previously described above. This end-cap is comprised of an internally threaded hole measuring approximately 1/2 inch in diameter, machined to allow for the installation to a portable firearm and for the passage of a projectile.

**Findings:(cont)**

- An Infinite brand, automotive fuel filter, measuring approximately 7-31/32 inches in length and approximately 1.665 inch in diameter. For the purpose of this report, this item will be identified as **Exhibit 5A**. As received, this fuel filter has not been modified to allow for the passage of a projectile. However, if this item were redesigned and intended for use in the assembly or fabrication of a firearm silencer, than this automotive fuel filter would be classified as a “firearm silencer”. I have observed similar automotive fuel filters used as baffling material or baffles—interior components of a firearm silencer that slow the flow of propellant gases by facilitating gas expansion within a silencer outer body, thereby facilitating sound reduction or report, of a portable firearm.
- A metal spring located directly behind the front end-cap. This spring applies tension between Exhibit 5A and the front-end-cap. For the purpose of this report, this spring will be identified as **Exhibit 5B**. If this item were redesigned and intended for use in the assembly or fabrication of a firearm silencer, than this automotive fuel filter would be classified as a “firearm silencer”.

Exhibit 5 is a device for silencing, muffling, or diminishing the report of a portable firearm, thus **Exhibit 5** is a “firearm silencer” and a “firearm” as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. §§ 5845(a)(7) respectively. I examined Exhibit 5 on December 11, 2018, at the ATF test facility located in Martinsburg, West Virginia.

I conducted sound comparison testing of Exhibit 5 at the ATF test facility located in Martinsburg, West Virginia, on December 27, 2018, utilizing commercially available, CCI-manufactured, .22 Long Rifle caliber, standard-velocity ammunition. I conducted this testing to determine the effectiveness of Exhibit 5 in diminishing the sound levels of a portable firearm. For this sound-comparison testing, I utilized reference firearm #4876, a Ruger 22/45 (S/N (b) (6), (b) (7)(C)) housed in ATF’s National Firearms Reference Collection.

**Note:** *To maintain integrity of Exhibits, I removed Exhibit 5A from Exhibit 5 prior to sound comparison testing.*

Firearm silencers can be made or manufactured with a wide variety of attachment methods. It is common for a silencer user to utilize threaded adapters, twist-and-lock adapters, or even modify the firearm to fit a silencer. During this testing, I used a thread adapter to attach Exhibit 5 to the NFRC pistol. I fired #4876 with and without Exhibit 5 attached and compared the average sound-pressure level results of each firing.

This test was conducted in the presence of a Bruel & Kjaer, 2690 NEXUS Acoustic Conditioning Amplifier. I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications. The results of the testing are as follows:

- |   |                  |                 |
|---|------------------|-----------------|
| • NFRC #4876 without Exhibit 5 attached | (5-shot average) | 153.74 decibels |
| • NFRC #4876 with Exhibit 5 attached    | (5-shot average) | 142.62 decibels |

The sound reduction recorded was **11.12 decibels**. The test results establish that Exhibit 5 is capable of diminishing the sound report of a portable firearm.

**Findings:(cont)**

**Exhibit 6** consists of a metal cylindrical device measuring approximately 9 inches in overall length and approximately 1.55 inches at its major diameter. As received, Exhibit 6 incorporates a device for silencing, muffling, or diminishing the report of a portable firearm and incorporates the following design features:

- One metal cylindrical tube, black in color, measuring approximately 8 inches in length and measuring approximately 1.55 inches at its major diameter. Each end of the tube is internally-threaded; this component serves as the outer body of a firearm silencer.
- One externally-threaded, metal end-cap, measuring approximately 1.55 inches in diameter. This end-cap has a hole measuring approximately 5/8 inch in diameter, machined to allow for the passage of a projectile. This end-cap's external threads are compatible with the internal-threading observed on the black metal cylindrical tube described above. This component serves as a firearm silencer front end-cap.
- One externally-threaded, rear metal end-cap, measuring approximately 1.55 inches in diameter. The end-cap's external threads are compatible with the internal threading observed on the black metal cylindrical tube previously described above. This end-cap is comprised of an internally threaded hole measuring approximately 1/2 inch in diameter, machined to allow for the installation to a portable firearm and for the passage of a projectile. I noted the marking "1/2" on the rear end-cap.
- Eight (8) metal baffles, each measuring approximately 1.338 inches in diameter. Each of these baffles has a hole to allow the passage of a projectile. As received, the aforementioned (8) items serve to function as silencer baffles—interior components of a firearm silencer that slow the flow of propellant gases by facilitating gas expansion within a silencer outer body, thereby facilitating sound reduction or report, of a portable firearm.

As received, Exhibit 6 is a device for silencing, muffling, or diminishing the report of a portable firearm, thus **Exhibit 6** is a "firearm silencer" and a "firearm" as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. §§ 5845(a)(7) respectively. I examined Exhibit 6 on December 11, 2018, at the ATF test facility located in Martinsburg, West Virginia.

I conducted sound comparison testing of Exhibit 6 at the ATF test facility located in Martinsburg, West Virginia, on December 27, 2018, utilizing commercially available, CCI-manufactured, .22 Long Rifle caliber, standard-velocity ammunition. I conducted this testing to determine the effectiveness of Exhibit 6 in diminishing the sound levels of a portable firearm. For this sound-comparison testing, I utilized reference firearm #4876, a Ruger 22/45 (S/N (b) (6), (b) (7)(C)) housed in ATF's National Firearms Reference Collection.

Firearm silencers can be made or manufactured with a wide variety of attachment methods. It is common for a silencer user to utilize threaded adapters, twist-and-lock adapters, or even modify the firearm to fit a silencer. During this testing, I used a thread adapter to attach Exhibit 6 to the NFRC pistol. I fired #4876 with and without Exhibit 6 attached and compared the average sound-pressure level results of each firing.



**Findings:(cont)**

This test was conducted in the presence of a Bruel & Kjaer, 2690 NEXUS Acoustic Conditioning Amplifier. I followed the standard operating procedures established by ATF for conducting the testing. During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications. The results of the testing are as follows:

- NFRC #4876 without Exhibit 6 attached (5-shot average) 154.81 decibels
- NFRC #4876 with Exhibit 6 attached (5-shot average) 132.61 decibels

The sound reduction recorded was **22.20 decibels**. The test results establish that Exhibit 6 is capable of diminishing the sound report of a portable firearm.

**Conclusions:**

Exhibits 2, 3, 4, 5 and 6, each being a device for silencing, muffling, or diminishing the report of a portable firearm, are each a "firearm silencer" and a "firearm" as defined in 18 U.S.C. § 921(a)(24) and 26 U.S.C. § 5845(a)(7) respectively.

Exhibits 2, 3, 4, 5 and 6, are each a "firearm" as defined in 18 U.S.C. § 921(a)(3)(C).

Exhibits 2, 3, 4, 5 and 6, each bears no NFA manufacturer's or maker's marks of identification or serial number as required by 26 U.S.C. § 5842.

If intent was demonstrated to use Exhibits 5A and 5B in the assembling or fabricating of a firearm silencer, Exhibits 5A and 5B would each be classified as a "firearm silencer" as defined in 18 U.S.C. 921(a)(24) and a "firearm" as defined in 18 U.S.C. 921(a)(3)(C) and 26 U.S.C. 5845(a)(7) respectively.

Examined by:

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

Approved by:

  
Max M. Kingery  
Chief, Firearms Technology Criminal Branch

(b) (6), (b) (7)(C)

Firearms Enforcement Officer  
(Witness)

Attachment: 21 pages of photos and 5 pages of sound comparison data.

Special Agent (b) (6), (b) (7)(C)

781070-19-0011  
2019-140 (b) (6), (b) (7)(C)  
Page 10

**Enclosed is a Firearms Technology Criminal Branch report provided in response to your request for assistance. Please be aware that these documents constitute "taxpayer return information" that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. § 6103(h)(2)(C) and (o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. § 6103 could result in civil and/or criminal liability.**

# Exhibit 2



# Exhibit 2, Rear End-Cap



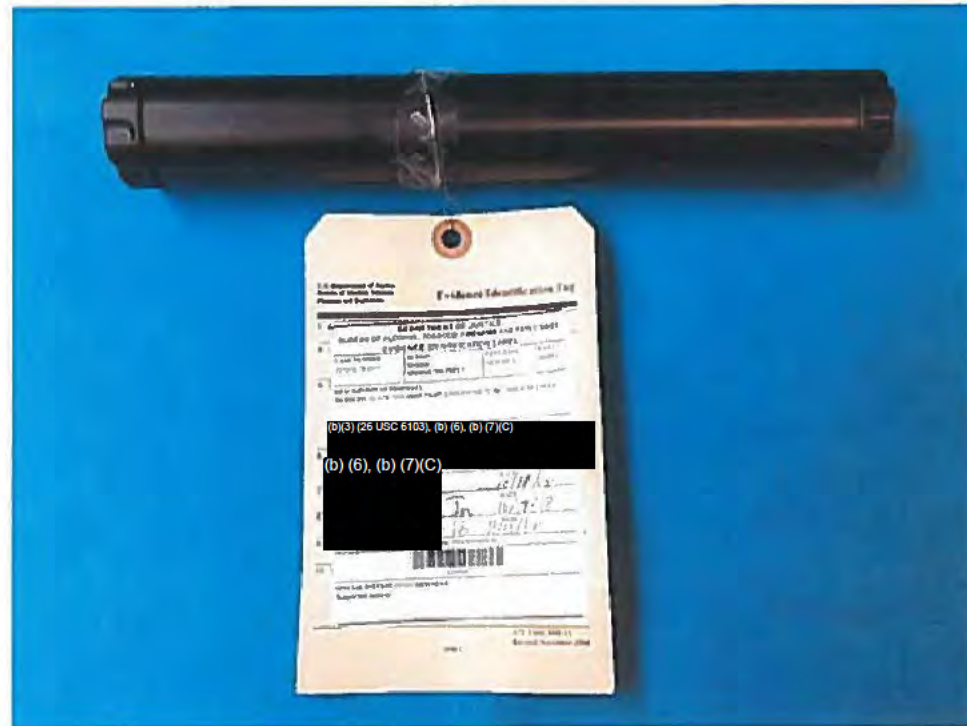
## Exhibit 2, Front End-Cap



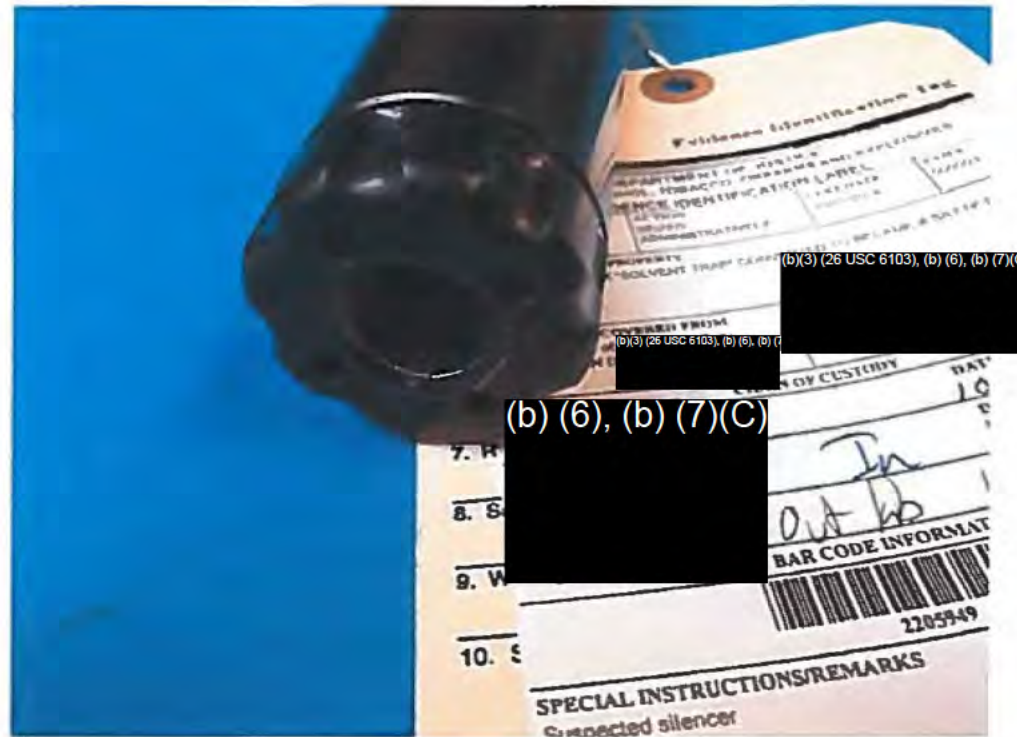
# Exhibit 2, Disassembled



# Exhibit 3

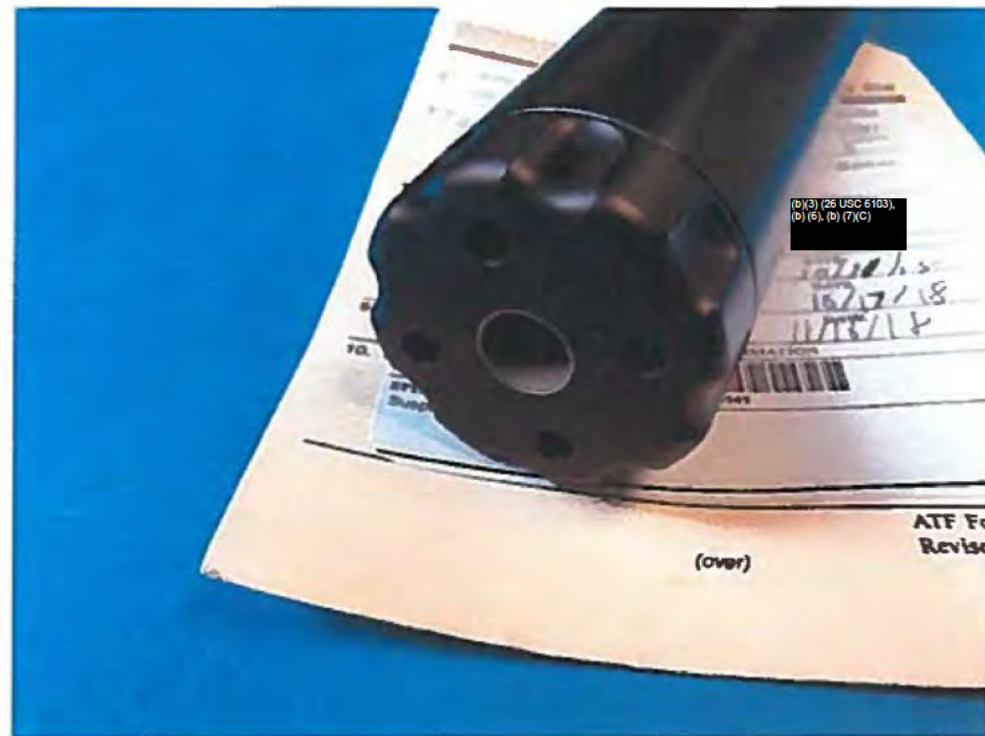


# Exhibit 3, Rear End-Cap





## Exhibit 3, Front End-Cap

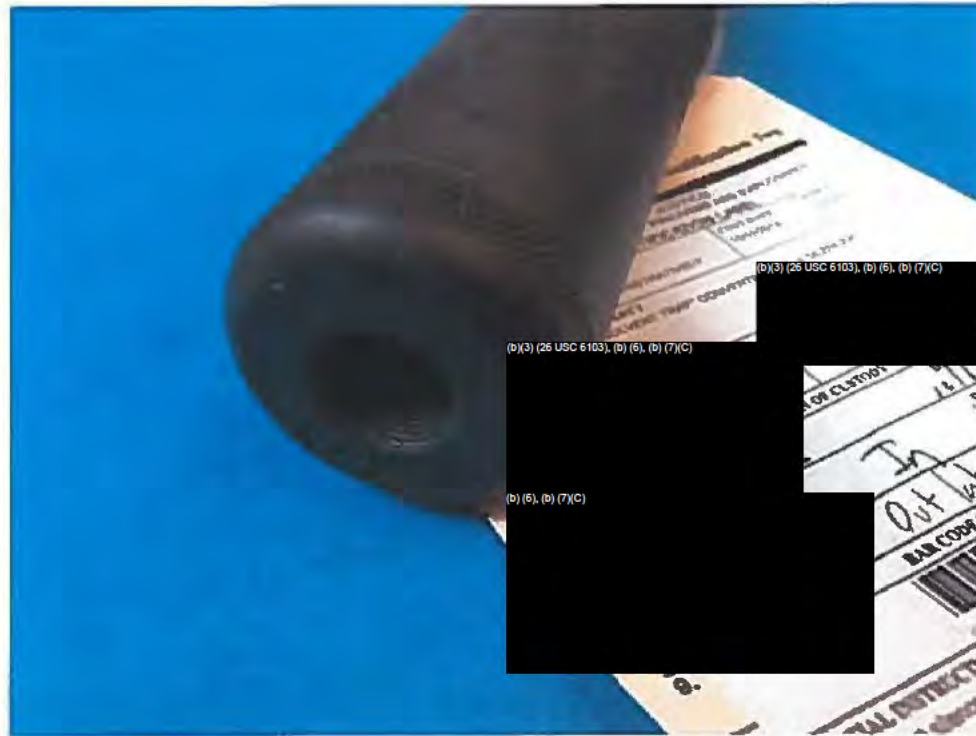




# Exhibit 4, Rear End-Cap



# Exhibit 4, Front End-Cap



(b)(3) (26 USC 6103), (b) (6), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(C)

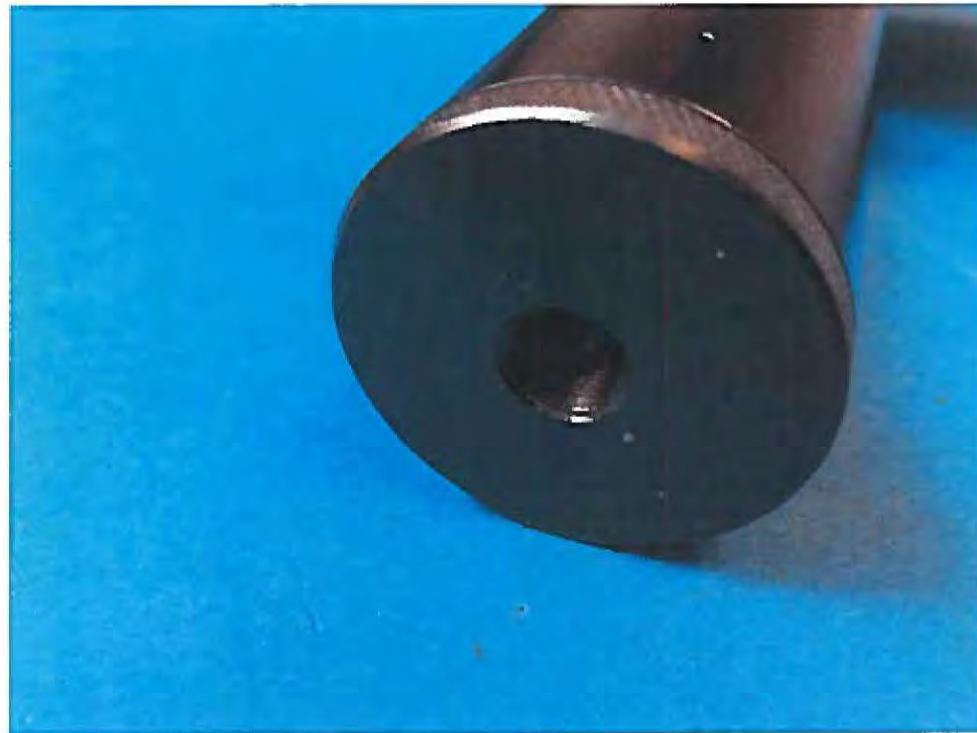
(b) (6), (b) (7)(C)

# Exhibit 4, Disassembled





## Exhibit 5, Rear End-Cap



# Exhibit 5, Front End-Cap





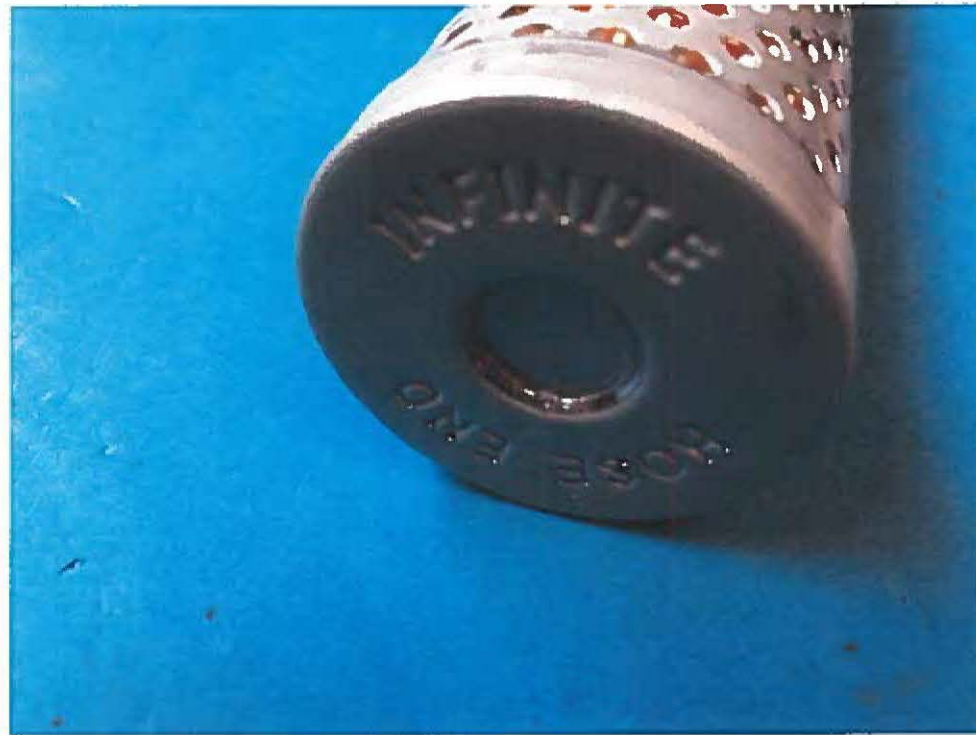
# Exhibit 5, Disassembled



## Exhibit 5A, Rear Portion

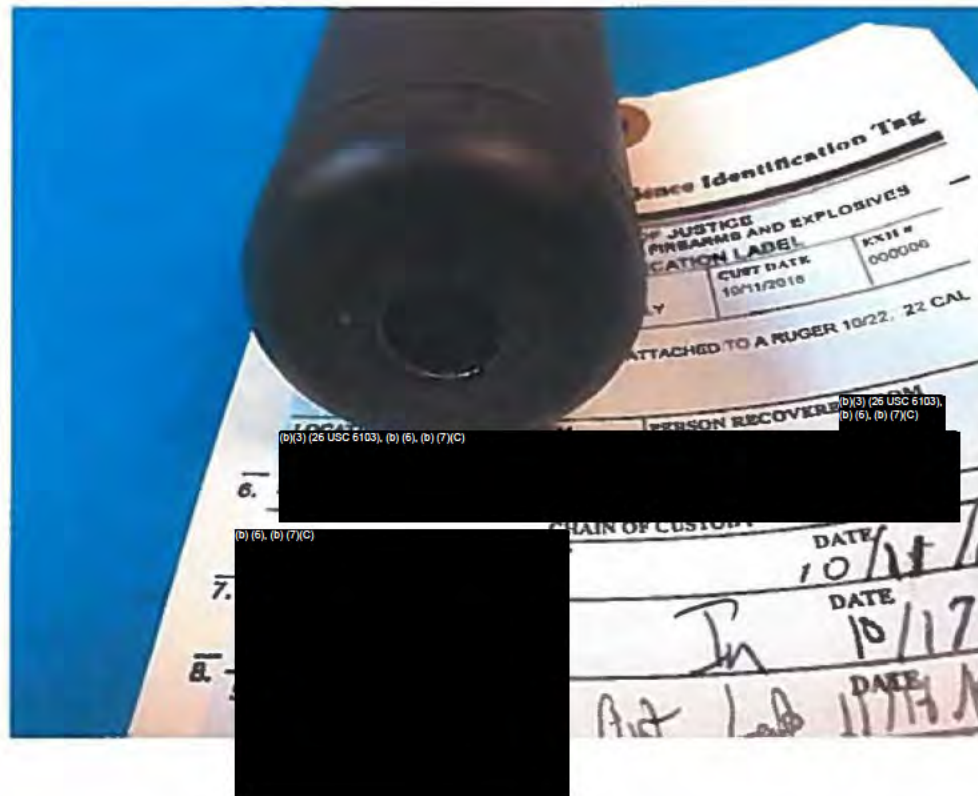


## Exhibit 5A, Front Portion





# Exhibit 6, Rear End-Cap



## Exhibit 6, Front End-Cap



# Exhibit 6, Disassembled



U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
Firearms Technology Criminal Branch

Report of Technical Examination

2019-140

(b) (6), (b) (7)(C)

The testing was performed on Thursday, December 27, 2018 at 8:09 AM by FEO (b) (6), (b) (7)(C) and Witness FEO (b) (6), (b) (7)(C). The testing was performed at the ATF test firing facility in Martinsburg, WV.

Exhibit 2 was found to be configured in the following manner:

CALIBER:	Not Specific
OUTER TUBE:	Aluminum
ATTACHMENT:	Int. Thread
REAR END CAP:	Ext. Thread
FRONT END CAP:	Ext. Thread
INTERIOR:	Multiple Components
OVERALL LENGTH (in):	6-15/16
MAJOR DIAMETER (in):	1.25

For each weapon configuration, 5 silenced and 5 unsilenced firings were performed with the results given in the table below. The following test weapon was utilized: ATF Reference, Manufacturer - Ruger, Model - 22/45, Serial Number - (b) (6), (b) (7)(C). The testing was performed using commercially available CCI STD VEL .22LR ammunition.

	Unsilenced	Silenced	Difference
Shot 1	154.69	141.61	N/A
Shot 2	155.47	141.77	N/A
Shot 3	155.54	142.99	N/A
Shot 4	155.42	140.65	N/A
Shot 5	155.35	139.76	N/A
Average	155.30	141.42	13.87

Pre-test calibration: Passed 12/27/2018  
Post-test calibration: Passed 12/27/2018

The test was run with the following test equipment:

Instrument	Serial Number	Calibration Date
NI PCI-6280 M-Series 500Ks/S data acquisition card	01347448	09/03/2014
B & K 4220 Acoustic Calibrator (Set2)	2547713	9/28/2018
B & K 4938 Microphone (Set 2)	2933862	9/28/2018
B & K NEXUS Signal Conditioner (Set 2)	3005674	10/1/2018



U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
**Firearms Technology Criminal Branch**

**Report of Technical Examination**

2019-140-

(b) (6), (b) (7)(C)

The testing was performed on Thursday, December 27, 2018 at 8:20 AM by Analyst (b) (6), (b) (7)(C) and Witness FEO (b) (6), (b) (7)(C). The testing was performed at the ATF test firing facility in Martinsburg, WV.

Exhibit 3 was found to be configured in the following manner:

CALIBER:	Not Specific
OUTER TUBE:	Aluminum
ATTACHMENT:	Ext. Thread
REAR END CAP:	Ext. Thread
FRONT END CAP:	Ext. Thread
INTERIOR:	Multiple Components
OVERALL LENGTH (in):	10-1/8
MAJOR DIAMETER (in):	1.49

For each weapon configuration, 5 silenced and 5 unsilenced firings were performed with the results given in the table below. The following test weapon was utilized: ATF Reference, Manufacturer - Ruger, Model - 22/45, Serial Number - (b) (6), (b) (7)(C). The testing was performed using commercially available CCI STD VEL .22LR ammunition.

	Unsilenced	Silenced	Difference
Shot 1	154.12	140.13	N/A
Shot 2	155.12	136.20	N/A
Shot 3	155.52	131.35	N/A
Shot 4	155.12	126.04	N/A
Shot 5	154.87	130.21	N/A
Average	154.96	134.17	20.80

Pre-test calibration: Passed 12/27/2018  
Post-test calibration: Passed 12/27/2018

The test was run with the following test equipment:

Instrument	Serial Number	Calibration Date
NI PCI-6280 M-Series 500Ks/S data acquisition card	01347448	09/03/2014
B & K 4220 Acoustic Calibrator (Set2)	2547713	9/28/2018
B & K 4938 Microphone (Set 2)	2933862	9/28/2018
B & K NEXUS Signal Conditioner (Set 2)	3005674	10/1/2018

U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
Firearms Technology Criminal Branch

Report of Technical Examination

2019-140- [REDACTED]

The testing was performed on Thursday, December 27, 2018 at 8:27 AM by FEO [REDACTED] and Witness [REDACTED].  
The testing was performed at the ATF test firing facility in Martinsburg, WV.

Exhibit 4 was found to be configured in the following manner:

CALIBER:	Not Specific
OUTER TUBE:	Aluminum
ATTACHMENT:	Int. Thread
REAR END CAP:	Ext. Thread
FRONT END CAP:	Ext. Thread
INTERIOR:	Multiple Components
OVERALL LENGTH (in):	9
MAJOR DIAMETER (in):	1.55

For each weapon configuration, 5 silenced and 5 unsilenced firings were performed with the results given in the table below. The following test weapon was utilized: ATF Reference, Manufacturer - Ruger, Model - 22/45, Serial Number - [REDACTED]. The testing was performed using commercially available CCI STD VEL .22LR ammunition.

	Unsilenced	Silenced	Difference
Shot 1	154.48	140.34	N/A
Shot 2	154.83	137.43	N/A
Shot 3	154.56	133.42	N/A
Shot 4	154.64	128.45	N/A
Shot 5	155.25	128.59	N/A
Average	154.76	134.92	19.84

Pre-test calibration: Passed 12/27/2018  
Post-test calibration: Passed 12/27/2018

The test was run with the following test equipment:

Instrument	Serial Number	Calibration Date
NI PCI-6280 M-Series 500Ks/S data acquisition card	01347448	09/03/2014
B & K 4220 Acoustic Calibrator (Set2)	2547713	9/28/2018
B & K 4938 Microphone (Set 2)	2933862	9/28/2018
B & K NEXUS Signal Conditioner (Set 2)	3005674	10/1/2018

U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
Firearms Technology Criminal Branch

Report of Technical Examination

2018-140 [REDACTED]

The testing was performed on Thursday, December 27, 2018 at 8:33 AM by FEO [REDACTED] and Witness FEO [REDACTED]. The testing was performed at the ATF test firing facility in Martinsburg, WV.

Exhibit 5 was found to be configured in the following manner:

CALIBER:	Not Specific
OUTER TUBE:	Aluminum
ATTACHMENT:	Int. Thread
REAR END CAP:	Ext. Thread
FRONT END CAP:	Ext. Thread
INTERIOR:	Expansion Chamber
OVERALL LENGTH (in):	10
MAJOR DIAMETER (in):	1.965

For each weapon configuration, 5 silenced and 5 unsilenced firings were performed with the results given in the table below. The following test weapon was utilized: ATF Reference, Manufacturer - Ruger, Model - 22/45, Serial Number - [REDACTED]. The testing was performed using commercially available CCI STD VEL .22LR ammunition.

	Unsilenced	Silenced	Difference
Shot 1	153.33	145.02	N/A
Shot 2	154.43	141.94	N/A
Shot 3	153.08	141.43	N/A
Shot 4	153.87	142.07	N/A
Shot 5	153.92	142.16	N/A
Average	153.74	142.62	11.12

Pre-test calibration: Passed 12/27/2018  
Post-test calibration: Passed 12/27/2018

The test was run with the following test equipment:

Instrument	Serial Number	Calibration Date
NI PCI-6280 M-Series 500Ks/S data acquisition card	01347448	09/03/2014
B & K 4220 Acoustic Calibrator (Set2)	2547713	9/28/2018
B & K 4938 Microphone (Set 2)	2933862	9/28/2018
B & K NEXUS Signal Conditioner (Set 2)	3005674	10/1/2018

U.S. Department of Justice  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
**Firearms Technology Criminal Branch**

**Report of Technical Examination**

2019-140- [REDACTED]

The testing was performed on Thursday, December 27, 2018 at 8:41 AM by FEO [REDACTED] and Witness FEO [REDACTED]. The testing was performed at the ATF test firing facility in Martinsburg, WV.

Exhibit 6 was found to be configured in the following manner:

CALIBER:	Not Specific
OUTER TUBE:	Aluminum
ATTACHMENT:	Int. Thread
REAR END CAP:	Ext. Thread
FRONT END CAP:	Ext. Thread
INTERIOR:	Multiple Components
OVERALL LENGTH (in):	9
MAJOR DIAMETER (in):	1.55

For each weapon configuration, 5 silenced and 5 unsilenced firings were performed with the results given in the table below. The following test weapon was utilized: ATF Reference, Manufacturer - Ruger, Model - 22/45, Serial Number - [REDACTED]. The testing was performed using commercially available CCI STD VEL .22LR ammunition.

	Unsilenced	Silenced	Difference
Shot 1	154.15	135.70	N/A
Shot 2	155.30	133.96	N/A
Shot 3	155.09	137.27	N/A
Shot 4	154.66	122.98	N/A
Shot 5	154.82	123.89	N/A
Average	154.81	132.61	22.20

Pre-test calibration: Passed 12/27/2018  
Post-test calibration: Passed 12/27/2018

The test was run with the following test equipment:

Instrument	Serial Number	Calibration Date
NI PCI-6280 M-Series 500Ks/S data acquisition card	01347448	09/03/2014
B & K 4220 Acoustic Calibrator (Set2)	2547713	9/28/2018
B & K 4938 Microphone (Set 2)	2933862	9/28/2018
B & K NEXUS Signal Conditioner (Set 2)	3005674	10/1/2018

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)





(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)





(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



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(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

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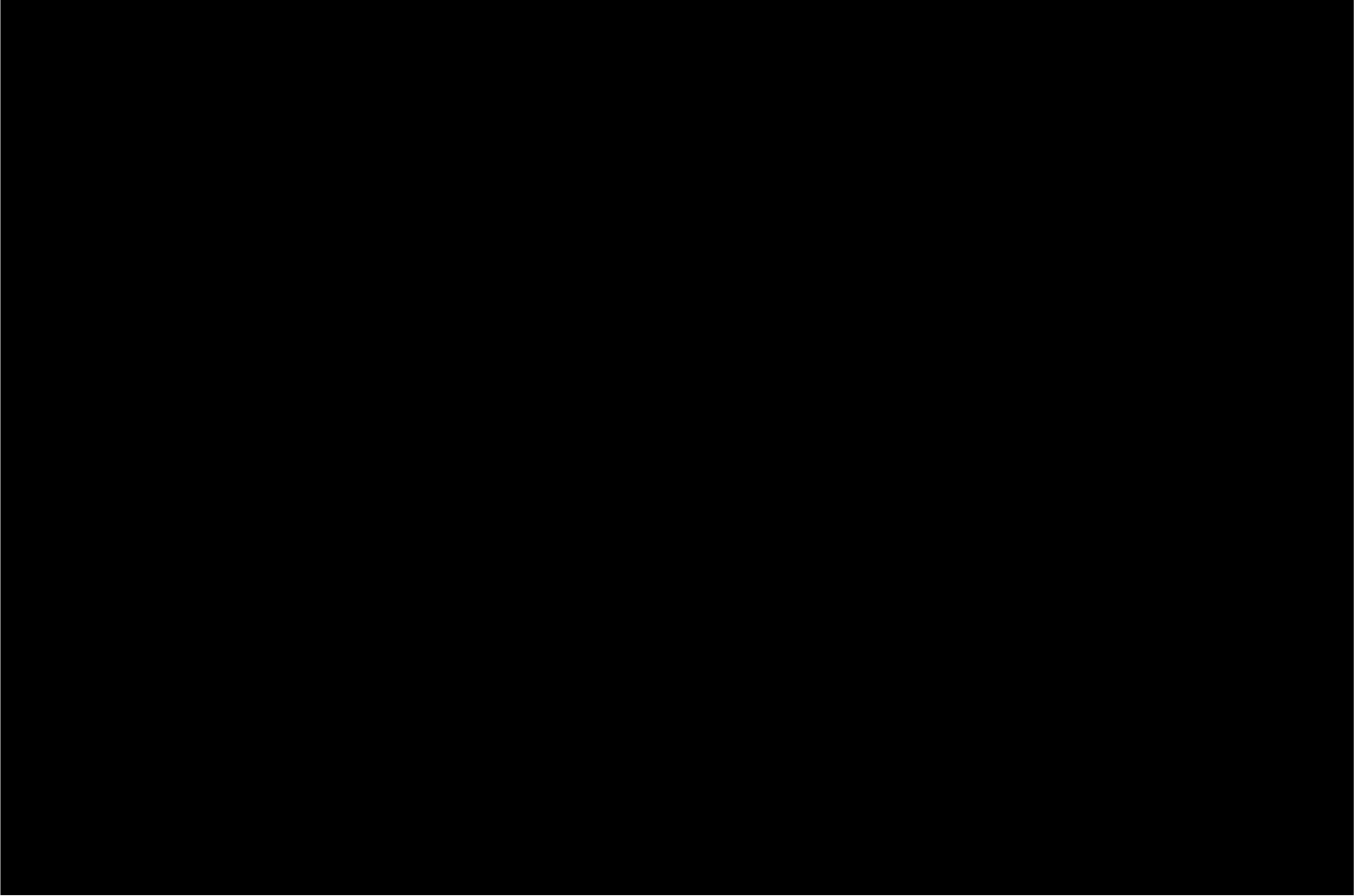
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(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



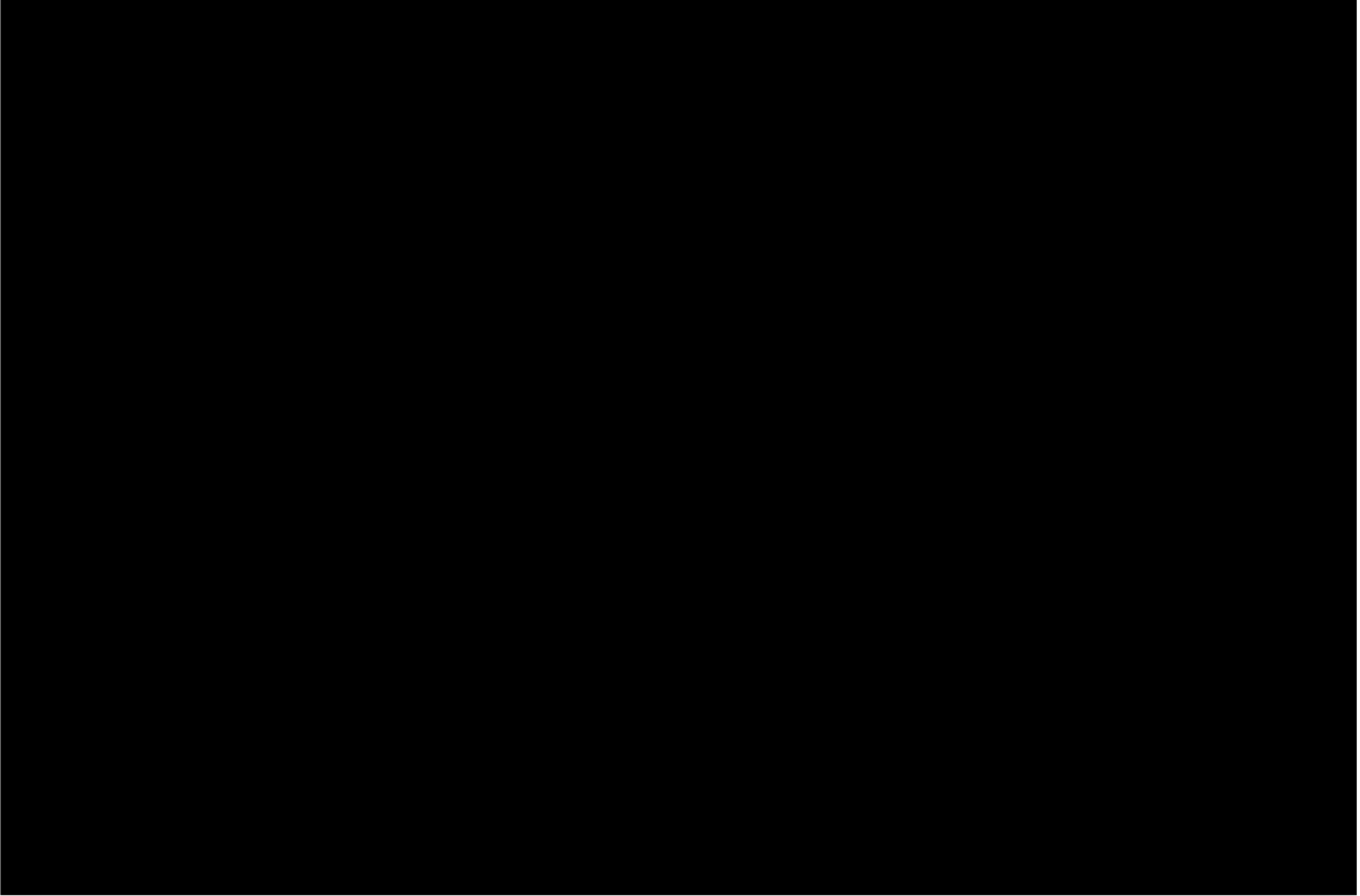
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(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)



(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

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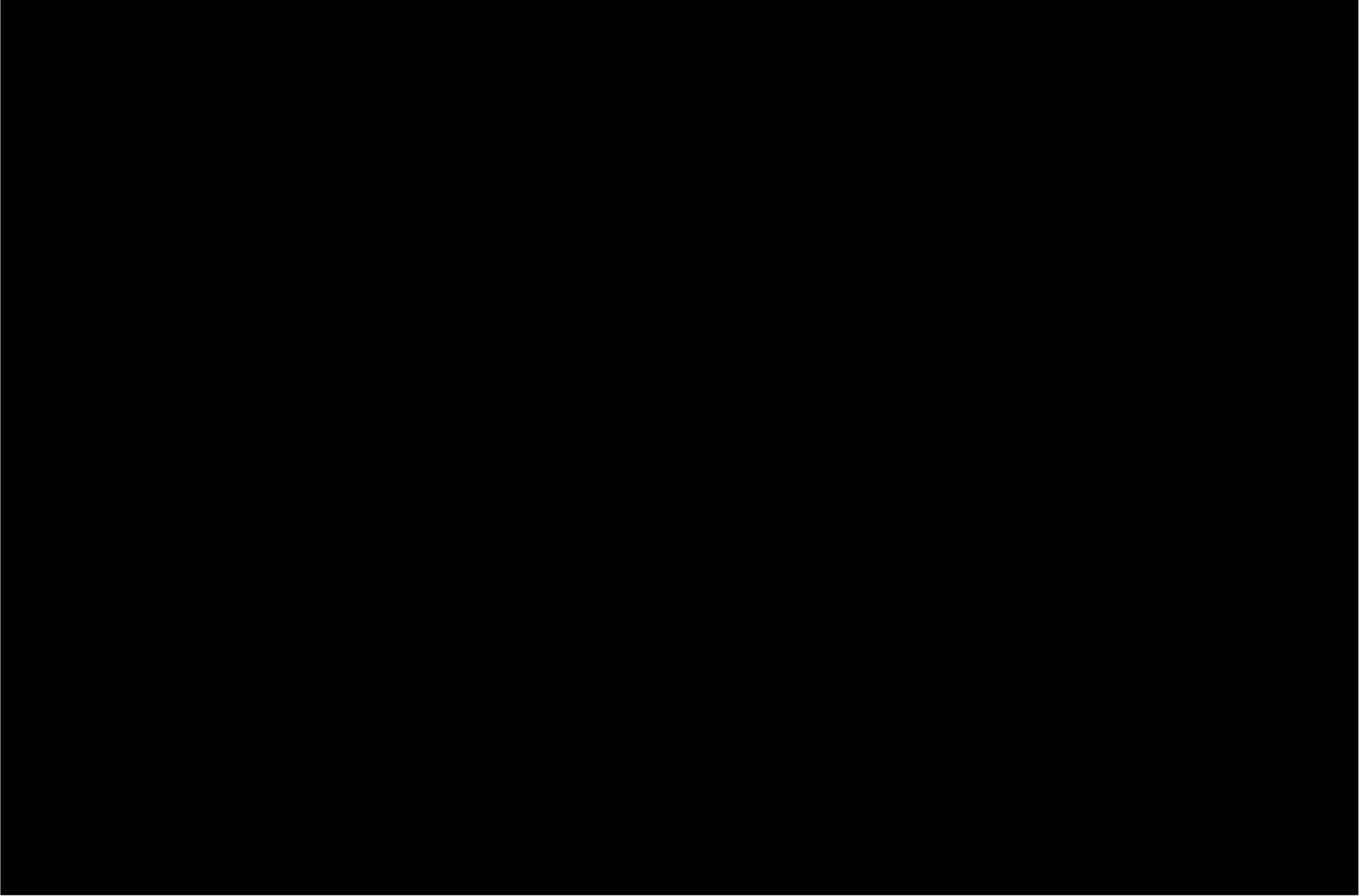
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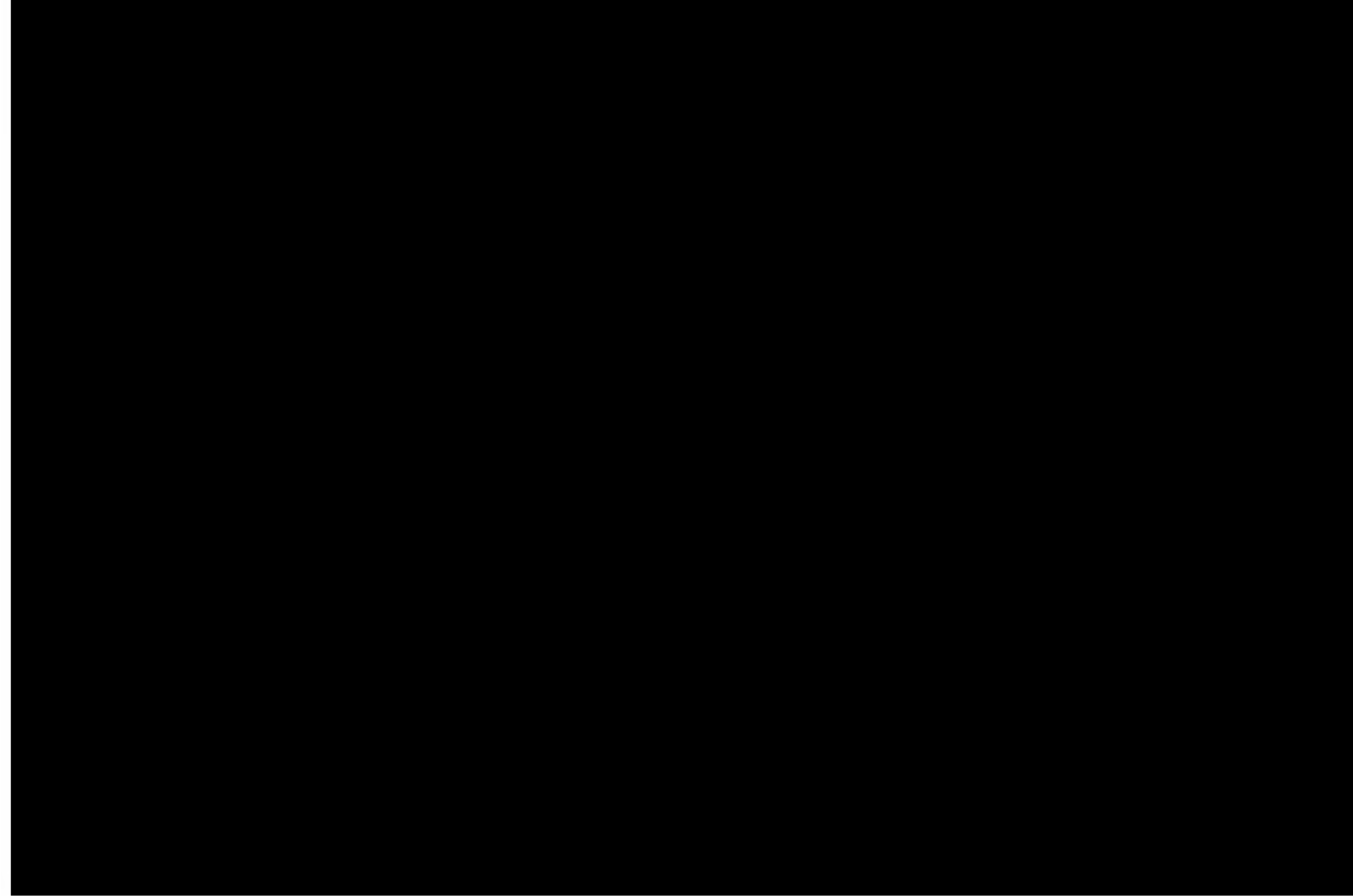
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(b)(3) (26 USC 6103), (b) (6), (b) (7)(A), (b) (7)(C)

Firearms Technology Criminal Branch  
Report of Technical Examination



244 Needy Road #1600  
Martinsburg, WV 25405

Phone: 304-616-4300  
Fax: 304-616-4301

To:  
Special Agent (b) (6), (b) (7)(C)  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
3801 University Avenue  
Suite 670  
Riverside, California 92501

Date: **JAN 24 2019**

UI#: 784036-19-0011

RE: (b)(3) (26 USC 6103), (b) (6), (b) (7)(C)

FTCB#: 2019-212- (b) (6), (b) (7)(C)  
310301

Date Exhibits Received: January 4, 2019

Type of Examination Requested:

Delivered By: (b) (6), (b) (7)(C)

Examination, Test, Classification

**Exhibits:**

1. Suspected silencer, black in color, approximately 11-7/8 inches in length, having no visible manufacturer's markings or serial number.
2. Suspected silencer, black in color, approximately 9-5/16 inches in length, having no visible manufacturer's markings or serial number.
3. Suspected silencer, black in color, approximately 7-1/16 inches in length, having no visible manufacturer's markings or serial number.

**Pertinent Authority:**

The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "**firearm**" as follows: "...*(A) 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; (B) the frame or receiver of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.*"

In addition, the GCA, 18 U.S.C. § 921(a)(24) defines the terms "**firearm silencer**" and "**firearm muffler**" to mean—

"...*any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned, and intended for use in assembling or fabricating a firearm silencer or firearm muffler, and any part intended only for use in such assembly or fabrication.*"

Further, the National Firearms Act (NFA), 26 U.S.C. § 5845(a), defines "**firearm**" as—

"...*(1) a shotgun having a barrel or barrels of less than 18 inches in length; (2) a weapon made from a shotgun if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 18*

**Pertinent Authority (cont.):**

*inches in length; (3) a rifle having a barrel or barrels of less than 16 inches in length; (4) 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; (5) any other weapon, as defined in subsection (e); (6) a machinegun; (7) any silencer (as defined in section 921 of title 18, United States Code); and (8) a destructive device. The term 'firearm' shall not include an antique firearm or any device (other than a machinegun or destructive device) which, although designed as a weapon, the Secretary finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.*

Finally, the NFA, § 5842, "Identification of firearms," states:

*"... (a) Identification of firearms other than destructive devices. - Each manufacturer and importer and anyone making a firearm shall identify each firearm, other than a destructive device, manufactured, imported, or made by a serial number which may not be readily removed, obliterated, or altered, the name of the manufacturer, importer, or maker, and such other identification as the... [Attorney General] ... may by regulations prescribe. (b) Firearms without serial number. - Any person who possesses a firearm, other than a destructive device, which does not bear the serial number and other information required by subsection (a) of this section shall identify the firearm with a serial number assigned by the... [Attorney General] ... and any other information the... [latter] ... may by regulations prescribe."*

**Findings:**

**Exhibit 1** is a firearm silencer fabricated from a modified fuel filter. The Exhibit is approximately 11-7/8 inches in length with its thread adapter and approximately 2-1/16 inches at its major diameter. Exhibit 1 has been painted black on its exterior surface. The fuel filter has been modified from its original manufactured state by the creation of a hole through the forward end of the device and a hole through an interior valve assembly (see attachment for photos). The forward end-hole in the filter is approximately 5/16 inch of an in diameter and appears to have been created by drilling.

As modified, Exhibit 1 is no longer designed to function as a fuel filter. Based upon the modifications made to the Exhibit, it is now designed to function as a firearm silencer containing two expansion chambers, with the forward chamber utilizing the filtering element that functions as an expansion chamber with sound-absorbing material. The Exhibit was not marked with a visible serial number or NFA manufacturer's marks of identification, I was not able to determine a location of manufacture for the Exhibit 1 improvised silencer.

Clandestine improvised silencers utilize a wide variety of attachment methods. It is common for an improvised silencer user to employ threaded adapters, twist-and-lock adapters, or slip-fit mounting—or even for a clandestine maker to modify a firearm to fit a silencer. The Exhibit 1 silencer was equipped with a threaded adapter having a 5/8-24 TPI thread pitch on its interior surface and was reported to have been attached to an AR-type rifle at the time of its seizure.

For sound-comparison test purposes, I used a Ruger 22/45 model pistol with a thread adapter (tag 0004876) obtained from the ATF National Firearms Collection to determine its actual sound magnitude when fired both with and without the Exhibit 1 silencer. I conducted the sound-comparison testing at the ATF test range,



**Findings (con.)**

Martinsburg, West Virginia, on January 8, 2019 using commercially available, CCI brand, .22 LR caliber ammunition. The testing was conducted in the presence of a Bruel & Kjaer, Nexus Acoustic Conditioner Amplifier, calibrated precision sound-level meter. I followed the standard operating procedures established by ATF for conducting the testing.

During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications.

The results of the testing are as follows:

NFC Ruger with no silencer	(5-shot average)	154.68 decibels
NFC Ruger with Exhibit 1 silencer	(5-shot average)	132.94 decibels

The sound reduction recorded between the standard un-silenced NFC Ruger pistol and the NFC Ruger pistol with the Exhibit 1 silencer was 21.74 decibels. The test results establish that the Exhibit 1 silencer is capable of diminishing the sound report of a firearm.

**Exhibit 2** is a firearm silencer. The Exhibit is approximately 9-5/16 inches in length and approximately 1-9/16 inches at its major diameter. Exhibit 2 has been painted black on its exterior surface. In addition, the Exhibit is equipped with a 5/8 x 24 TPI thread pitch on its rear attachment point. The forward end-hole is approximately 1/4 inch in diameter.

The interior of the device incorporates a series of baffles, which are consistent with improvised baffles remanufactured from steel cup expansion freeze plugs, and expansion chambers between the improvised baffles. The marking "DORMAN 555-104-B" was observed on an improvised Exhibit 2 baffle. This number and maker is known to be associated with items originally manufactured as steel cup expansion freeze plugs. The modified steel cup expansion freeze plugs are no longer suitable for their original purpose, and are now silencer component parts.

The Exhibit was not marked with a visible serial number or NFA manufacturer's marks of identification, I was not able to determine a location of manufacture for the Exhibit 2 silencer.

Clandestine improvised silencers utilize a wide variety of attachment methods. It is common for an improvised silencer user to employ threaded adapters, twist-and-lock adapters, or slip-fit mounting—or even for a clandestine maker to modify a firearm to fit a silencer. The Exhibit 2 silencer was mounted to the ATF NFC test firearm via an adapter compatible with Exhibits 5/8 x 24 TPI thread pitch.

For sound-comparison test purposes, I used a Ruger 22/45 model pistol with a thread adapter (tag 0004876) obtained from the ATF National Firearms Collection to determine its actual sound magnitude when fired both with and without the Exhibit 2 silencer. I conducted the sound-comparison testing at the ATF test range, Martinsburg, West Virginia, on January 8, 2019 using commercially available, CCI brand, .22 LR caliber ammunition. The testing was conducted in the presence of a Bruel & Kjaer, Nexus Acoustic Conditioner

**Findings (con.)**

Amplifier, calibrated precision sound-level meter. I followed the standard operating procedures established by ATF for conducting the testing.

During this procedure, a pre and post self-test calibration verification procedure was automatically conducted. The instrument passed both the pre and post self-test calibration verifications.

The results of the testing are as follows:

NFC Ruger with no silencer	(5-shot average)	155.75 decibels
NFC Ruger with Exhibit 2 silencer	(5-shot average)	131.20 decibels

The sound reduction recorded between the standard un-silenced NFC Ruger pistol and the NFC Ruger pistol with the Exhibit 2 silencer was 24.54 decibels. The test results establish that the Exhibit 2 silencer is capable of diminishing the sound report of a firearm.

**Exhibit 3** is a metal cylindrical tube having an approximate length of 7-1/16 inches and an approximate major diameter of 1-1/4 inches. The interior of the Exhibit incorporates a straight un-ported tube having an inner diameter of approximately 3/8 of an inch. The device is constructed from a solid cylindrical piece of non-ferrous metal. The Exhibit is not modified from its original form and is similar in design to known fake or "dummy" replica silencers. Exhibit 3 does not incorporate any silencer characteristics. Exhibit 3 is not a firearm silencer and is not subject to regulation under the provisions the GCA or NFA.

**Conclusions:**

Exhibit's 1 and 2, being devices for silencing, muffling, or diminishing the report of a portable firearm, are each a "**firearm silencer**" as defined in 18 U.S.C. § 921(a)(24).

Exhibit's 1 and 2, being firearm silencers, are each also a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(C) and 26 U.S.C. § 5845(a)(7).

The Exhibit 1 and 2 silencers bear no NFA manufacturer's marks of identification or serial numbers as required by 26 U.S.C. § 5842.

Exhibit 3 is not subject to the provisions of the GCA or NFA.

Examined by:

(b) (6), (b) (7)(C)

Firearms Enforcement Officer

(b) (6), (b) (7)(C)

Firearms Enforcement Officer  
(Witness)

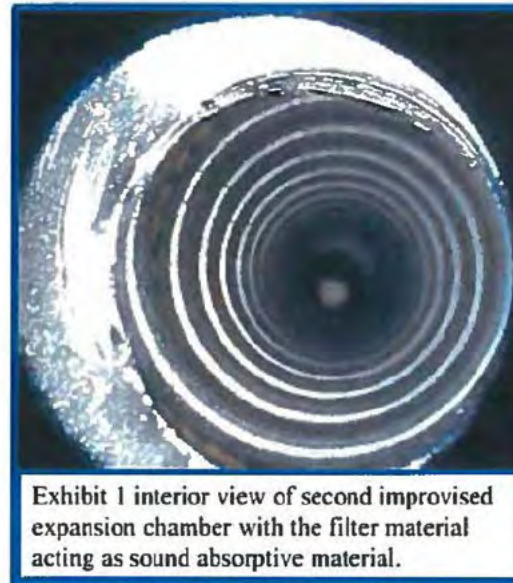
Approved by:

  
Max M. Kingery  
Chief, Firearms Technology Criminal Branch

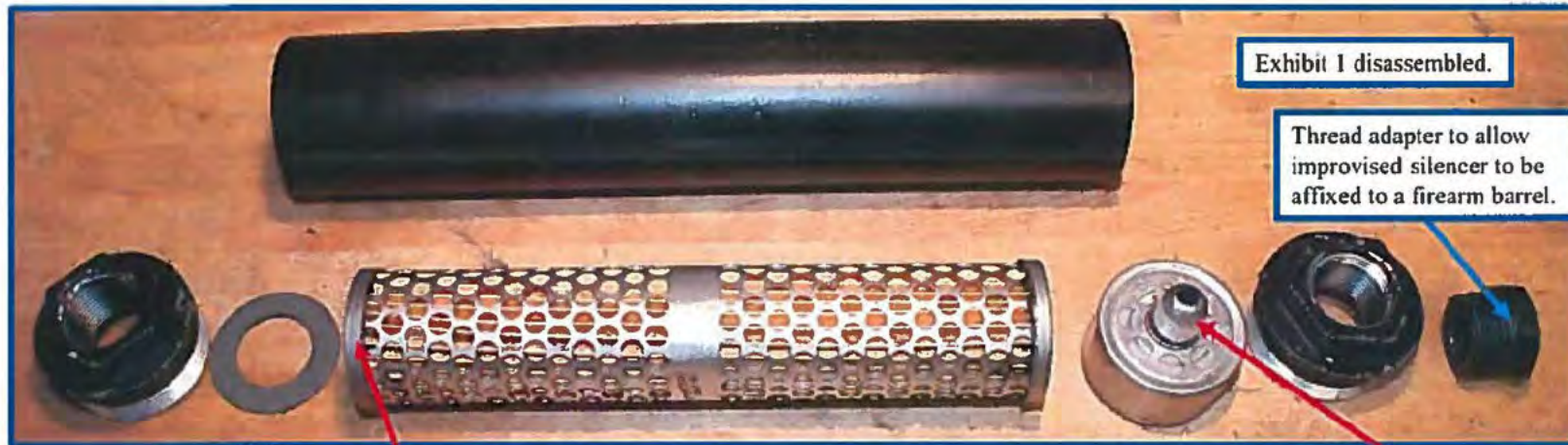
Attachment: Four pages bearing fourteen photos.

**Enclosed is a Firearms Technology Criminal Branch report provided in response to your request for assistance. Please be aware that these documents constitute "taxpayer return information" that is subject to the strict disclosure limitations provided in 26 U.S.C. § 6103. Exceptions to the non-disclosure provisions that permit the disclosure internally within ATF are set forth in 26 U.S.C. §§ 6103(h)(2)(C) and (o)(1). Any further disclosure of these reports is strictly limited and must be reviewed and approved by the Office of Chief Counsel prior to any information dissemination. Failure to adhere to the disclosure limitations provided in 26 U.S.C. § 6103 could result in civil and/or criminal liability.**

(b) (6), (b) (7)(C)



(b) (6), (b) (7)(C)



Modified Exhibit 1 filter element (right) drilled to allow passage of bullet next to FTCB exemplar filter element in as manufactured condition suitable for use as a filter (left).

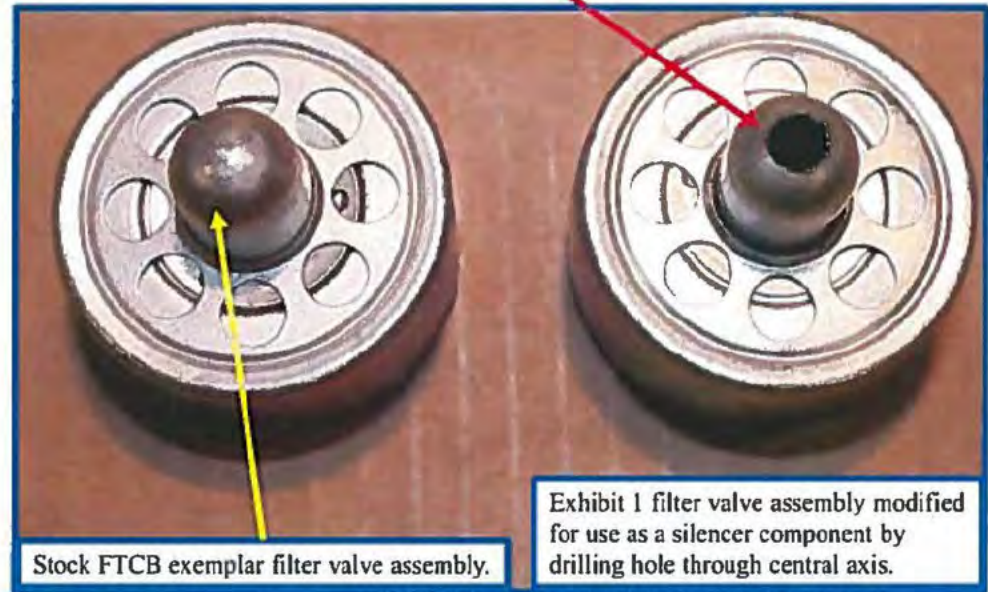
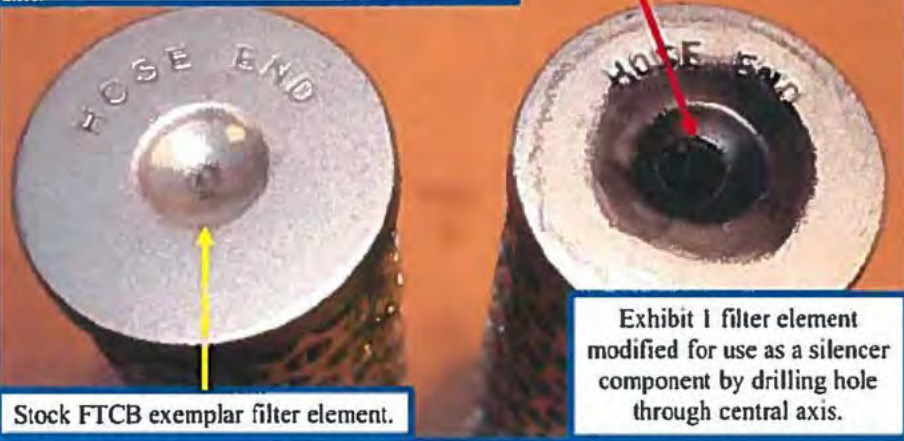




Exhibit 2 front view, note hole through central axis of device.

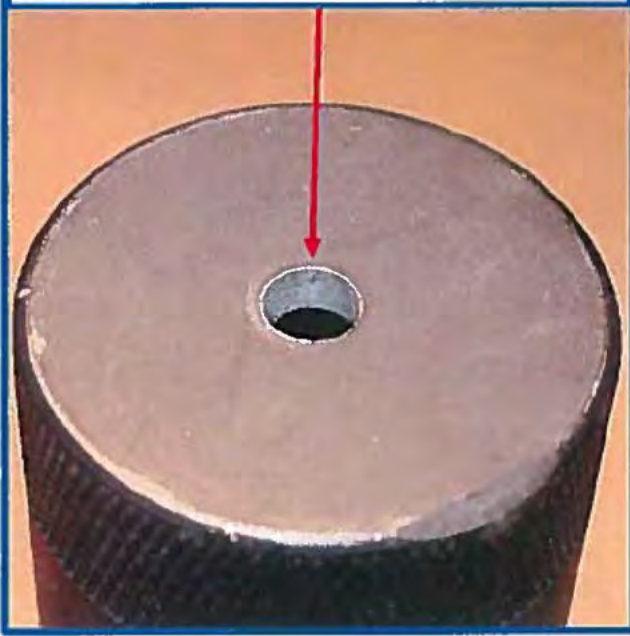
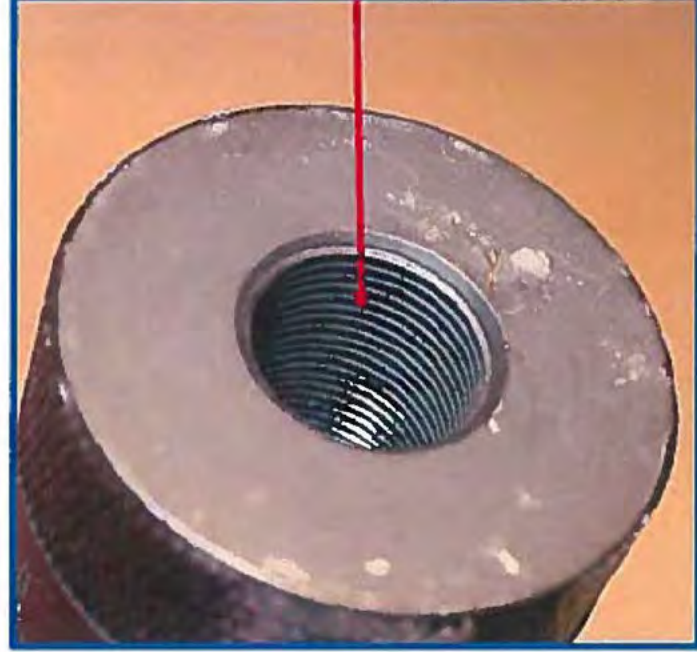


Exhibit 2 interior view showing improvised baffles constructed from freeze plugs.

Exhibit 2 rear view, note 1/2x28 TPI threading.



784036-19-0011



Exhibit 3

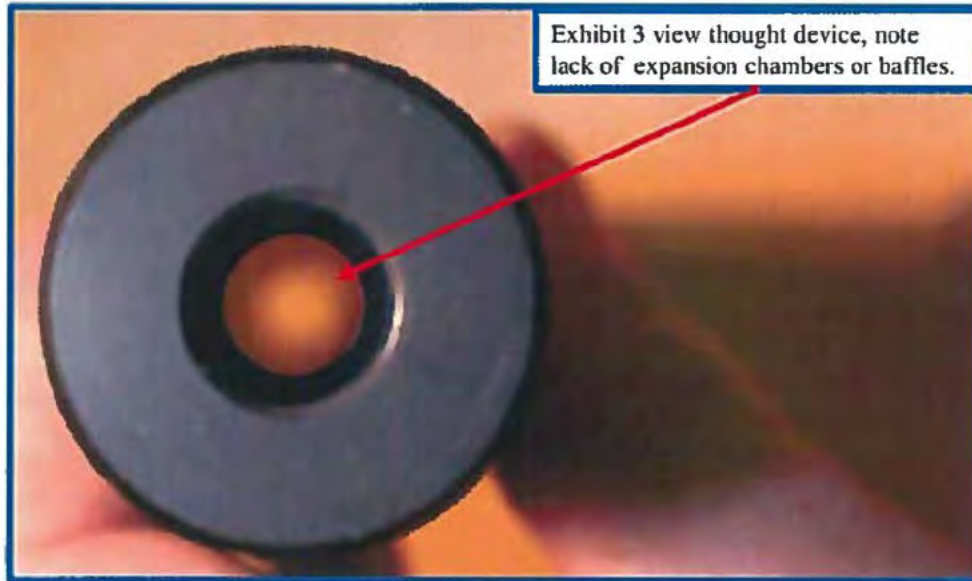


Exhibit 3 view through device, note lack of expansion chambers or baffles.

784036-19-0011

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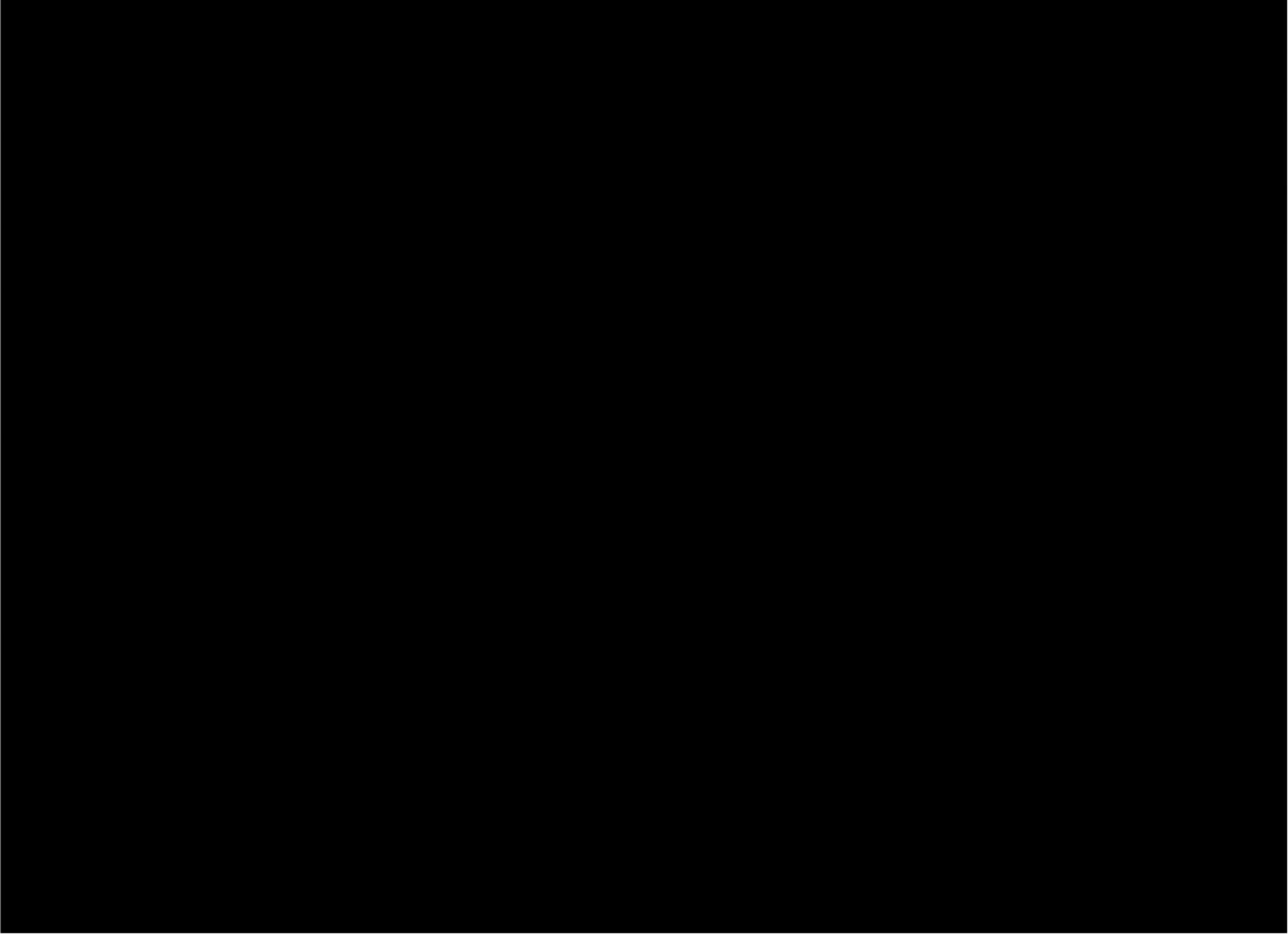
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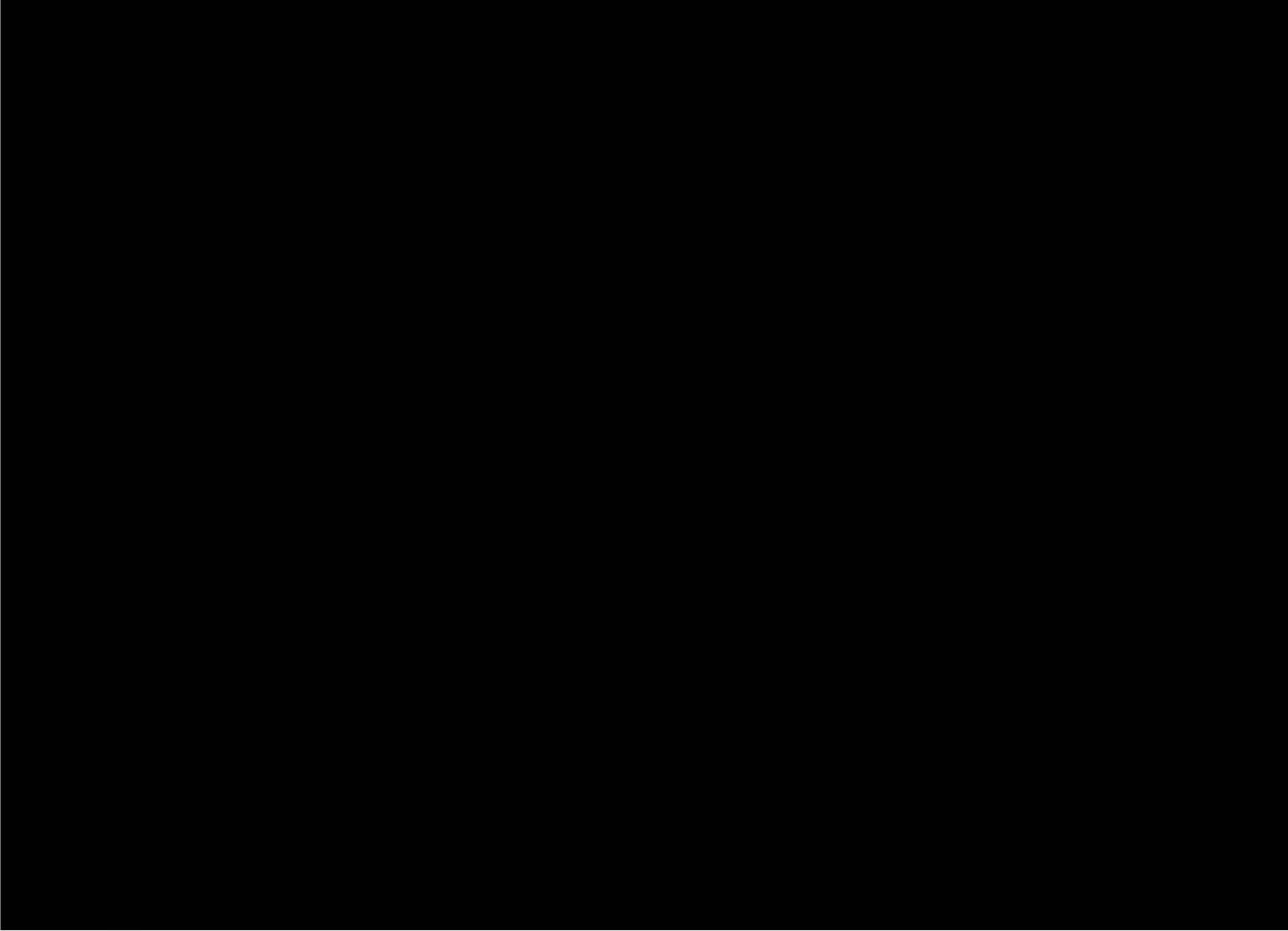


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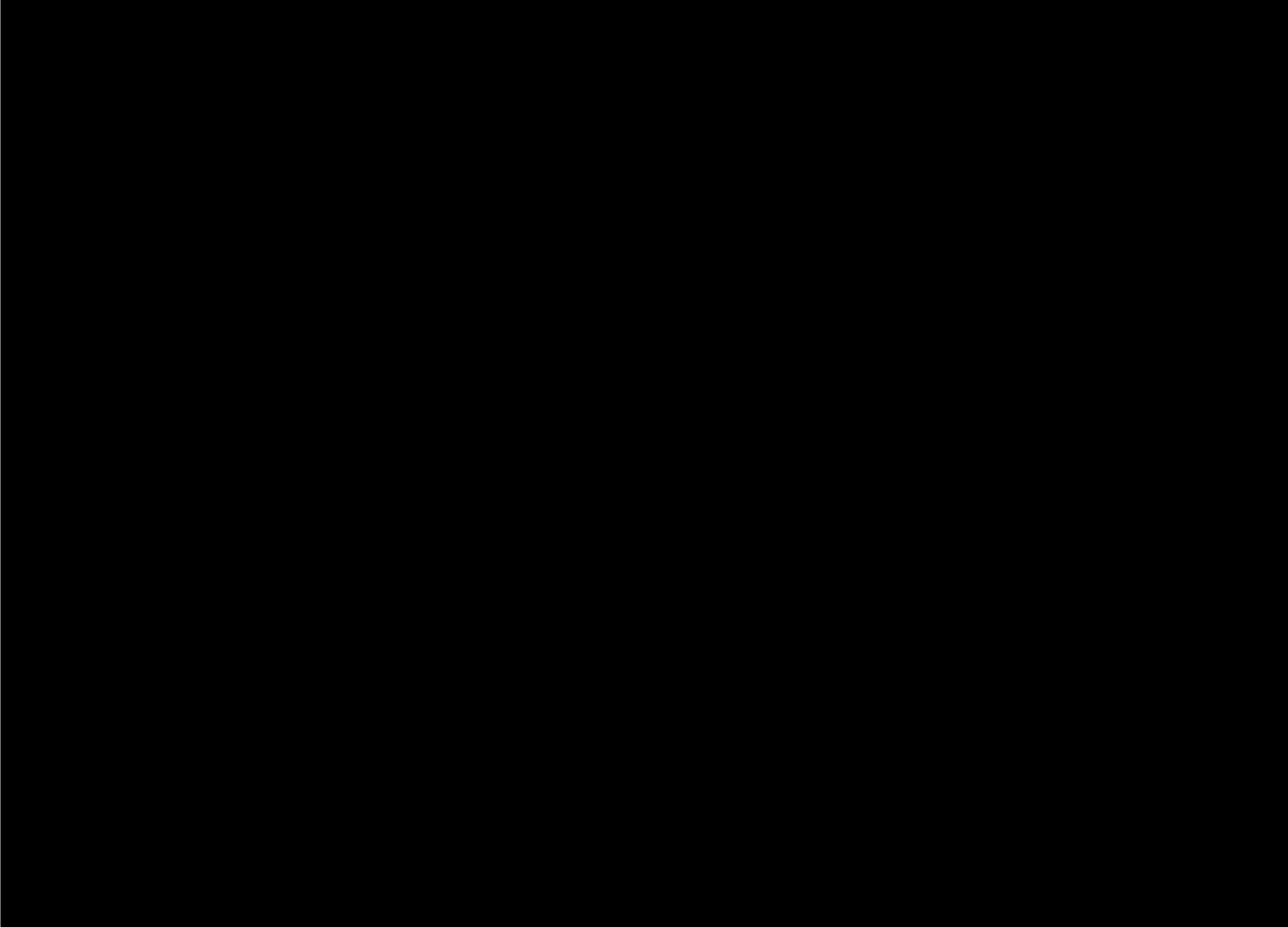
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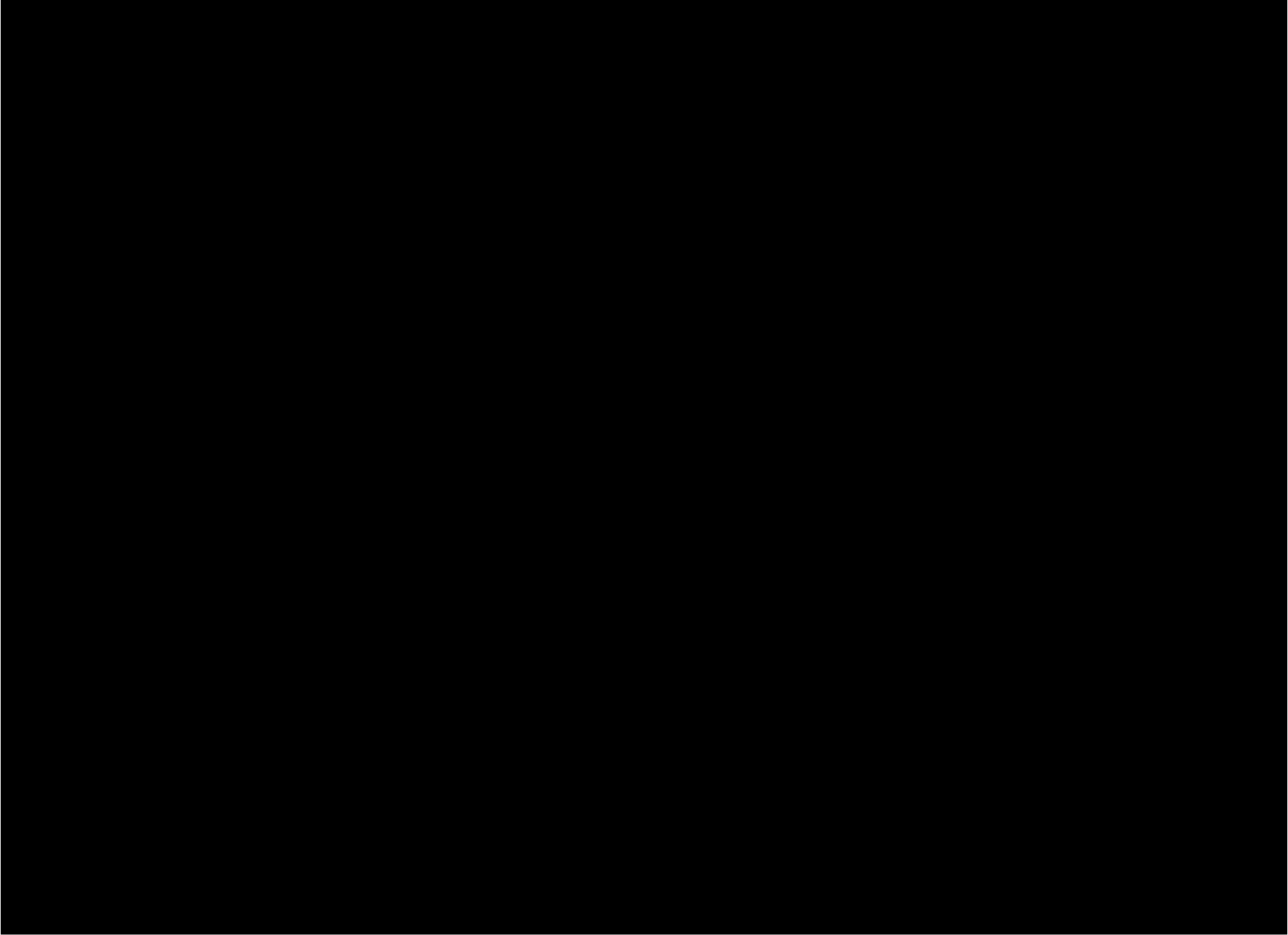
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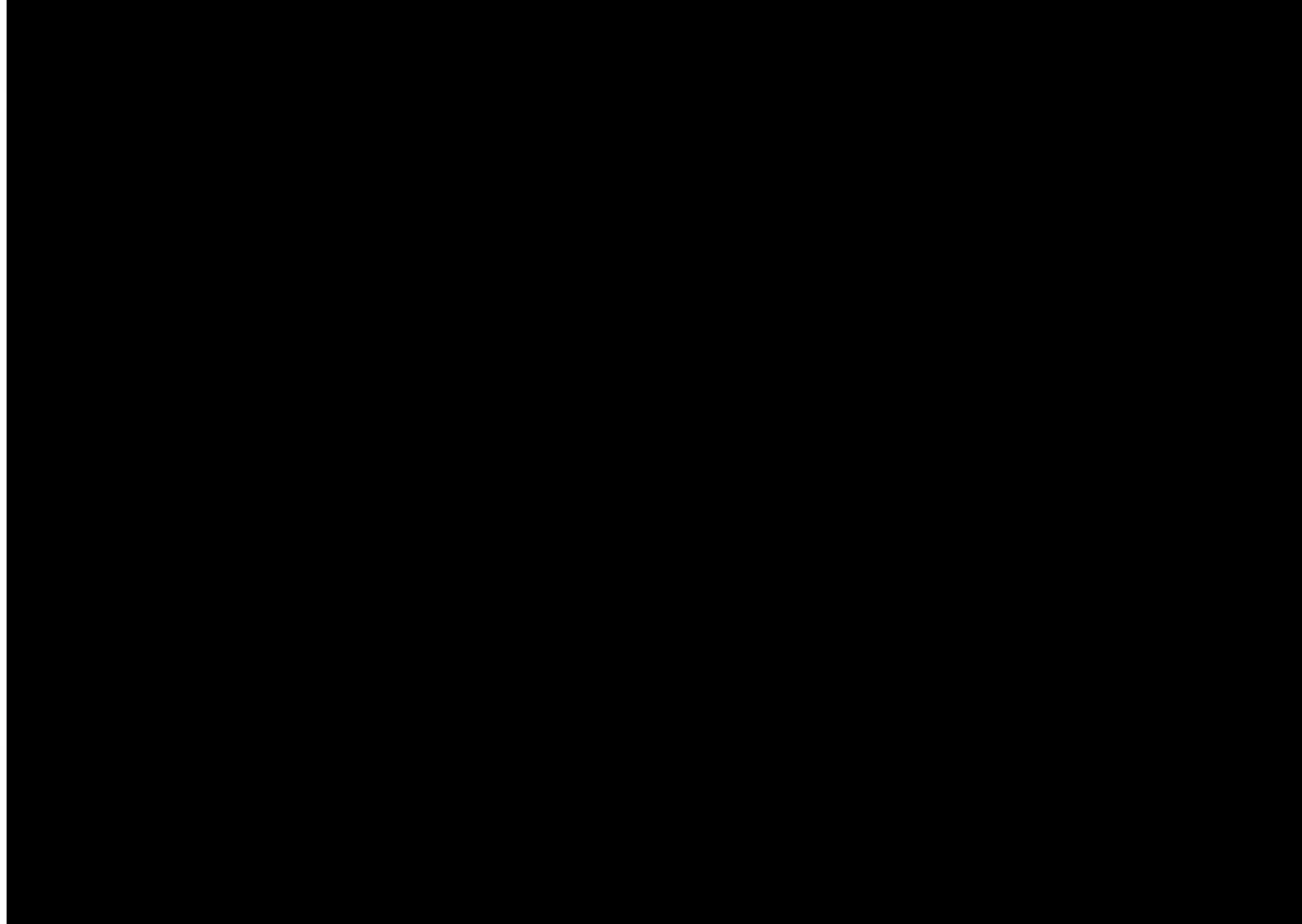
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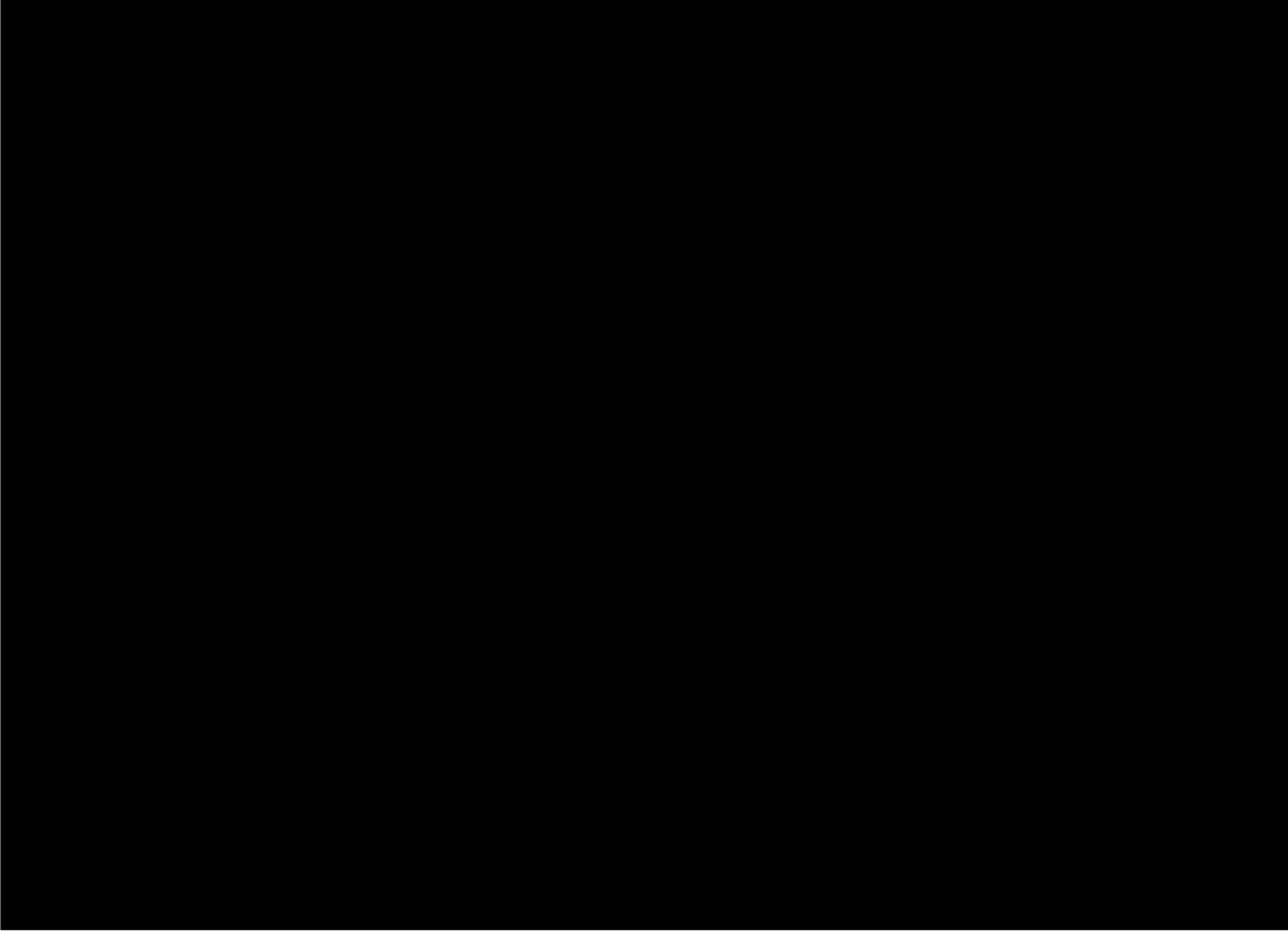
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