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Description of document:	Ten (10) Sample Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) "Technical Determination" Letters 2019-2023
Requested date:	20-May-2025
Release date:	02-June-2025
Posted date:	16-June-2025
Source of document:	Bureau of Alcohol, Tobacco, Firearms and Explosives Information Privacy and Governance (IPG) Division, Room 4E.301 99 New York Avenue, NE Washington, DC 20226 ATF FOIA Public Access Portal FOIA.gov

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U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

www.atf.gov

June 02, 2025

FOIA Request No: 2025-00885

This letter is the final response of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to your Freedom of Information Act (FOIA)/Privacy Act (PA) request for records of any ten (10) ATF Technical Determinations Letters. This Office received your request on May 20, 2025.

ATF located 157 pages responsive to your request. 157 pages are being released to you in part. Please be advised that we considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

ATF withheld certain information because it is protected from disclosure under the FOIA pursuant to:

- 5 U.S.C. § 552(b)(3) and 26 U.S.C. section 6103 of the Internal Revenue Code. You requested tax return information that is not related to you.

Exemption 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 (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) 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 any one of its disjunctive requirements.

Section 6103 governs the disclosure of tax returns and tax return information collected under 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 Section 6103 restrictions satisfy all the requirements of FOIA Exemption 3, I am withholding the tax return data pursuant to 5 U.S.C. section 552 (b)(3) and 26 U.S.C. section 6103 of the Internal Revenue Code.

- 5 U.S.C. § 552(b)(6). This provision concerns material the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties.

- 5 U.S.C. § 552(b)(7)(C). This provision concerns records or information compiled for law enforcement purposes the release of which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties.

-5 U.S.C. § 552(b)(7)(E). This provision concerns records or information compiled for law enforcement purposes the release of which would disclose techniques and procedures for law enforcement investigations or prosecutions.

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 we give to all our requesters. You should not take it as an indication that excluded records do, or do not, exist.

If you have any questions, you may contact the analyst processing your request, using the Public Access Link (PAL) correspondence feature. In addition, you may contact our FOIA Public Liaisons, Lynette Carter and Jasmine Bryant, 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; 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://doj-foia.entellitrak.com/etk-doj-foia-prod/login.request.do>. 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,

A handwritten signature in black ink, appearing to read "Hirsh D. Kravitz", with a stylized flourish at the end.

Hirsh D. Kravitz
Acting Chief
Information and Privacy Governance Division

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

Firearms Technology Criminal Branch

Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:
Special Agent [REDACTED]
Bureau of Alcohol, Tobacco, Firearms and Explosives
2501 South State Hwy 121 Business
Suite 300A
Lewisville, TX 75067

UI#: 781120-22-0073

RE: [REDACTED]

FTCB#: 2022-558 [REDACTED]
320298

Date Exhibit Received: 4/22/2022

Type of Examination Requested:

Delivered By: FedEx 7766 3090 3408

Examination, Test, Classification

Exhibit:

4. AR-type, Privately Made Firearm (PMF), .223 Remington caliber, (suspected SBR) and accompanying magazine.

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 and Ammunition 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."

The GCA, 18 U.S.C. § 921(a)(7), defines "**rifle**" as *"... a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger."*

The GCA, 18 U.S.C. § 921(a)(8), defines the term "**short-barreled rifle**" to mean: *"...a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches..."*

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 (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.”

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.”

The GCA and NFA implementing regulations, 27 CFR § 478.11 and 27 CFR § 479.11, respectively, incorporate the statutory definition of “rifle” and include the following:

(1) For purposes of this definition, the term “designed or redesigned, made or remade, and intended to be fired from the shoulder” shall include a weapon that is equipped with an accessory, component, or other rearward attachment (e.g., a “stabilizing brace”) that provides surface area that allows the weapon to be fired from the shoulder, provided other factors, as described in paragraph (2), indicate that the weapon is designed, made, and intended to be fired from the shoulder.

(2) When a weapon provides surface area that allows the weapon to be fired from the shoulder, the following factors shall also be considered in determining whether the weapon is designed, made, and intended to be fired from the shoulder: (i) Whether the weapon has a weight or length consistent with the weight or length of similarly designed rifles; (ii) Whether the weapon has a length of pull, measured from the center of the trigger to the center of the shoulder stock or other rearward accessory, component or attachment (including an adjustable or telescoping attachment with the ability to lock into various positions along a buffer tube, receiver extension, or other attachment method), that is consistent with similarly designed rifles; (iii) Whether the weapon is equipped with sights or a scope with eye relief that require the weapon to be fired from the shoulder in order to be used as designed; (iv) Whether the surface area that allows the weapon to be fired from the shoulder is created by a buffer tube, receiver extension, or any other accessory, component, or other rearward attachment that is necessary for the cycle of operations; (v) The manufacturer's direct and indirect marketing and promotional materials indicating the intended use of the weapon; and (vi) Information demonstrating the likely use of the weapon in the general community.

Findings:

Exhibit 4 is a .223 Remington caliber, AR-type privately made firearm (PMF) utilizing a receiver of unknown origin. As received, being a PMF, Exhibit 4 does not possess a serial number.

I measured the overall length of Exhibit 4 by placing it on a flat surface (with the muzzle device removed) and measured the distance between the extreme ends along a line parallel to the centerline of the bore. Additionally, I measured the barrel by placing the Exhibit on a flat surface and then closing the bolt. I then inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face.

As examined, the Exhibit is configured with the following attributes:

- Semiautomatic operation
- Utilizes a detachable magazine
- Muzzle device
- Chambered in .223 Remington caliber
- Mil-Spec length, tube style receiver extension (commonly referred to as a "buffer tube")
- Shockwave Technologies Blade "stabilizing brace" accessory installed onto receiver extension
- M-Lok style handguard
- Flip up sights
- Forward grip/light
- Barrel length: approximately 7.5 inches, with a rifled bore
- Overall length: approximately 24.25 inches

The following factors set forth in the implementing regulations must be applied to determine whether a firearm is "*designed or redesigned, made or remade, and intended to be fired from the shoulder.*" These factors have been applied to Exhibit 4 as follows:

Rear Surface Area

The Exhibit incorporates a Shockwave Technologies Blade "stabilizing brace" accessory which is installed on the receiver extension. The Blade provides surface area that allows the weapon to be fired from the shoulder. By way of comparison, many other AR-type weapons sold as rifles are nearly identical to the Exhibit although with traditional shoulder stocks in place of the Blade accessory. There is little difference between the surface area of a traditional AR-type telescoping stock and the Blade brace [reference photos on page 3 of the attachment].

Weight or length consistent with the weight or length of similarly designed rifles.

The Exhibit has a manufacturer approximated weight of 6 pounds, an overall length of approximately 24.25 inches, and a barrel length of approximately 7.5 inches. Further, a barrel length of 7.5 inches is within a range common to AR-type carbines (rifles), i.e., lighter weight rifles with shorter barrels. The overall length and weight of the Exhibit is consistent with other AR-type rifles, examples being the Colt SMG and LWRC M6, which are known rifle designs from other firearms manufacturers [reference photos on page 1 and 2 of the attachment].

Length of pull and adjustability of the component or attachment.

The Exhibit incorporates a Mil-Spec length (i.e., rifle) receiver extension creating a length of pull of approximately 12.25 inches. This is consistent with rifles of similar design. Carbine receiver extensions are designed to facilitate the attachment of a collapsible shoulder stock. Carbine receiver extensions allow horizontal adjustment of shoulder stocks allowing the shoulder stock to lock into position preventing the stock from sliding along the receiver extension when firing the weapon from the shoulder. This feature is common with adjustable shoulder stocks, which lock a firearm stock in place to allow an individual to place pressure on the rear shouldering surface of the accessory when firing the weapon. The use of the carbine length receiver extension to attach the Blade accessory, and thereby allowing the Blade to be adjusted to a shooter's preferred length of pull—and that the design of the Blade permits this—demonstrates that the rear surface area provided by the Blade is intended to be pressed against the shooter's shoulder and is objective evidence that the submitted firearm is designed and intended to be fired from the shoulder.

Whether the weapon is equipped with sights or a scope with eye relief that require the weapon to be fired from the shoulder in order to be used as designed.

The Exhibit is equipped with flip up rifle style sights. When using flip up style sights as designed, the shooter must align the front sight post with the rear sight aperture. When held with an extended arm, the rear aperture is too small and distorted to effectively use as designed. For these sights to be used correctly the Exhibit must be shouldered. [reference photos on page 1, 3, and 5 of the attachment].

Whether the surface area that allows the weapon to be fired from the shoulder is created by a buffer tube, receiver extension, or any other accessory, component, or other rearward attachment that is necessary for the cycle of operations.

The surface area on the Exhibit allowing the weapon to be fired from the shoulder is created by the Blade and not a buffer tube or receiver extension that is necessary for the cycle of operation of the firearm. That is, the rear surface area of the Blade is not required for the cycle of operations of this rifle rather it is merely mounted on the functional component part. [reference photos on page 1, 2, and 3 of the attachment]

The manufacturer's direct and indirect marketing and promotional materials indicating the intended use of the weapon.

No marketing materials indicating intended use were available at the time of evaluation.

Information demonstrating the likely use of the weapon in the general community.

As explained in the publication of the current regulation in the Federal Register, weapons utilizing the Blade are routinely fired from the shoulder and applied "rifle" features, including length of pull. In addition to this, numerous examples of the Exhibits ability (or similarly manufactured AR-type firearms) to be fired from the shoulder are found online and in printed publications. One example being found at Shockwave Blade Pistol Stabilizer Review - YouTube [reference photo on page 6].

My examination further revealed the following external markings:

Top of barrel:

- **.223 WYLDE 1:7 USA**

I test fired Exhibit 4, on March 14, 2023, at the ATF test range, Martinsburg, West Virginia, using commercially available, Federal brand .223 Remington caliber ammunition and the included magazine. I inserted one round of ammunition into the magazine, loaded Exhibit 4 and pulled the trigger, Exhibit 4 successfully expelled a single projectile by the action of an explosive. I then inserted two rounds of ammunition into the magazine, loaded Exhibit 4 and pulled the trigger. Exhibit 4 fired each round by a single function of the trigger.

Next, I inserted three rounds of ammunition into the magazine, loaded Exhibit 4 and pulled the trigger. Exhibit 4 fired each round by a single function of the trigger. At no time during testing did the Exhibit fire automatically.

Examination of Exhibit 4 has determined that the Exhibit is a weapon, equipped with an accessory featuring surface area that allows the weapon to be fired from the shoulder. This along with other factors, as described in paragraph (2) of the regulatory definition, indicates that the weapon is designed, made, and intended to be fired from the shoulder. Therefore, based on the statutory and regulatory definitions as discussed, this Exhibit is a "rifle." Additionally, because the barrel length of this firearm is under 16 inches, it is classified as a "firearm" as defined in the NFA, 26 U.S.C. § 5845(a)(3).

Conclusions:

On January 13, 2023, the Attorney General signed ATF final rule, 2021R-08F, "*Factoring Criteria for Firearms with Attached 'Stabilizing Braces,'*" amending the regulations to clarify when a rifle is designed, made, and intended to be fired from the shoulder. The Final Rule became effective on January 31, 2023. The Exhibit was seized prior to the effective date of the final rule and therefore may have a different classification and conclusion under the regulatory definitions in effect on the date of seizure. The classification and conclusions reached in this report are based on the current regulations.

Exhibit 4, is a weapon which will expel a projectile by the action of an explosive and contains the receiver of such a weapon; therefore, Exhibit 4 is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 4, being a rifle having a barrel of less than 16 inches in length, is a "short barreled rifle" as defined in 18 U.S.C. § 921(a)(8).

Exhibit 4 being a rifle with a barrel of less than 16 inches in length, is a "firearm" as defined in 26 U.S.C. § 5845(a)(3).

Exhibit 4 contains no NFA markings of identification or serial number as required by 26 U.S.C § 5842.

Special Agent [(b)(6); (b)(7)(C)] 00000139576

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6/2/2025

781120-22-0073

2022-558- [(b)(6); (b)(7)(C)]

Page 6

Examined by:

Approved by:

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Chief, Firearms Technology Criminal Branch

Attachment: 6 pages bearing photographs

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 1

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



Exhibit 1

2025-00885

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6/2/2025



Exhibit 1

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6/2/2025



Exhibit 1 Blade “stabilizing brace” rear surface area

Exhibit 1

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



Exhibit 1 length of pull

2025-00885

00000139576

Exhibit 1

"UNCLASSIFIED"

6/2/2025



Exhibit 1 flip up rifle style sights

2025-00885

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6/2/2025

Screen capture from Shockwave Blade Pistol Stabilizer Review - YouTube



U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

2025-00885

00000139576

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6/2/2025

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:

Special Agent [(b)(6); (b)(7)(C)]
Bureau of Alcohol, Tobacco, Firearms and Explosives
3023 Innovation, Suite 300
Franklin, Tennessee 37067

Date: 4/26/2023

UI#: 776050-22-0055

RE: [(b)(6); (b)(7)(C)]

FTCB#: 2022-1084- [(b)(6); (b)(7)(C)]
322226

Date Exhibits Received: 9/21/2022

Type of Examination Requested:

Delivered By: Fed Ex 7779 8842 4950/5020

Examination, Test, Classification

Exhibits:

1. Radical Firearms, model RF-15, 5.56 NATO caliber firearm bearing serial number [(b)(6); (b)(7)(C)] (suspected machinegun).
2. One conversion sear, unknown manufacturer, no serial number (suspected machinegun).

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 amended **Gun Control Act of 1968** (GCA), 18 U.S.C. § 921(a)(3), defines "firearm" to include the following:

"... (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...."

Pertinent Authority (cont.):

Further, 18 U.S.C. § 921(a)(24), defines 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 **National Firearms Act of 1934 (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 1 is a 5.56 NATO caliber firearm manufactured Radical Firearms in Stafford, Texas. As received, Exhibit 1 is equipped with an adjustable shoulder stock and a muzzle device. extension, a pistol stabilizing brace (possible shouldering device), and a muzzle device. Exhibit 1 has a rifled barrel with a length of approximately 16-1/4 inches and an overall length of approximately 35 inches.

I measured the overall length of Exhibit 1 by placing the Exhibit on a flat surface and measuring the distance between the extreme ends along a line parallel to the center line of the bore.

Additionally, I measured the barrel of Exhibit 1 by placing the Exhibit on a flat surface and then closing the bolt and inserting a cylindrical scale into the muzzle of the barrel until it touched the bolt face.

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

On the left side of the receiver



[Radical Firearms logo]

On the right side of the receiver

- **RADICAL FIREARMS, LLC.**
- **STAFFORD, TX USA**
- **MODEL: RF-15**
- **CALIBER: MULTI**
- **SERIAL NUMBER:** (b)(6); (b)(7)(C)

Exhibit 1 was received with an M-16-type bolt carrier and a 3D-printed, AR-type machinegun conversion device (MCD), similar to a *Trigger Control Group Travel Reducer (TCGTR)*, installed (hereafter referred to as **Exhibit 1A**).

The AR-type MCD is designed so that the rear take-down pin lug in an AR-type firearm upper assembly holds the device in place within the fire-control cavity. When an M16-type bolt carrier strikes the top of the device as it moves forward into battery, the front portion of the device engages the tail of the disconnecter releasing the hammer. As long as the trigger is held back, the rearward movement of the bolt carrier will cock the hammer under the disconnecter hook, and the forward movement of the bolt carrier will strike the top portion of the device just as the bolt locks in battery, automatically releasing the hammer and firing the weapon. When the trigger is released, the sear surface of the trigger will capture the hammer in the cocked position negating the operation resulting from the interaction of the AR-type MCD with the disconnecter.

Exhibit 1A, in and of itself, is a part designed and intended solely and exclusively for use in converting a weapon into a machinegun; therefore, Exhibit 1A is a *machinegun* as defined.

I test fired Exhibit 1, with Exhibit 1A installed, on April 24, 2023, at the ATF test range, Martinsburg, West Virginia, using commercially available, Federal brand, .223 Remington caliber ammunition. I loaded one round of ammunition into the Exhibit's magazine, inserted the magazine into the Exhibit, chambered the cartridge, and squeezed the trigger. Exhibit 1, with Exhibit 1A installed, successfully expelled a projectile by the action of an explosive.

Next, I inserted a two rounds of ammunition into the magazine, inserted the magazine into the Exhibit, chambered the first round, and squeezed the trigger. Exhibit 1, with Exhibit 1A installed, successfully fired both rounds automatically with a single function of the trigger.

Finally, I inserted three rounds of ammunition into the magazine, chambered the first round, and squeezed the trigger. Exhibit 1, with Exhibit 1A installed fired all three rounds automatically with a single function of the trigger. I repeated this test three additional times achieving the same result.

Exhibit 2 is a machinegun conversion device intended for use in converting a semiautomatic Glock pistol to fire automatically. As received, Exhibit 2 bears no manufacturer's marks of identification or serial number as required by 26 U.S.C. § 5842.

Exhibit 2 is a 3D-printed conversion device composed of a polymer housing, which is dimensionally configured as a drop-in replacement part for the slide cover-plate of a Glock pistol. Exhibit 2 incorporates a polymer "leg" which is secured to the housing with a threaded bolt. The device is designed and intended to convert a semiautomatic, Glock-type pistol into a machinegun (similar to U.S. Patent 5,705,763). The extended "leg" is designed 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.

In order to demonstrate that Exhibit 2 is a combination of parts designed and intended, for use in converting a weapon into a machinegun, I installed the Exhibit in a Glock 17 pistol acquired from the ATF National Firearms Collection (NFC).

I test fired the NFC Glock pistol, with the Exhibit 2 device installed, on April 24, 2023, at the ATF test range, Martinsburg, West Virginia, using commercially available, Federal brand, 9mm Luger caliber ammunition. I inserted one round of ammunition into the magazine, inserted the magazine into the pistol, retracted and released the slide to chamber the round, and pulled the trigger. The NFC Glock pistol, with the Exhibit 2 device installed, successfully expelled a single projectile by the action of an explosive.

Next, I inserted two rounds of ammunition into the NFC Glock pistol and pulled the trigger. The NFC Glock pistol, with the Exhibit 2 device installed, fired both rounds automatically with a single function of the trigger. Finally, I inserted five rounds of ammunition into the pistol and pulled the trigger. The NFC Glock pistol, with the Exhibit 2 device installed, fired all five rounds automatically with a single function of the trigger. I repeated this test twice more with the same results.

Exhibit 2 successfully converted the semiautomatic NFC Glock pistol into a *machinegun*; therefore, Exhibit 2 is a *machinegun* as defined.

Conclusions:

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

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

Exhibit 1, containing the Exhibit 1A machinegun-conversion device, is also a **"machinegun"** as defined in 18 U.S.C. § 921(a)(24).

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

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

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

Exhibit 1A is also a **"machinegun"** as defined in 18 U.S.C. § 921(a)(24).

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

Exhibit 2 is a combination of parts designed and intended, for use in converting a weapon into a machinegun; therefore, Exhibit 2 is a **"machinegun"** as defined in 26 U.S.C. § 5845(b).

Being a machinegun, Exhibit 2 is also a **"firearm"** as defined in 26 U.S.C. § 5845(a)(6).

Exhibit 2 is also a **"machinegun"** as defined in 18 U.S.C. § 921(a)(23).

Exhibit 2 bears no NFA manufacturer's marks of identification or serial number as required by 26 U.S.C. § 5842.

Examined by:

(b)(6); (b)(7)(C)

Firearms Enforcement Officer, Chief
Firearms Field Response Branch - East

Reviewed by:

(b)(6); (b)(7)(C)

Firearms Technology Criminal Branch

Attachment: Six pages bearing photos and (copy) U.S. Patent 5,705,763

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.

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025

Exhibit 1



2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



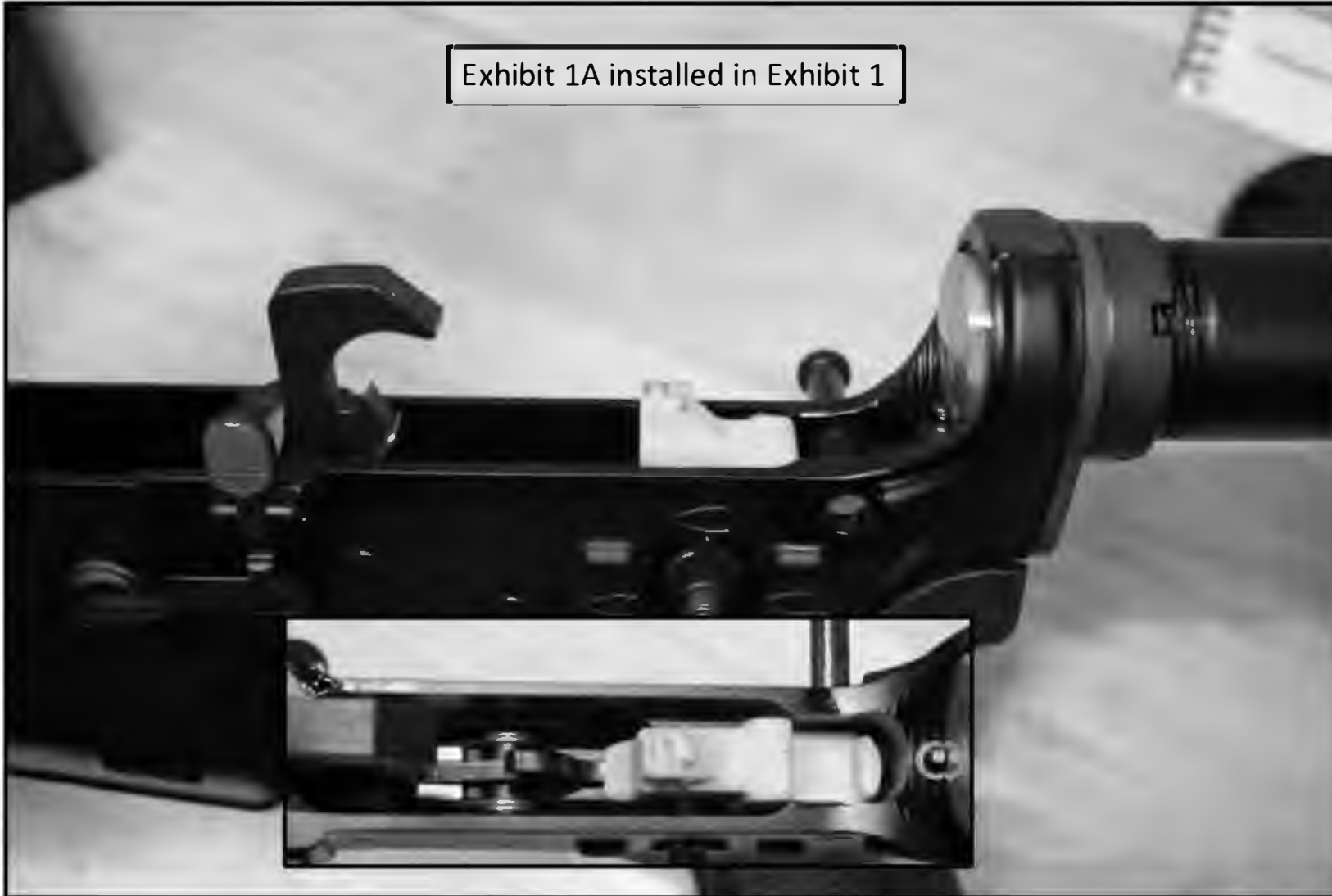
2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025

Exhibit 1A



2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025

Exhibit 1A installed in Exhibit 1



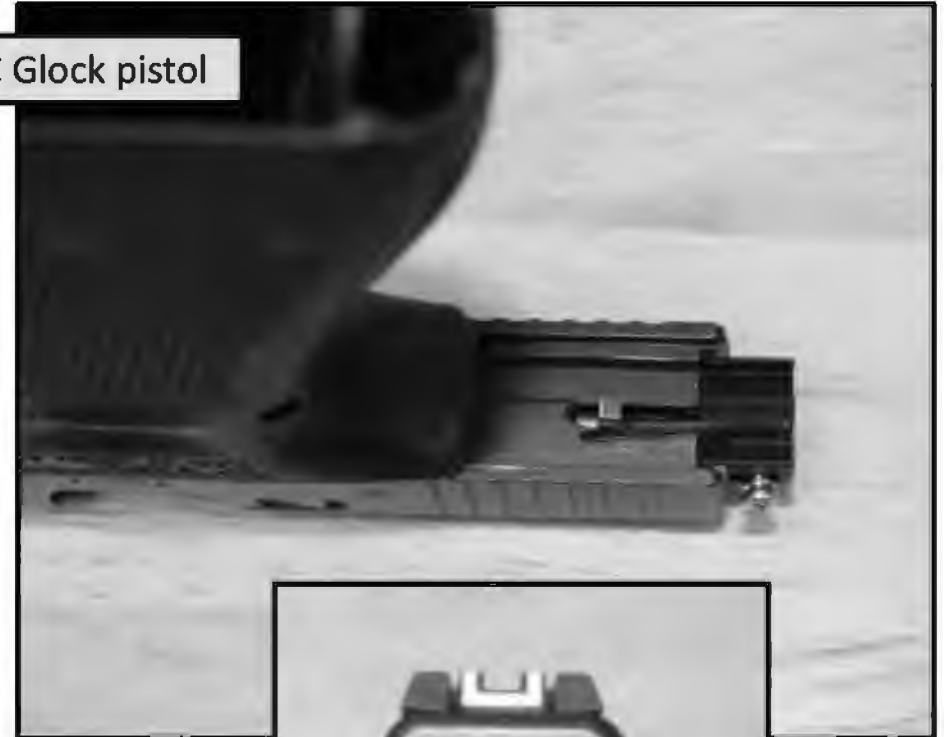
2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025

Exhibit 2



2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025

Exhibit 2 installed in the NFC Glock pistol



U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:

Special Agent [(b)(6); (b)(7)(C)]
Bureau of Alcohol, Tobacco, Firearms and Explosives
40 N Central
Ste 1000
Phoenix, AZ 85004

UI#: 785040-22-0069

RE: (b)(3):26 U.S.C. §§ 6103

FTCB#: 2022-1094- [(b)(6); (b)(7)(C)]
322246

Date Exhibit Received: 9/21/2022

Type of Examination Requested:

Delivered By: FedEx 7779 7521 3730

Examination, Test, Classification

Exhibit:

1. Česká Zbrojovka (CZ), model Scorpion EVO 3 S2, 9x19mm caliber firearm, serial number [(b)(6); (b)(7)(C)] (suspected machinegun).

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 and Ammunition 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: "**(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.**"

The GCA, 18 U.S.C. § 921(a)(7), defines "**rifle**" as: "**a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.**"

The GCA, 18 U.S.C. § 921(a)(8), defines "**short-barreled rifle**" as: "**... a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches.**"

The GCA, 18 U.S.C. § 921(a)(24), defines the term **"machinegun"** as: *"...has the meaning given such term in section 5845(b) of the National Firearms Act (26 U.S.C. 5845(b))."*

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 (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."*

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."*

The NFA, 26 U.S.C. § 5845(c), defines **"rifle"** as: *"... a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed cartridge."*

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."*

The GCA and NFA implementing regulations, 27 CFR § 478.11 and 27 CFR § 479.11, respectively, incorporate the statutory definition of **"rifle"** and include the following:

"(1) For purposes of this definition, the term "designed or redesigned, made or remade, and intended to be fired from the shoulder" shall include a weapon that is equipped with an accessory, component, or other rearward attachment (e.g., a "stabilizing brace") that provides surface area that allows the weapon to be fired from the shoulder, provided other factors, as described in paragraph (2), indicate that the weapon is designed, made, and intended to be fired from the shoulder."

(2) When a weapon provides surface area that allows the weapon to be fired from the shoulder, the following factors shall also be considered in determining whether the weapon is designed, made, and intended to be fired from the shoulder: (i) Whether the weapon has a weight or length consistent with the weight or length of similarly designed rifles; (ii) Whether the weapon has a length of pull, measured from the center of the trigger to the center of the shoulder stock or other rearward accessory, component or attachment (including an adjustable or telescoping attachment with the ability to lock into various positions along a buffer tube, receiver extension, or other attachment method), that is consistent with similarly designed rifles; (iii) Whether the weapon is equipped with sights or a scope with eye relief that require the weapon to be fired from the shoulder in order to be used as designed; (iv) Whether the surface area that allows the weapon to be fired from the shoulder is created by a buffer tube, receiver extension, or any other accessory, component, or other rearward attachment that is necessary for the cycle of operations; (v) The manufacturer's direct and indirect marketing and promotional materials indicating the intended use of the weapon; and (vi) Information demonstrating the likely use of the weapon in the general community."

Findings:

Exhibit 1 is a CZ, model Scorpion EVO 3 S2, 9x19mm caliber semiautomatic rifle, manufactured as a by CZ, in the Czech Republic, and subsequently imported by CZ-USA, in Kansas City, Kansas. No magazines were received with Exhibit 1.

I measured the overall length of Exhibit 1 by removing the muzzle device and placing the Exhibit on a flat surface and measuring the distance between the extreme ends along a line parallel to the center line of the bore. Additionally, I measured the barrel of Exhibit 1 by placing the Exhibit on a flat surface with the bolt closed. I then inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face. The Exhibit has an overall length of approximately 20.5 inches and contains a rifled barrel approximately 4 inches in length.

As received, the Exhibit is configured with the following attributes:

- Utilizes a detachable magazine
- Chambered in 9x19mm caliber
- Muzzle device (Faux Silencer)
- Magpul MOE grip
- "stabilizing brace" accessory
- M-Lok style handguard
- Magpul hand stop
- Franklin Armory BFS III S/N [REDACTED] (Binary Trigger)

My examination revealed the following markings:


Right side of receiver:

- (b)(3); 26 U.S.C. §§ 6103
- [REDACTED] (B)
- [REDACTED] (serial number)
- [REDACTED]

Left side of receiver:

- **CZ SCORPION EVO 3 S2**
- 

Right side of bolt:

- **9x19**
-  **19**
- [REDACTED]

Right side of grip:

- **MOE EVO**

Left side of grip:

- **MAGPUL**

Right side of trigger housing:

- **WARNING !**
- **READ MANUAL BEFORE USE**

Left side of Franklin Armory BFSIII trigger:

- **Franklin Armory®**
- **BFSIII™ for CZ**
- **Patent No. 9,952,012**
- **Patent No. 9,952,013**
- **S/N [REDACTED]**

Rear mount:

- **MANTICORE ARMS USA**

Rear of shouldering device:



My examination revealed that Exhibit 1 contains a three-position safety selector, allowing it to be placed in a third “binary” position. In the binary position, Exhibit 1 function tests in a “binary” fashion. With the selector in the “semiautomatic” position, the Exhibit field-tested as a semiautomatic firearm.

“Binary” triggers fire one shot when the trigger is pulled, and a second shot when the trigger is released. This is considered two separate functions of the trigger and not machinegun function. One round is fired with a single function when the trigger is pulled and one round is fired with a single function when the trigger is released; therefore, a binary trigger is not a machinegun as defined.

Franklin Armory BFSIII triggers are known to occasionally exhibit a "hammer follow" condition. "Hammer follow" is described as when the hammer is not retained by the disconnecter and follows the bolt as it feeds the cartridge into the chamber. Without the delay imparted by the disconnecter, the hammer fall is uncontrolled and may lack sufficient force to detonate the primer of the cartridge. Hammer follow firearms which shoot automatically are classified as "**machineguns**."

I noted that Exhibit 1 does not have a machinegun automatic sear installed as the trigger group is semiautomatic or binary. Additionally, the bolt group does not have a tripping surface.

I test-fired Exhibit 1 on June 6, 2023, at the ATF test range, in Martinsburg, West Virginia, using commercially available, Winchester brand, 9x19mm ammunition and a magazine from the ATF National Firearms Collection. I inserted a one-round ammunition load, placed the weapon on the semiautomatic setting and pulled the trigger. Exhibit 1 successfully expelled a projectile by the action of an explosive. I then inserted a two-round load and pulled the trigger; the Exhibit fired each round with a separate function of the trigger. Next, I inserted another two-round ammunition load, placed the weapon on the "binary" setting, and pulled the trigger. Exhibit 1 fired a single round of ammunition on the pull of the trigger, and a second round when the trigger was released. This is considered two separate functions of the trigger, and not automatic fire. I then inserted a three-round ammunition load into Exhibit 1 and pulled the trigger. Exhibit 1 fired a single round for each pull of the trigger and a single round for each release of the trigger. I repeated this three-round sequence two additional times, achieving the same result. During the entire test-fire, the Exhibit 1 firearm did not fire automatically. As received, Exhibit 1 is not a machinegun as defined.

Regardless of the trigger function of Exhibit 1, the following factors set forth in the implementing regulations must be applied to determine whether a firearm is "*designed or redesigned, made or remade, and intended to be fired from the shoulder.*" These factors have been applied to Exhibit 1 as follows:

Rear Surface Area

The Exhibit incorporates a "stabilizing brace" which is installed on the rear of the receiver. The "stabilizing brace" provides surface area that allows the weapon to be fired from the shoulder. By way of comparison, many other pistol caliber carbine weapons sold as rifles are nearly identical to the Exhibit although with traditional shoulder stocks in place of the "stabilizing brace". There is little difference between the surface area of a traditional stock and the "stabilizing brace". *[reference picture on page 6 of the attachment]*

Weight or length consistent with the weight or length of similarly designed rifles.

The Exhibit has an approximated weight of 5 pounds and 13.34 ounces (90.34oz), an overall length of approximately 20.5 inches, and a barrel length of approximately 4 inches. The overall length and weight of the Exhibit is consistent with other pistol caliber rifles, examples being the Sig Sauer Inc, model MPX, and Heckler & Koch model MP5, which are known rifle and sub-machinegun designs from other firearms manufacturers. *[reference pictures on pages 4,5, and 7 of the attachment]*

Length of pull and adjustability of the component or attachment.

The Exhibit incorporates a proprietary receiver mount allowing the attachment of adjustable rails that mount the "stabilizing brace" creating a length of pull consistent with rifles of similar design. The design of the adjustable rails and mount allows horizontal adjustment of shoulder stocks allowing the shoulder stock to lock into position, preventing the stock from sliding along its track when firing the weapon from the shoulder. This feature is common with adjustable shoulder stocks, which lock a firearm stock in place to allow an individual to place pressure on the rear shouldering surface of the accessory when firing the weapon. The use of the adjustable rails to attach the "stabilizing brace", allows the length of pull to be adjusted to approximately 13 inches, similar to traditional rifle length of pull, and demonstrates that the rear surface area provided by the "stabilizing brace" is intended to be pressed against the shooter's shoulder and is objective evidence that the submitted firearm is designed and intended to be fired from the shoulder. [reference pictures on pages 5 of the attachment]

Whether the weapon is equipped with sights or a scope with eye relief that require the weapon to be fired from the shoulder in order to be used as designed.

The Exhibit is not equipped with sights.

Whether the surface area that allows the weapon to be fired from the shoulder is created by a buffer tube, receiver extension, or any other accessory, component, or other rearward attachment that is necessary for the cycle of operations.

The surface area on the Exhibit allowing the weapon to be fired from the shoulder is created by the "stabilizing brace" and not a receiver extension or "buffer tube" that is necessary for the cycle of operation of the firearm. That is, the rear surface area of the "stabilizing brace" is not required for the cycle of operations of this rifle rather it is merely mounted on the functional component part. Additionally, the mount that attaches the "stabilizing brace" to the firearm is not necessary for the function of the firearm and also creates additional rear surface area.

The manufacturer's direct and indirect marketing and promotional materials indicating the intended use of the weapon.

No marketing materials indicating intended use were available at the time of evaluation.

Information demonstrating the likely use of the weapon in the general community.

As explained in the publication of the current regulation in the Federal Register, weapons utilizing the "stabilizing braces" are routinely fired from the shoulder and applied "rifle" features, including length of pull. In addition to this, numerous examples of the Exhibit's ability (or similarly manufactured pistol caliber firearms) to be fired from the shoulder are found online and in printed publications. One example being found at: <https://www.youtube.com/watch?v=lgG0KEqOwh4> [reference picture on page 8 of the attachment]

Examination of Exhibit 1 has determined that the Exhibit is a weapon, equipped with an accessory featuring surface area that allows the weapon to be fired from the shoulder. This along with other factors, as described in paragraph (2) of the regulatory definition, indicates that the weapon is designed, made, and intended to be fired from the shoulder. Therefore, based on the statutory and regulatory definitions as discussed; the Exhibit is a **"rifle."** Additionally, because the barrel length of this firearm is under 16 inches, it is classified as a **"firearm"** as defined in the NFA, 26 U.S.C. § 5845(a)(3).

Conclusions:

On January 13, 2023, the Attorney General signed ATF final rule, 2021R-08F, *"Factoring Criteria for Firearms with Attached 'Stabilizing Braces,'"* amending the regulations to clarify when a rifle is designed, made, and intended to be fired from the shoulder. The Final Rule became effective on January 31, 2023. The Exhibit was seized prior to the effective date of the final rule and therefore may have a different classification and conclusion under the regulatory definitions in effect on the date of seizure. The classification and conclusions reached in this report are based on the current regulations.

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

Exhibit 1, being a rifle having a barrel of less than 16 inches in length, is a **"short-barreled rifle"** as defined in 18 U.S.C. § 921(a)(8).

Exhibit 1, being a rifle having a barrel of less than 16 inches in length, is a **"firearm"** as defined in 26 U.S.C. § 5845(a)(3).

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

Examined By:

Approved By:

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Firearms Enforcement Officer, Chief
Firearms Field Response Branch - East

Attachment: Eight pages bearing photographs.

This Field Response 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.

785040-22-0069 Exhibit 1

2025-00885 00000135976 "UNCLASSIFIED" 6/2/2025



Exhibit 1 Markings

2025-00885 00000139576

"UNCLASSIFIED"

6/2/2025

785040-22-0069

2022-1094-

Page 2



Exhibit 1 Markings Continued

2025-00885 00000-39378 UNCLASSIFIED 6/2/2025



Exhibit 1 Overall and Barrel Length Comparison



6/2/2025



U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:

Special Agent [(b)(6); (b)(7)(C)]
Bureau of Alcohol, Tobacco, Firearms and Explosives
425 West Capitol Ave.
Suite 775
Littlerock, AR 72201

UI#: 777025-20-0221

RE: [(b)(6); (b)(7)(C)] (Hot Springs)

FTCB#: 2021-233- [(b)(6); (b)(7)(C)]
315970

Date Exhibits Received: 2/03/2021

Type of Examination Requested:

Delivered By: FedEx 7727 9468 3622

Examination, Test, Classification

Exhibits:

1. Bear Creek Arsenal, model BCA-15, 5.56mm caliber firearm, serial number [(b)(6); (b)(7)(C)] (suspected SBR).
2. Bear Creek Arsenal, model BCA-15, 7.62x39mm caliber firearm, serial number [(b)(6); (b)(7)(C)] (suspected AOW).
3. Bear Creek Arsenal, model BCA-15, 7.62x39mm caliber firearm, serial number [(b)(6); (b)(7)(C)] (suspected AOW).
4. Bear Creek Arsenal, model BCA-15, 7.62x39mm caliber firearm, serial number [(b)(6); (b)(7)(C)] (suspected SBR).

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 and Ammunition 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.”

27 CFR § 479.11, defines the term “pistol” as: ... A weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral

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

The GCA, 18 U.S.C. § 921(a)(7), defines "**rifle**" as "... a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger."

The GCA, 18 U.S.C. § 921(a)(8), defines the term "**short-barreled rifle**" to mean: "...a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches..."

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 (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."

The NFA 26 U.S.C. § 5845(e) defines the term "**any other weapon**" to mean: "**any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive**, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or a revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition."

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."

The GCA and NFA implementing regulations, 27 CFR § 478.11 and 27 CFR § 479.11, respectively, incorporate the statutory definition of "rifle" and include the following:

(1) For purposes of this definition, the term “designed or redesigned, made or remade, and intended to be fired from the shoulder” shall include a weapon that is equipped with an accessory, component, or other rearward attachment (e.g., a “stabilizing brace”) that provides surface area that allows the weapon to be fired from the shoulder, provided other factors, as described in paragraph (2), indicate that the weapon is designed, made, and intended to be fired from the shoulder.

(2) When a weapon provides surface area that allows the weapon to be fired from the shoulder, the following factors shall also be considered in determining whether the weapon is designed, made, and intended to be fired from the shoulder: (i) Whether the weapon has a weight or length consistent with the weight or length of similarly designed rifles; (ii) Whether the weapon has a length of pull, measured from the center of the trigger to the center of the shoulder stock or other rearward accessory, component or attachment (including an adjustable or telescoping attachment with the ability to lock into various positions along a buffer tube, receiver extension, or other attachment method), that is consistent with similarly designed rifles; (iii) Whether the weapon is equipped with sights or a scope with eye relief that require the weapon to be fired from the shoulder in order to be used as designed; (iv) Whether the surface area that allows the weapon to be fired from the shoulder is created by a buffer tube, receiver extension, or any other accessory, component, or other rearward attachment that is necessary for the cycle of operations; (v) The manufacturer’s direct and indirect marketing and promotional materials indicating the intended use of the weapon; and (vi) Information demonstrating the likely use of the weapon in the general community.

Findings:

Exhibit 1 is a 5.56mm caliber firearm utilizing a receiver manufactured in a semiautomatic configuration by Bear Creek Arsenal in Sanford, NC.

I measured the overall length of Exhibit 1 by placing it on a flat surface (with the muzzle device removed) and measured the distance between the extreme ends along a line parallel to the centerline of the bore. Additionally, I measured the barrel by placing the Exhibit on a flat surface and then closing the bolt. I then inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face.

As examined, the Exhibit is configured with the following attributes:

- Semiautomatic operation
- Utilizes a detachable magazine
- Muzzle device
- Chambered in 5.56mm caliber
- Mil-Spec length, tube style receiver extension (commonly referred to as a “buffer tube”)
- Guntec Micro Breach “stabilizing brace” accessory installed onto receiver extension
- M-Lok style handguard
- Flip up sights
- Forward grip
- Barrel length: approximately 7.5 inches, with a rifled bore
- Overall length: approximately 22.00 inches

The following factors set forth in the implementing regulations must be applied to determine whether a firearm is *“designed or redesigned, made or remade, and intended to be fired from the shoulder.”* These factors have been applied to Exhibit 1 as follows:

Rear Surface Area

The Exhibit incorporates a Guntec Micro Breach “stabilizing brace” accessory which is installed on the receiver extension. The Micro Breach provides surface area that allows the weapon to be fired from the shoulder. By way of comparison, many other AR-type weapons sold as rifles are nearly identical to the Exhibit although with traditional shoulder stocks in place of the Micro Breach accessory. There is little difference between the surface area of a traditional AR-type telescoping stock and the Micro Breach brace [reference photos on page 4 of the attachment].

Weight or length consistent with the weight or length of similarly designed rifles.

The Exhibit has a manufacturer approximated weight of 6.4 pounds, an overall length of approximately 22 inches, and a barrel length of approximately 7.5 inches. Further, a barrel length of 7.5 inches is within a range common to AR-type carbines (rifles), i.e., lighter weight rifles with shorter barrels. The overall length and weight of the Exhibit is consistent with other AR-type rifles, examples being the Colt SMG and LWRC M6, which are known rifle designs from other firearms manufacturers [reference photos on page 1 and 2 of the attachment].

Length of pull and adjustability of the component or attachment.

The Exhibit incorporates a Mil-Spec length (i.e., rifle) receiver extension creating a length of pull of approximately 10.25 inches. This is consistent with rifles of similar design. Carbine receiver extensions are designed to facilitate the attachment of a collapsible shoulder stock. Carbine receiver extensions allow horizontal adjustment of shoulder stocks allowing the shoulder stock to lock into position preventing the stock from sliding along the receiver extension when firing the weapon from the shoulder. This feature is common with adjustable shoulder stocks, which lock a firearm stock in place to allow an individual to place pressure on the rear shouldering surface of the accessory when firing the weapon. The use of the carbine length receiver extension to attach the Micro Breach accessory, and thereby allowing the Micro Breach to be adjusted to a shooter’s preferred length of pull—and that the design of the Micro Breach permits this—demonstrates that the rear surface area provided by the Micro Breach is intended to be pressed against the shooter’s shoulder and is objective evidence that the submitted firearm is designed and intended to be fired from the shoulder. [reference photos on page 5 of the attachment].

Whether the weapon is equipped with sights or a scope with eye relief that require the weapon to be fired from the shoulder in order to be used as designed.

The Exhibit is equipped with flip up rifle style sights. When using flip up style sights as designed, the shooter must align the front sight post with the rear sight aperture. When held with an extended arm, the rear aperture is too small and distorted to effectively use as designed. For these sights to be used correctly the Exhibit must be shouldered. [reference photos on page 1, 2, and 6 of the attachment].

Whether the surface area that allows the weapon to be fired from the shoulder is created by a buffer tube, receiver extension, or any other accessory, component, or other rearward attachment that is necessary for the cycle of operations.

The surface area on the Exhibit allowing the weapon to be fired from the shoulder is created by the Micro Breach and not a buffer tube or receiver extension that is necessary for the cycle of operation of the firearm. That is, the rear surface area of the Micro Breach is not required for the cycle of operations of this rifle rather it is merely mounted on the functional component part. *[reference photos on page 4 of the attachment]*

The manufacturer's direct and indirect marketing and promotional materials indicating the intended use of the weapon.

No marketing materials indicating intended use were available at the time of evaluation.

Information demonstrating the likely use of the weapon in the general community.

As explained in the publication of the current regulation in the Federal Register, weapons utilizing braces of this design are routinely fired from the shoulder and applied "rifle" features, including length of pull. In addition to this, numerous examples of the Exhibits ability (or similarly manufactured AR-type firearms) to be fired from the shoulder are found online and in printed publications. One example being found at <https://youtu.be/8Bh5krH-u6U> *[reference photo on page 7]*.

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

Left side of receiver:

- **Bear Creek Arsenal**
- **Sanford, NC**
- **BCA15** (model)
- **Multi Caliber**
- **S/N** (b)(6); (b)(7)(C) (serial number)
-



Top of barrel:

- **5.56 NATO**

I test fired Exhibit 1, on March 7, 2023, at the ATF test range, Martinsburg, West Virginia, using commercially available, Federal .223 Remington caliber ammunition and a compatible magazine from the National Firearms Collection (NFC). I inserted one round of ammunition into the magazine, loaded Exhibit 1 and pulled the trigger, Exhibit 1 successfully expelled a single projectile by the action of an explosive. I then inserted two rounds of ammunition into the magazine, loaded Exhibit 1 and pulled the trigger. Exhibit 1 fired each round by a single function of the trigger.

Next, I inserted three rounds of ammunition into the magazine, loaded Exhibit 1 and pulled the trigger. Exhibit 1 fired each round by a single function of the trigger. At no time during testing did the Exhibit fire automatically.

Examination of Exhibit 1 has determined that the Exhibit is a weapon, equipped with an accessory featuring surface area that allows the weapon to be fired from the shoulder. This along with other factors, as described in paragraph (2) of the regulatory definition, indicates that the weapon is designed, made, and intended to be fired from the shoulder. Therefore, based on the statutory and regulatory definitions as discussed, this Exhibit is a "rifle." Additionally, because the barrel length of this firearm is under 16 inches, it is classified as a "firearm" as defined in the NFA, 26 U.S.C. § 5845(a)(3).

Exhibit 2 is a 7.62x39mm caliber firearm utilizing a receiver manufactured in a semiautomatic configuration by Bear Creek Arsenal in Sanford, NC. The Exhibit has an overall length of approximately 22 inches, a rifled barrel approximately 7.5 inches in length, and is fitted with a backup iron sights, picatinny forearm, forward grip, and a muzzle device.

I measured the overall length of Exhibit 2 by placing it on a flat surface (with the muzzle device removed) and measured the distance between the extreme ends along a line parallel to the centerline of the bore. Additionally, I measured the barrel by placing the Exhibit on a flat surface and then closing the bolt. I then inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face.

During my examination, I observed the following external markings on Exhibit 2:

Left side of receiver:

- **Bear Creek Arsenal**
- **Sanford, NC**
- **BCA15** (model)
- **Multi Caliber**
- **S/N:** (b)(6); (b)(7)(C) (serial number)
-



Top of barrel:

- **7.62x39 1:10 USA**

Due to the attachment of the "forward grip," Exhibit 2 is not designed to be fired when held in one hand. Therefore, it is not considered to be a "pistol" as defined and is classified instead as an "any other weapon" as defined in the NFA.

I test fired Exhibit 2, on March 07, 2023, at the ATF test range, Martinsburg, West Virginia, using commercially available, Federal 7.62x39mm caliber ammunition and a compatible magazine from the NFC. I inserted one round of ammunition into the magazine, loaded Exhibit 2 and pulled the trigger, Exhibit 2

successfully expelled a single projectile by the action of an explosive. I then inserted two rounds of ammunition into the magazine, loaded Exhibit 2 and pulled the trigger. Exhibit 2 fired each round by a single function of the trigger.

Next, I inserted three rounds of ammunition into the magazine, loaded Exhibit 2 and pulled the trigger. Exhibit 2 fired each round by a single function of the trigger. At no time during testing did the Exhibit fire automatically.

Exhibit 2 is a weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive and does not meet any of the exception criteria detailed in 26 U.S.C. § 5845(e); therefore, it is an **"any other weapon"** as defined under the NFA.

Exhibit 3 is a 7.62x39mm caliber firearm utilizing a receiver manufactured in a semiautomatic configuration by Bear Creek Arsenal in Sanford, NC. The Exhibit has an overall length of approximately 22 inches, a rifled barrel approximately 7.5 inches in length, and is fitted with a backup iron sights, picatinny forearm, forward grip, and a muzzle device.

I measured the overall length of Exhibit 3 by placing it on a flat surface (with the muzzle device removed) and measured the distance between the extreme ends along a line parallel to the centerline of the bore. Additionally, I measured the barrel by placing the Exhibit on a flat surface and then closing the bolt. I then inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face.

During my examination, I observed the following external markings on Exhibit 3:

Left side of receiver:

- **Bear Creek Arsenal**
- **Sanford, NC**
- **BCA15** (model)
- **Multi Caliber**
- **S/N:** (b)(6); (b)(7)(C) (serial number)



Top of barrel:

- **7.62x39 1:10 USA**

Due to the attachment of the "forward grip," Exhibit 3 is not designed to be fired when held in one hand. Therefore, it is not considered to be a **"pistol"** as defined and is classified instead as an **"any other weapon"** as defined in the NFA.

I test fired Exhibit 3, on March 08, 2023, at the ATF test range, Martinsburg, West Virginia, using commercially available, Federal 7.62x39mm caliber ammunition and a compatible magazine from the NFC. I inserted one round of ammunition into the magazine, loaded Exhibit 3 and pulled the trigger, Exhibit 3

successfully expelled a single projectile by the action of an explosive. I then inserted two rounds of ammunition into the magazine, loaded Exhibit 3 and pulled the trigger. Exhibit 3 fired each round by a single function of the trigger.

Next, I inserted three rounds of ammunition into the magazine, loaded Exhibit 3 and pulled the trigger. Exhibit 3 fired each round by a single function of the trigger. At no time during testing did the Exhibit fire automatically.

Exhibit 3 is a weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive and does not meet any of the exception criteria detailed in 26 U.S.C. § 5845(e); therefore, it is an **"any other weapon"** as defined under the NFA.

Exhibit 4 is a 7.62x39mm caliber firearm utilizing a receiver manufactured in a semiautomatic configuration by Bear Creek Arsenal in Sanford, NC.

I measured the overall length of Exhibit 4 by placing it on a flat surface (with the muzzle device removed) and measured the distance between the extreme ends along a line parallel to the centerline of the bore. Additionally, I measured the barrel by placing the Exhibit on a flat surface and then closing the bolt. I then inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face.

As examined, the Exhibit is configured with the following attributes:

- Semiautomatic operation
- Utilizes a detachable magazine
- Muzzle device
- Chambered in 7.62x39mm caliber
- Mil-Spec length, tube style receiver extension (commonly referred to as a "buffer tube")
- Guntec Micro Breach "stabilizing brace" accessory installed onto receiver extension
- M-Lok style handguard
- Forward grip
- Barrel length: approximately 7.5 inches, with a rifled bore
- Overall length: approximately 22.00 inches

The following factors set forth in the implementing regulations must be applied to determine whether a firearm is *"designed or redesigned, made or remade, and intended to be fired from the shoulder."* These factors have been applied to Exhibit 4 as follows:

Rear Surface Area

The Exhibit incorporates a Guntec Micro Breach "stabilizing brace" accessory which is installed on the receiver extension. The Micro Breach provides surface area that allows the weapon to be fired from the shoulder. By way of comparison, many other AR-type weapons sold as rifles are nearly identical to the Exhibit although with traditional shoulder stocks in place of the Micro Breach accessory. There is little difference between the surface area of a traditional AR-type telescoping stock and the Micro Breach brace [reference photos on page 17 of the attachment].

Weight or length consistent with the weight or length of similarly designed rifles.

The Exhibit has a manufacturer approximated weight of 6.6 pounds, an overall length of approximately 22 inches, and a barrel length of approximately 7.5 inches. Further, a barrel length of 7.5 inches is within a range common to AR-type carbines (rifles), i.e., lighter weight rifles with shorter barrels. The overall length and weight of the Exhibit is consistent with other AR-type rifles, examples being the Colt SMG and LWRC M6, which are known rifle designs from other firearms manufacturers [reference photos on page 14 and 15 of the attachment].

Length of pull and adjustability of the component or attachment.

The Exhibit incorporates a Mil-Spec length (i.e., rifle) receiver extension creating a length of pull of approximately 10.25 inches. This is consistent with rifles of similar design. Carbine receiver extensions are designed to facilitate the attachment of a collapsible shoulder stock. Carbine receiver extensions allow horizontal adjustment of shoulder stocks allowing the shoulder stock to lock into position preventing the stock from sliding along the receiver extension when firing the weapon from the shoulder. This feature is common with adjustable shoulder stocks, which lock a firearm stock in place to allow an individual to place pressure on the rear shouldering surface of the accessory when firing the weapon. The use of the carbine style receiver extension to attach the Micro Breach accessory, and thereby allowing the Micro Breach to be adjusted to a shooter's preferred length of pull—and that the design of the Micro Breach permits this—demonstrates that the rear surface area provided by the Micro Breach is intended to be pressed against the shooter's shoulder and is objective evidence that the submitted firearm is designed and intended to be fired from the shoulder. [reference photos on page 18 of the attachment].

Whether the weapon is equipped with sights or a scope with eye relief that require the weapon to be fired from the shoulder in order to be used as designed.

The Exhibit is equipped with red dot style optic and accessories positioned for use while shouldering the rifle. [reference photos on page 14, 15, and 19 of the attachment].

Whether the surface area that allows the weapon to be fired from the shoulder is created by a buffer tube, receiver extension, or any other accessory, component, or other rearward attachment that is necessary for the cycle of operations.

The surface area on the Exhibit allowing the weapon to be fired from the shoulder is created by the Micro Breach and not a buffer tube or receiver extension that is necessary for the cycle of operation of the firearm. That is, the rear surface area of the Micro Breach is not required for the cycle of operations of this rifle rather it is merely mounted on the functional component part. [reference photos on page 14, 15, and 17 of the attachment].

The manufacturer's direct and indirect marketing and promotional materials indicating the intended use of the weapon.

No marketing materials indicating intended use were available at the time of evaluation.

Information demonstrating the likely use of the weapon in the general community.

As explained in the publication of the current regulation in the Federal Register, weapons utilizing braces of this design are routinely fired from the shoulder and applied "rifle" features, including length of pull. In addition to this, numerous examples of the Exhibits ability (or similarly manufactured AR-type firearms) to be fired from the shoulder are found online and in printed publications. One example being found at <https://youtu.be/8Bh5krH-u6U> [reference photo on page 20].

During my examination, I observed the following external markings on Exhibit 4:

Left side of receiver:

- **Bear Creek Arsenal**
- **Sanford, NC**
- **BCA15** (model)
- **Multi Caliber**
- **S/N:** (b)(6); (b)(7)(C) (serial number)

•



Top of barrel:

- **7.62x39 1:10 USA**

I test fired Exhibit 4, on March 08, 2023, at the ATF test range, Martinsburg, West Virginia, using commercially available, Federal 7.62x39mm caliber ammunition and a compatible magazine from the NFC. I inserted one round of ammunition into the magazine, loaded Exhibit 4 and pulled the trigger, Exhibit 4 successfully expelled a single projectile by the action of an explosive. I then inserted two rounds of ammunition into the magazine, loaded Exhibit 4 and pulled the trigger. Exhibit 4 fired each round by a single function of the trigger.

Next, I inserted three rounds of ammunition into the magazine, loaded Exhibit 4 and pulled the trigger. Exhibit 4 fired each round by a single function of the trigger. At no time during testing did the Exhibit fire automatically.

Examination of Exhibit 4 has determined that the Exhibit is a weapon, equipped with an accessory featuring surface area that allows the weapon to be fired from the shoulder. This along with other factors, as described in paragraph (2) of the regulatory definition, indicates that the weapon is designed, made, and intended to be fired from the shoulder. Therefore, based on the statutory and regulatory definitions as discussed, this Exhibit is a "rifle." Additionally, because the barrel length of this firearm is under 16 inches, it is classified as a "firearm" as defined in the NFA, 26 U.S.C. § 5845(a)(3).

Conclusions:

On January 13, 2023, the Attorney General signed ATF final rule, 2021R-08F, "*Factoring Criteria for Firearms with Attached 'Stabilizing Braces,'*" amending the regulations to clarify when a rifle is designed, made, and intended to be fired from the shoulder. The Final Rule became effective on January 31, 2023. The Exhibit was seized prior to the effective date of the final rule and therefore may have a different classification and conclusion under the regulatory definitions in effect on the date of seizure. The classification and conclusions reached in this report are based on the current regulations.

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

Exhibit 1, being a rifle having a barrel of less than 16 inches in length, is a "**short barreled rifle**" as defined in 18 U.S.C. § 921(a)(8).

Exhibit 1 being a rifle with a barrel of less than 16 inches in length, is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(3).

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

Exhibit 2 is a weapon capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, and not being a pistol, is an "**any other weapon**" as defined in 26 U.S.C. § 5845(e).

Exhibit 2, being an "any other weapon," is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(5).

Exhibit 2 is a weapon which will expel a projectile by the action of an explosive and contains the receiver of such a weapon; therefore, Exhibit 2 is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 2 bears no NFA manufacturers marks of identification or serial number as required by 26 U.S.C. § 5842.

Exhibit 3 is a weapon capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, and not being a pistol, is an "**any other weapon**" as defined in 26 U.S.C. § 5845(e).

Exhibit 3, being an "any other weapon," is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(5).

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

Exhibit 3 bears no NFA manufacturers marks of identification or serial number as required by 26 U.S.C. § 5842.

Exhibit 4, is a weapon which will expel a projectile by the action of an explosive and contains the receiver of such a weapon; therefore, Exhibit 4 is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 4, being a rifle having a barrel of less than 16 inches in length, is a “**short barreled rifle**” as defined in 18 U.S.C. § 921(a)(8).

Exhibit 4 being a rifle with a barrel of less than 16 inches in length, is a “**firearm**” as defined in 26 U.S.C. § 5845(a)(3).

Exhibit 4 contains no NFA markings of identification or serial number as required by 26 U.S.C § 5842.

Examined by:

(b)(6); (b)(7)(C)

Approved by:

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Chief, Firearms Technology Criminal Branch

Attachment: 20 pages bearing photographs

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 1

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025



Exhibit 1

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025



Exhibit 1 Markings

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

UI#: 777025-20-0221

RE:

(b)(6); (b)(7)(C)

FTCB#: 2021-233

(b)(6);
(b)(7)(C)

3 of 20



Exhibit 1

UI#: 777025-20-0221
RE: (b)(6); (b)(7)(C)
FTCB#: 2021-233
Page#: 4 of 20
(b)(6); (b)(7)(C)

2025-00885 00000135 "UNCLASSIFIED" 6/2/2025



Surface area provided by brace accessory for shouldering the rifle

2025-00885 00000139 6/2/2025

Exhibit 1



Exhibit 1 LOP consistent with other short barreled rifles

Exhibit 1

UI#: 777025-20-0221
RE: (b)(6); (b)(7)(C)
FTCB#: 2021-233 (b)(6); (b)(7)(C)
6 of 20

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



Rifle style, flip up 45-degree, offset sights.

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025

Screen shot captured from <https://youtu.be/8Bh5krH-u6U>



Exhibit 2

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



Exhibit 2

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



Exhibit 2 Markings

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

RE:

UI#: 777025-20-0221

(b)(6); (b)(7)(C)

FTCB#: 2021-2331

(b)(6); (b)(7)(C)

10 of 20



Exhibit 3

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



(b)(6);
(b)(7)(C)

Exhibit 3

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



Exhibit 3 Markings

UI#: 777025-20-0221
RE: (b)(5); (b)(7)(C)
FTCB#: 2021-233 (b)(6);
13 of 20

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025



Exhibit 4

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



Exhibit 4

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025



Exhibit 4 Markings

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

UI#: 777025-20-0221

RE:

(b)(6); (b)(7)(C)

FTCB#: 2021-233

(b)(6);
(b)(7)(C)

16 of 20



Exhibit 4

2025-00885 00000139576 "UNCLASSIFIED" 6/2/2025



Surface area provided by brace accessory for shouldering the rifle

2025-00885 00000139 16 6/2/2025

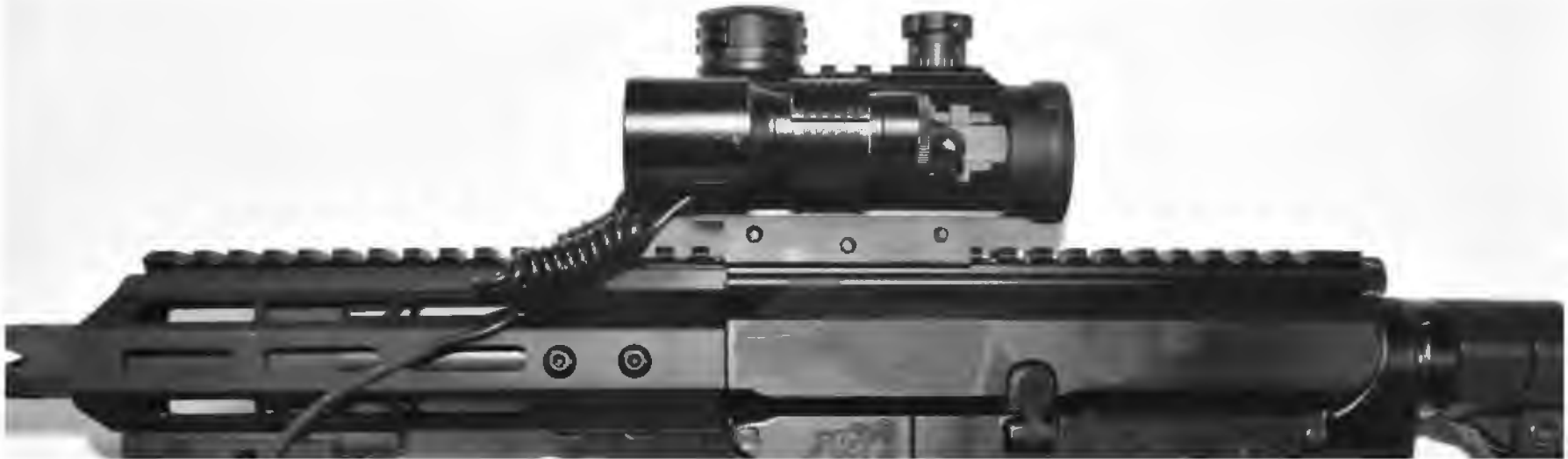
Exhibit 4



Exhibit 4 LOP consistent with other short barreled rifles

Exhibit 4

2025-00885 00000139 6/2/2025



Red dot style optic positioned for use while shouldering the rifle

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

Screen shot captured from <https://youtu.be/8Bh5krH-u6U>



U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:

Special Agent [(b)(6); (b)(7)(C)]
Bureau of Alcohol, Tobacco, Firearms and Explosives
200 Granby Street
Suite 339
Norfolk, VA 23510

Date: 07/29/2021

UI#: 768025-21-0036

RE: FBI Seized Weapon –
NFA Classification

FTCB#: 2021-476- [(b)(6); (b)(7)(C)]
316698

Date Exhibits Received: 5/12/2021

Delivered By: Fed Ex 7736 7578 9827

Type of Examination Requested:

Examination, Test, Classification

Exhibits:

1. Aero Precision, model M4E1, .300 Blackout caliber firearm bearing serial number [(b)(6); (b)(7)(C)] (suspected short barreled rifle).

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

“... (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....”

Also, the GCA, as amended, defines "rifle" in part, as

"...a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger." (See 18 U.S.C. § 921(a)(7).)

Additionally, the GCA, 18 U.S.C. § 921(a)(8), defines "short-barreled rifle" to mean:

"... a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches."

The National Firearms Act of 1934 (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."

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 1 is a .300 Blackout caliber firearm manufactured by an unknown person in an undetermined location utilizing a receiver manufactured by Aero Precision in Tacoma, Washington. The Exhibit is equipped with optics, a secondary forward grip/bi-pod, a standard 7-1/4 inch receiver extension, a pistol stabilizing brace (possible shouldering device), and a muzzle device.

The device installed on the receiver extension of Exhibit 1 is approximately 6-1/4 inches in length and approximately 2 inches at its maximum width. The butt of the device has a split at the bottom that has two flaps approximately 2-1/2 inches in length and is wrapped with a velcro strap. The manufacturers stated purpose for the split is as follows; the shooter places their forearm in the split and then wraps the velcro strap around the

forearm securing it to the device. However, the velcro strap is too short to wrap around the forearm and secure the forearm to the device.

I also noted that when the item was received, the velcro strap was so tightly wrapped around the flaps that the butt of the device was more rigid allowing for better shouldering.

The device is designed to fit all pistols equipped with a standard AR-15 pistol buffer tube (approximately 5 inches in length). Exhibit 1 incorporates a standard 7-1/4 inch receiver extension, and the device installed in the receiver extension does not incorporate any design features that preclude or discourage shouldering the Exhibit.

Exhibit 1 is also equipped with a secondary forward grip, and, as such, it is not designed to be held and fired by the use of a single hand. Therefore, the device, regardless of the manufacturers stated intent, is being used as the shouldering device for Exhibit 1. This indicates that Exhibit 1 is designed and intended to be fired from the shoulder. As received, Exhibit 1 is a weapon designed and intended to be fired from the shoulder and contains a rifled barrel; therefore, Exhibit 1 is configured as a *rifle*.

Exhibit 1 has a rifled barrel with a length of approximately 7-5/8 inches and an overall length of approximately 24-5/8 inches. I measured the overall length of Exhibit 1 by placing the Exhibit on a flat surface and measuring the distance between the extreme ends along a line parallel to the center line of the bore with the muzzle device removed. Additionally, I measured the barrel of Exhibit 1 by placing the Exhibit on a flat surface with the muzzle device removed and then closing the bolt and inserting a cylindrical scale into the muzzle of the barrel until it touched the bolt face. Being a rifle having a barrel of less than 16 inches in length, Exhibit 1 is also a *short-barreled rifle* as defined.

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

On the left side of the receiver

- **MOD M4E1**
- **CAL MULTI**
- [(b)(6); (b)(7)(C)] *[serial number]*
- **AERO PRECISION LLC**
- **TACOMA, WA**

On the right side of the receiver



Conclusions:

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

Exhibit 1, being a rifle having a barrel of less than 16 inches in length, is a **"short-barreled rifle"** as defined in 18 U.S.C. § 921(a)(8).

Being a "rifle having a barrel less than sixteen inches in length," Exhibit 1 is also a **"firearm"** as defined in 26 U.S.C. § 5845(a)(3).

Exhibit 1 bears no NFA manufacturer's marks of identification as required by 26 U.S.C. § 5842.

Examined by:

Approved By:

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Firearms Technology Criminal Branch

Attachment: Nine pages bearing photos.

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 1



Exhibit 1



Exhibit 1 markings



Exhibit 1 markings



768025-21-0036 2021-476 [REDACTED]

Exhibit 1 shouldering device markings



Exhibit 1 muzzle device



Exhibit 1 muzzle device disassembled



Exhibit 1 muzzle device



Exhibit 1 barrel measurement



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

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:
Special Agent (b)(6); (b)(7)(C)
Bureau of Alcohol, Tobacco, Firearms and Explosives
1011 Boulder Springs Drive
Suite #300
Chesterfield, VA 23225

Date: JUN 15 2020

UI#: 768030-18-0008

RE: Technical Assistance to
FBI

FTCB#: 2020-487- (b)(6); (b)(7)(C)
314200

Date Exhibits Received: 5/29/2020

Type of Examination Requested:

Delivered By: FedEx 7705 6518 9482

Examination, Test, Classification

Exhibits:

1. Q LLC, model Honey Badger, .300 BLK caliber, AR-type firearm, serial number (b)(6); (b)(7)(C) (suspected short-barreled rifle).

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 and the National Firearms Act.

The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term “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.”

The GCA, 18 U.S.C. § 921(a)(7), defines the term “rifle” as:

“...a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive to fire only a single projectile through a rifled bore for each single pull of the trigger...”

Pertinent Authority (cont.):

The GCA, 18 U.S.C. § 921(a)(8), defines the term **"short-barreled rifle"** to mean:

"...a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches..."

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 (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. § 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 .300 BLK caliber, AR-type firearm assembled by Q LLC in Portsmouth, New Hampshire, utilizing a receiver manufactured by SMOS Arms, Merlin, Oregon. The Exhibit is equipped with a *"proprietary Pistol Stabilizing Brace"* accessory, a Cherry Bomb muzzle device and an Aimpoint Micro T-2 red dot sight.

The Exhibit has an overall length of approximately 24-7/8 inches (with shouldering device extended) and contains a rifled barrel approximately 7 inches in length. I determined the overall length of Exhibit 1 by placing the Exhibit on a flat surface, and measuring the distance between the extreme ends of the Exhibit (shouldering device extended and muzzle device removed), along a line parallel to the center line of the bore. Additionally, I measured the barrel of Exhibit 1 in the following manner: I closed the bolt, placed the Exhibit on a flat surface, inserted a graduated cylindrical scale into the muzzle of the barrel until it touched the bolt face, noted the measurement, and removed the rod from the barrel.

Findings (cont.):

During my examination, I observed the following markings:

The right side of the receiver**The left side of the receiver**

- **PORTSMOUTH**
- **NH**
- [REDACTED] [serial number]

The receiver front of magazine well**On the upper assembly**

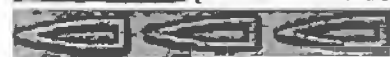
- **HONEY BADGER**
- **300BLK**

The selector markings

[SAFE at the 9 O'clock position]



[FIRE at the 12 O'clock position]



[at the 3 O'clock position]

Findings (cont.):

In determining whether a firearm with a “*stabilizing brace*” accessory is “intended” to be fired from the shoulder, ATF considers the weapon’s objective design features and overall configuration. The objective design features considered when determining whether the weapon is designed, made and intended to be held and fired with one hand, with an attached “*stabilizing brace*” accessory, or alternatively, when a weapon is intended to be fired from the shoulder include, but are not limited to: the weight and overall length of the firearm utilizing the “*stabilizing brace*” accessory; the length of pull; the design of the “*stabilizing brace*” accessory as compared to known shoulder stocks; the attachment method for the “stabilizing brace” accessory; whether the “*stabilizing brace*” accessory functions as designed when assembled on the firearm; presence of a secondary grip which demonstrates the weapon is not designed to be held and fired with one hand; incorporation of sights/scopes that possess eye relief incompatible with one-handed firing; and any other peripheral accessories that demonstrate the weapon is intended to be fired from the shoulder.

Exhibit 1 incorporates a proprietary PDW (Personal Defense Weapon)-type housing attached to the rear of the AR-type receiver which facilitates the use of twin guide rails to attach the “*proprietary Pistol Stabilizing Brace*” accessory. This PDW-type housing and use of twin guide rails are identical to those used in the attachment of the traditional shoulder stock on the Honey Badger rifle (see attached photographs). By all outward appearances, the “*proprietary Pistol Stabilizing Brace*” is simply a modified version of the Honey Badger shoulder stock and not a “*Pistol stabilizing brace*” accessory. Further, the Honey Badger firearm with the “*proprietary Pistol Stabilizing Brace*” was never submitted to ATF for an official classification.

Q LLC's website states:

"The 7" 300 BLK Honey Badger® is now available with our proprietary Pistol Stabilizing Brace®, made for Q® by our friends at SB Tactical®."

ATF's Firearms Technology Industry Services Branch (FTISB) previously notified SB Tactical that:

"FTISB does not approve "stabilizing braces" which are similar or based off of shoulder stock designs." (see FTISB letter #308999, dated July 18, 2018, attached).

Since the date of this notification, SB Tactical has continued to market these accessories as “*ATF Compliant Pistol Stabilizing Braces*.” Although ATF has made a consistent effort to inform SB Tactical they are perpetuating a false narrative regarding the accessories they market, SB Tactical has taken the position that ATF has no authority to regulate an accessory manufacturer. This has essentially left SB Tactical’s business partners and “*friends*” in the position where they are unknowingly manufacturing and marketing unregistered NFA firearms.

The “*proprietary Pistol Stabilizing Brace*” accessory installed onto the twin guide rails of the PDW-type housing extends approximately 10-3/8 inches from the rear of the receiver. The “*proprietary Pistol Stabilizing Brace*” accessory is approximately 4-3/8 inches in height and approximately 2 inches at its maximum width. This provides a rear surface area larger than the actual Honey Badger rifle’s shoulder stock. The “*proprietary Pistol Stabilizing Brace*” accessory does not incorporate any design features that preclude or discourage shouldering the Exhibit. Further, the “*proprietary Pistol Stabilizing Brace*” accessory installed onto Exhibit 1 is comparable to known PDW-type shoulder stocks; specifically, the Honey Badger rifle’s shoulder stock, both in length and shouldering surface (see attached photographs).

Findings (cont.):

Measuring the distance between the center of the trigger of Exhibit 1 and the center of the "*proprietary Pistol Stabilizing Brace*" accessory rear surface, the submitted firearm has a length of pull of approximately 13-9/16 inches when fully extended. By comparison, the Honey Badger rifle has a length of pull of approximately 12-3/4 inches. (see attached photograph). Therefore, Exhibit 1 possesses a "length of pull" consistent with similar rifles and useful for shouldering the firearm. Further, Exhibit 1 has a length of pull 13/16 inches longer than the Honey Badger rifle.

The "*proprietary Pistol Stabilizing Brace*" accessory contains two bifurcated (split) rubber flaps and a Velcro strap which wrap around a shooter's arm. Unlike the original SB Tactical SB15 "*stabilizing brace*" accessory, the rubber flaps have been greatly reduced in size, resulting in the flaps on the Exhibit's "*proprietary Pistol Stabilizing Brace*" accessory being nearly ineffectual. An attempt was made to utilize the "*proprietary Pistol Stabilizing Brace*" accessory in accordance with the manufacturer's stated intent of "stabilizing" one-handed firing. In the collapsed position, the flaps on the "*proprietary Pistol Stabilizing Brace*" accessory barely wrap around a portion of the shooter's arm providing limited "stabilizing" support. In the extended position, the flaps on the "*proprietary Pistol Stabilizing Brace*" accessory are completely ineffective. Further, the included Velcro strap is not long enough to wrap around a shooter's arm when the accessory is in the extended position (see attached photographs).

Additionally, under the "*Common Features and Specs*" section on Q LLC's website, the manufacturer states that Exhibit 1 is equipped with a "**2-Position Telescoping Stock.**" The FTCB examination has determined that this statement is factual.

Therefore, the objective design of the "*proprietary Pistol Stabilizing Brace*" accessory, does not support the manufacturer's stated intent, but instead supports the conclusion that the subject accessory is designed and intended to be used as the shouldering device for Exhibit 1. Exhibit 1 is therefore designed and intended to be fired from the shoulder. As received, Exhibit 1 is a weapon designed, made, and intended to be fired from the shoulder and designed and made to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger; therefore, Exhibit 1 is a "**rifle**" as defined. Exhibit 1, being a rifle having a barrel of less than 16 inches in length, is a "**short-barreled rifle**" as defined.

I test-fired Exhibit 1 on June 6, 2020, at the ATF test range, Martinsburg, West Virginia, using commercially available, Fiocchi brand, .300 BLK caliber ammunition and a magazine from the National Firearms Collection (NFC). After I inserted a one-round ammunition load, set the selector to the "*FIRE*" position, charged and chambered the round, and pulled the trigger, Exhibit 1 successfully expelled a projectile by the action of an explosive. I inserted a two-round ammunition load, charged and chambered the first round, and pulled the trigger, Exhibit 1 fired a single round of ammunition for each pull of the trigger.

Conclusions:

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

Conclusions (cont.):

Exhibit 1, being a weapon that is designed, made, and intended to be fired from the shoulder and designed and made to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger; is a "**rifle**" as defined in 18 U.S.C. § 921(a)(7).

Exhibit 1, being a rifle having a barrel less than 16 inches in length, is a "**short-barreled rifle**" as defined in 18 U.S.C. § 921(a)(8).

Exhibit 1, being a rifle having a barrel less than 16 inches in length, is a "**firearm**" as defined in 26 U.S.C. § 5845(a)(3).

Examined by:

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Approved by:

(b)(6); (b)(7)(C)

Chief, Firearms Technology Criminal Branch

Attachments: 17 pages bearing 28 photographs,
FTISB letter #308999

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

2025-00885

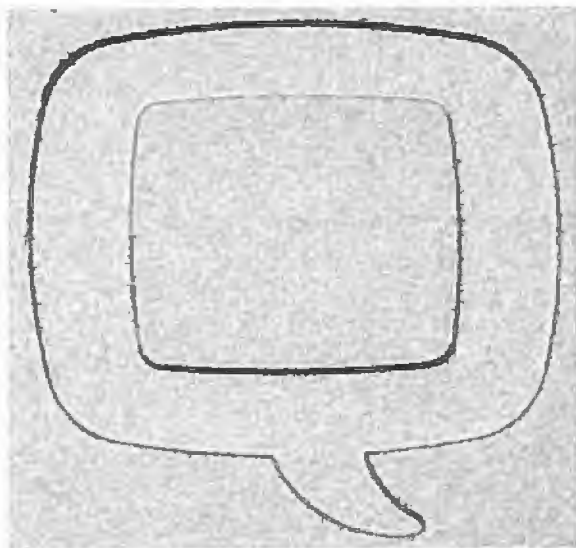
00000139576

"UNCLASSIFIED"

6/2/2025

HONEY BADGER

300BLK



PORTSMOUTH

NH

(b)(6); (b)(7)(C)

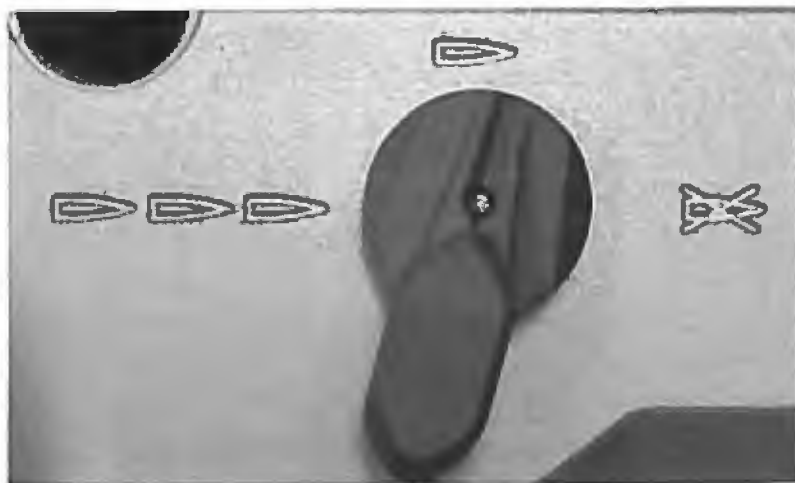


Exhibit 1 Markings

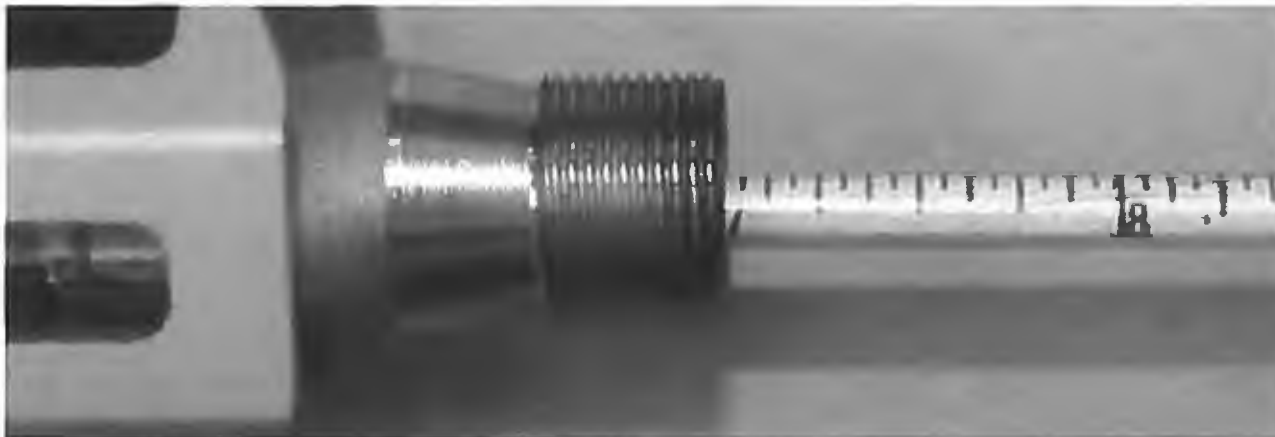
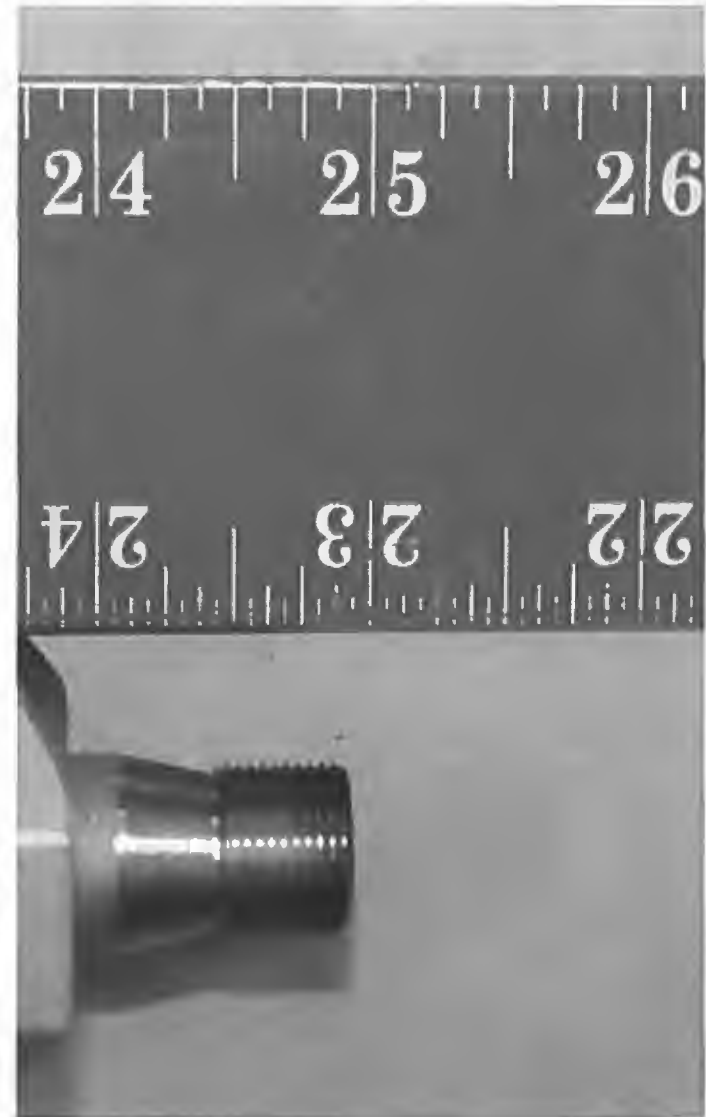


Exhibit 1 Measurements (shouldering device extended)

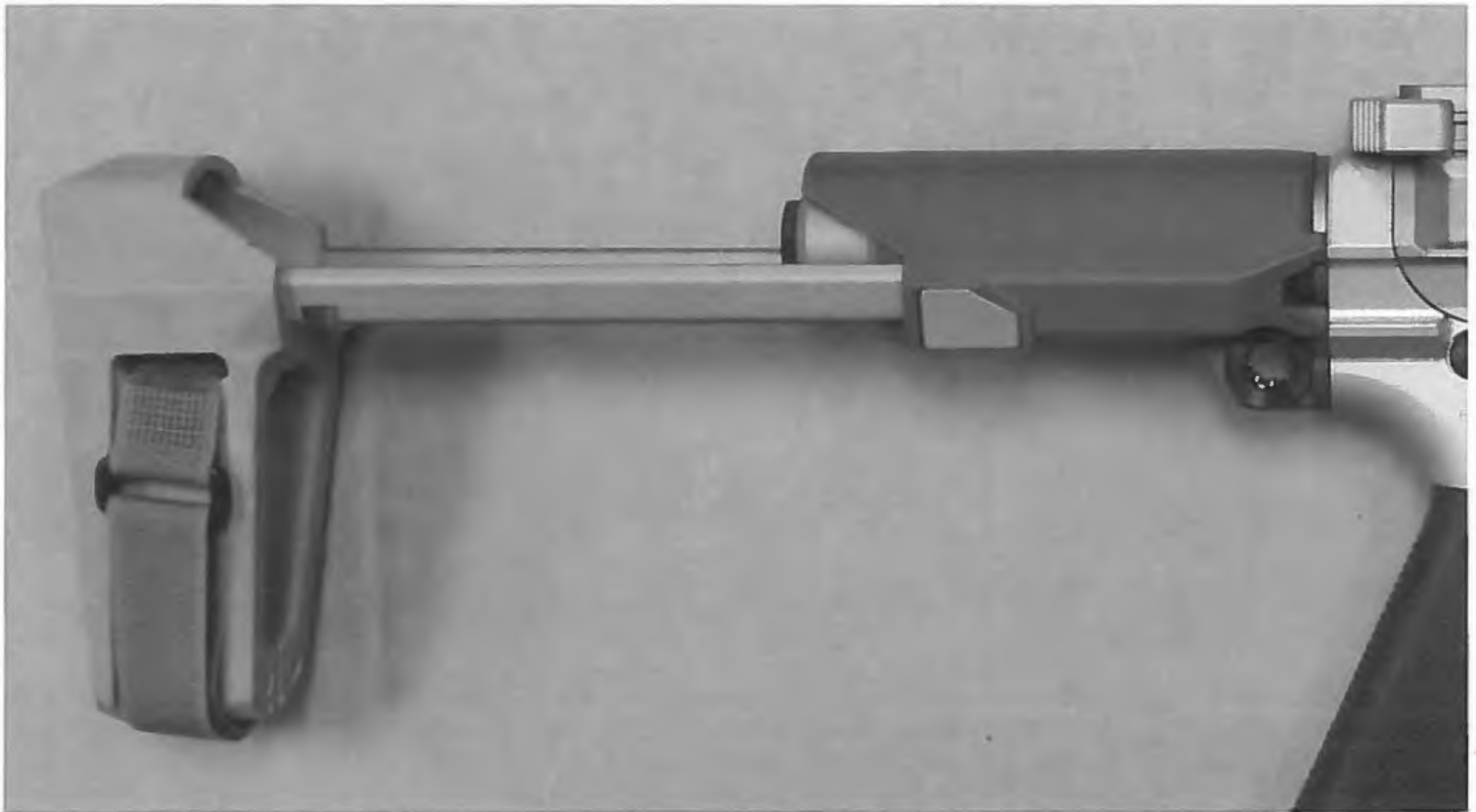


Exhibit 1 “*proprietary Pistol Stabilizing Brace*”
accessory –Modified Shoulder Stock



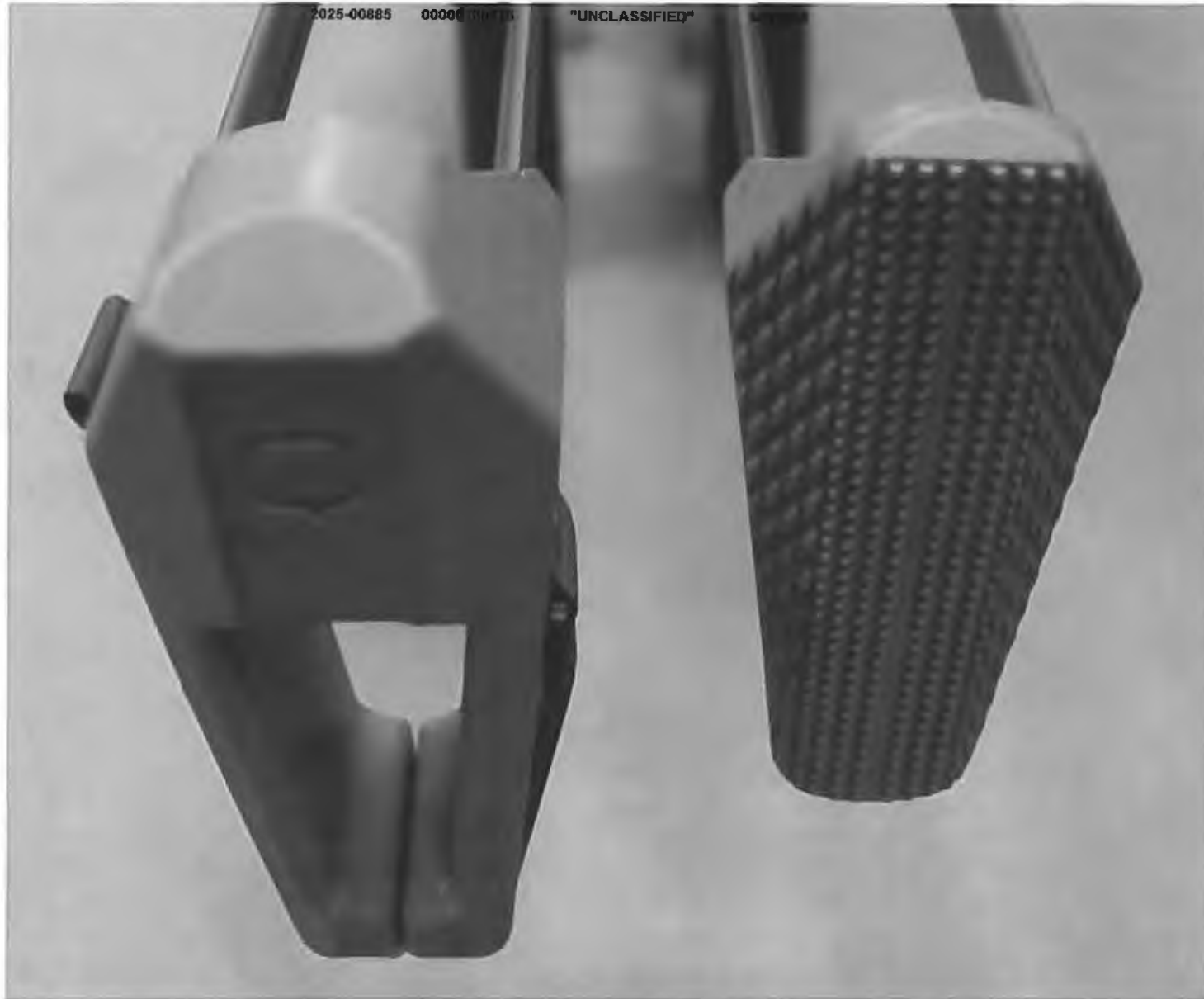
Exhibit 1 (top) compared to Q Honey Badger rifle (bottom) – shouldering devices collapsed



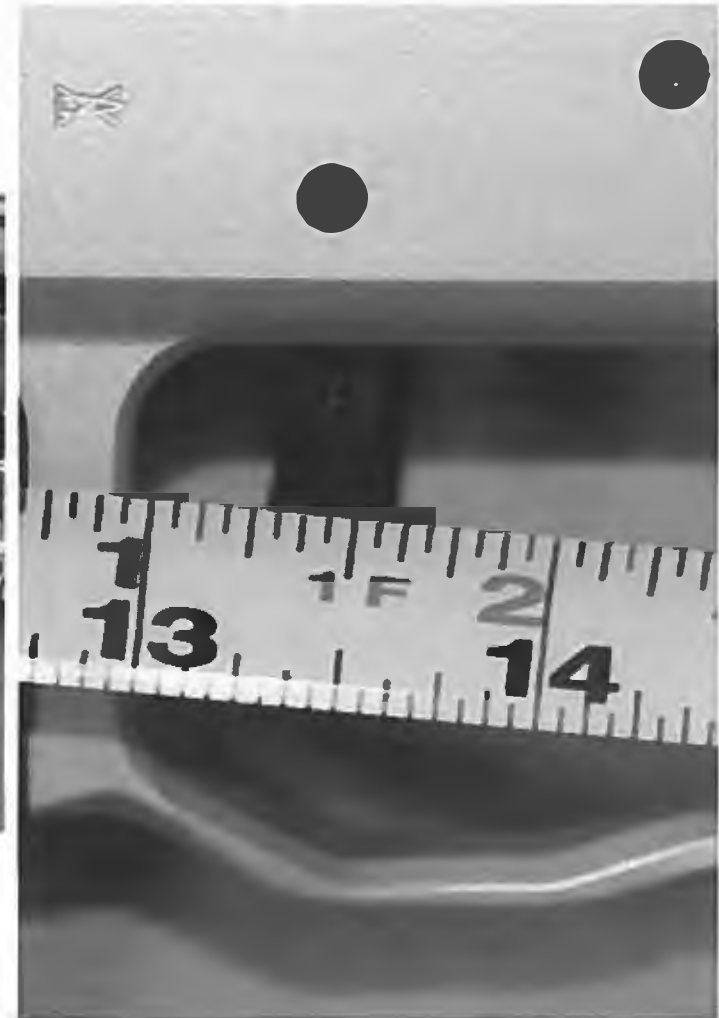
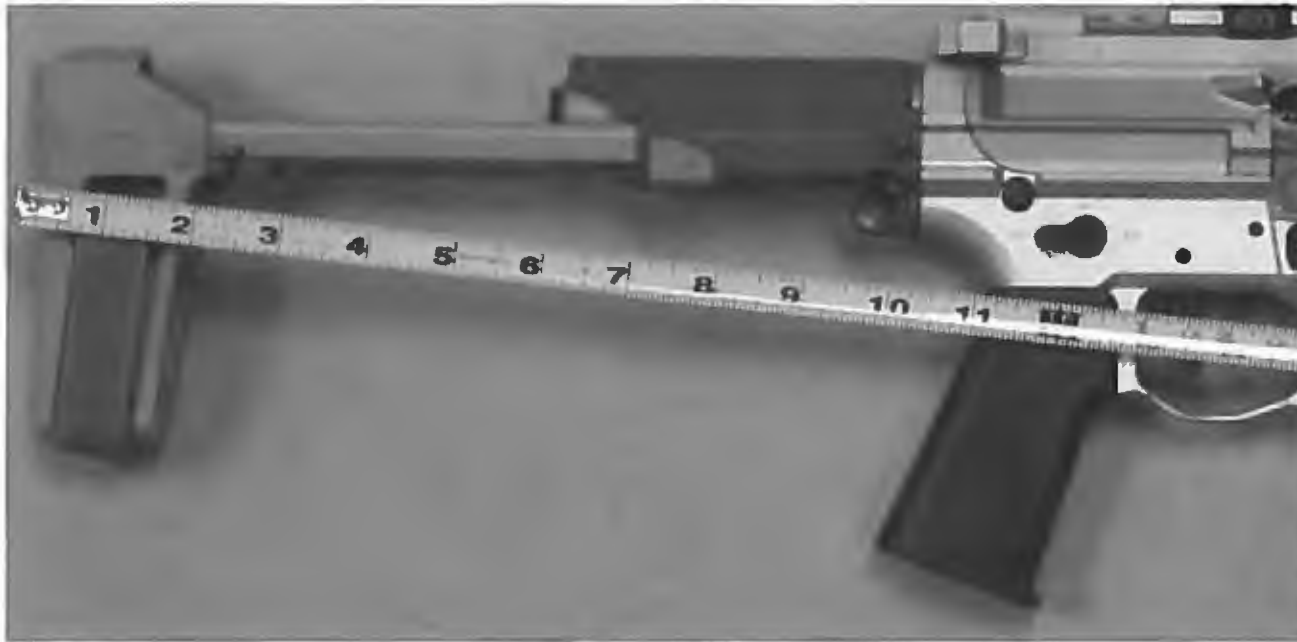
Exhibit 1 (top) compared to Q Honey Badger rifle (bottom) – shouldering devices extended



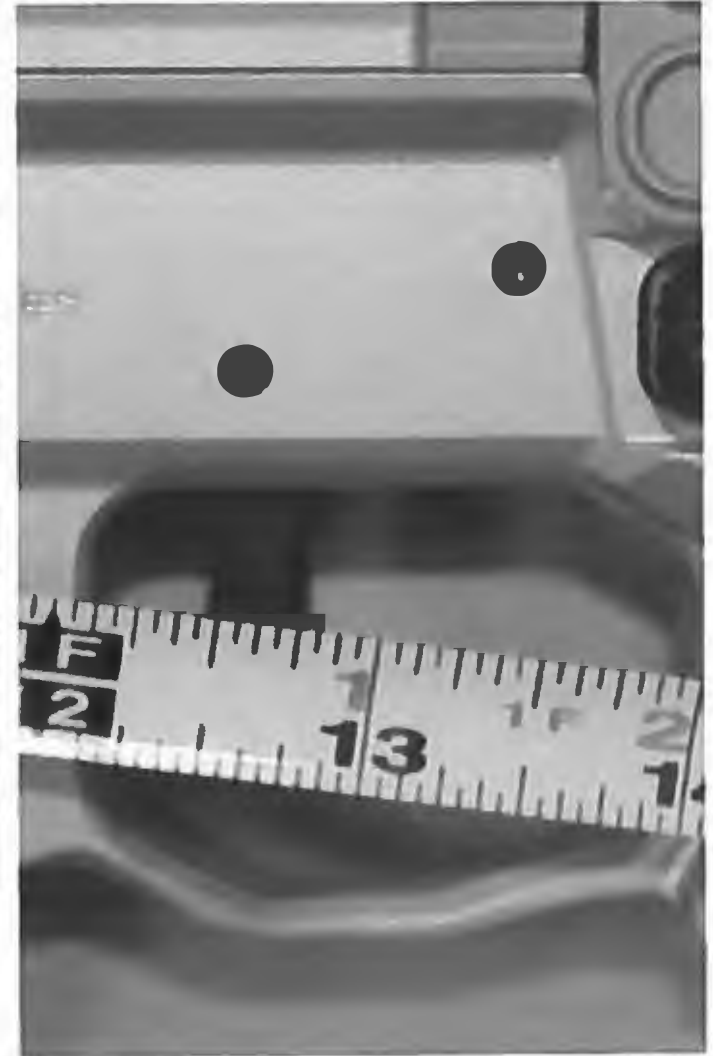
Exhibit 1 shouldering device (top) compared to Honey Badger traditional stock (bottom)



Rearview of the Exhibit 1 shouldering device (left) compared to traditional stock (right)



Q LLC Honey Badger rifle with “*proprietary Pistol Stabilizing Brace*”
has a length of pull of approximately 13-9/16 inches



Q LLC Honey Badger rifle with traditional shoulder stock has a length of pull of approximately 12-3/4 inches



The flaps on the Exhibit 1 accessory when device is collapsed provide limited coverage of shooter's arm



The flaps on the Exhibit 1 accessory when device is extended provide a greatly reduced amount of coverage of shooter's arm, making it far less effective at providing "*stabilizing*" support



In addition to the flaps not covering the shooter's arm, the Velcro strap on Exhibit 1 fails to wrap around a shooter's arm when the accessory is extended



Exhibit 1 is designed and intended to be fired
from the shoulder

HOME / COLLECTIONS / HONEY BADGER PISTOL



HONEY BADGER PISTOL

\$2,599.00

Q Honey Badger “*pistol*” webpage

LIVE  OR DIE

2025-00885

00000139576

"UNCLASSIFIED"

6/2/2025

PRODUCT ▾

SWAG ▾

RESOURCES ▾

THE HYPE

CONTACT

The Honey Badger Pistol by Q®: Your new EDC has arrived!

The 7" 300 BLK Honey Badger® is now available with our proprietary Pistol Stabilizing Brace®, made for Q® by our friends at SB Tactical™.

The original Honey Badger was developed at AAC by previous owner and Q CEO, Kevin Brittingham and his R&D team at the request of an elite US special operations group looking to replace their MP5-SD's with an upgraded platform. Requirements included the ability to shoot a rifle caliber round while maintaining low visibility and excellent signature suppression. Developed in conjunction with 300 AAC Blackout, the Honey Badger was born, exceeded expectations, but never made it to the commercial market.

Enter the Honey Badger by Q. At first glance, this Honey Badger appears to be the same as the original. Q focused on taking the iconic 'Badger to the next level and improved upon every technical aspect of the first-generation design. From the gas system to the trigger and telescoping pistol brace – HB 2.0 does not disappoint.

OPTIC NOT INCLUDED

COMMON FEATURES & SPECS:

Q Honey Badger “*pistol*” webpage

LIVE  OR DIE

2020-08-03

0000013076

"LIVE OR DIE"

0000013076

PRODUCT ▾

SWAG ▾

RESOURCES ▾

THE HYPE

OPTIC NOT INCLUDED**COMMON FEATURES & SPECS:**

Website states Honey
Badger “*pistol*” features
a 2-position telescoping
stock

- ▶ CLEAR HARD COAT ANODIZED 7075 ALUMINUM RECEIVERS
- ▶ FREE FLOATING MLOK HANDGUARD
- ▶ 70° SAFETY SELECTOR
- ▶ 2-POSITION TELESCOPING STOCK
- ▶ ADJUSTABLE, LOW-PROFILE GAS BLOCK
- ▶ MUZZLE: 5/8-24 Threads, Tapered Muzzle, Cherry Bomb Muzzle Brake
- ▶ TRIGGER: 2-Stage Match
- ▶ AR CONTROLS

7" 300 BLK Pistol

- ▶ WEIGHT: 4 lbs 8 oz
- ▶ LENGTH: 20 IN – 25 IN
- ▶ BARREL: 7 IN, 1:5 TWIST
- ▶ HANDGUARD: 6 INCH MLOK

The Fine Print:

Q Honey Badger “*pistol*” webpage

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

2025-00885

00000139576

"UNCLASSIFIED"

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:
Special Agent (b)(6); (b)(7)(C)
Bureau of Alcohol, Tobacco, Firearms and Explosives
201 East Washington Street
Suite #940
Phoenix, AZ 85004

Date: **JUN 25 2020**

UI#: 785070-20-0045

RE: Land and Liberty

FTCB#: 2020-519- (b)(6); (b)(7)(C)
314376

Date Exhibits Received: 6/19/2020

Type of Examination Requested:

Delivered By: FedEx 1408 1972 6040

Examination, Test, Classification

Exhibits:

1. Anderson Manufacturing, model AM-15, 5.56x45mm caliber firearm, serial number (b)(6); (b)(7)(C) (suspected short-barreled rifle).

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 and the National Firearms Act.

The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term “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.”

The GCA defines the term “rifle” as:

“...a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive to fire only a single projectile through a rifled bore for each single pull of the trigger...” (See 18 U.S.C. § 921(a)(7).)

The GCA defines the term "**short-barreled rifle**" to mean:

"...a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches..." (See 18 U.S.C. § 921(a)(8).)

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 (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, § 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 5.56x45mm caliber firearm assembled utilizing a receiver manufactured by Anderson Manufacturing, in Hebron, Kentucky. Exhibit 1 is equipped with an SB Tactical, SBA3 "*Pistol Stabilizing Brace*" accessory, a MagPul Angled Foregrip, a Vortex optic, and rifle-type back-up sights.

The Exhibit has an overall length of approximately 27-3/4 inches (with shouldering device extended) and contains a rifled barrel approximately 10-5/8 inches in length. I measured the overall length of Exhibit 1 by placing the Exhibit on a flat surface (with the muzzle device removed) and measuring the distance between the extreme ends of the Exhibit (shouldering device extended), along a line parallel to the center line of the bore and noted the measurement. Additionally, I measured the barrel of Exhibit 1 in the following manner: I closed the bolt, removed the muzzle device, and placed the Exhibit on a flat surface. I inserted a graduated cylindrical scale into the muzzle of the barrel until it touched the bolt face, noted the measurement, and removed the rod from the barrel.

During my examination, I observed the following markings:

The left side of the receiver



-
- **HEBRON, KY**
- **AM-15**
- **MULTI CAL**
- [(b)(6); (b)(7)(C)] *{serial number}*
- **FIRE**
- **SAFE**

In determining whether a firearm with a “*stabilizing brace*” accessory is “intended” to be fired from the shoulder, ATF considers the weapon’s objective design features and overall configuration. The objective design features considered when determining whether the weapon is designed, made and intended to be held and fired with one hand, with an attached “*stabilizing brace*” accessory, or alternatively, when a weapon is intended to be fired from the shoulder include, but are not limited to: the weight and overall length of the firearm utilizing the “*stabilizing brace*” accessory; the length of pull; the design of the “*stabilizing brace*” accessory as compared to known shoulder stocks; the attachment method for the “*stabilizing brace*” accessory; whether the “*stabilizing brace*” accessory functions as designed when assembled on the firearm; presence of a secondary grip which demonstrates the weapon is not designed to be held and fired with one hand; incorporation of sights/scopes that possess eye relief incompatible with one-handed firing; and any other peripheral accessories that demonstrate the weapon is intended to be fired from the shoulder.

Exhibit 1 features a MagPul Angled Foregrip which, in and of itself, does not change the classification of a “pistol.” The MagPul Angled Foregrip and the “*stabilizing brace*” accessory, do not function cohesively to “*stabilize*” the weapon for one-handed firing. The two accessories do however, work in tandem to facilitate shoulder-firing of the weapon, where the MagPul Angled Foregrip supports gripping the front of the weapon by the non-firing hand and the “*stabilizing brace*” accessory is utilized as a shouldering device.

Further, the Exhibit is equipped with rifle type back-up sights. Again this accessory, in and of itself, does not change the classification of a “pistol.” However, when used during one handed firing the rifle sights are nearly impossible to use.

ATF’s Firearms Technology Industry Services Branch (FTISB) previously notified SB Tactical that:

“FTISB does not approve “stabilizing braces” which are similar or based off of shoulder stock designs.” (see FTISB letter #308999, dated July 18, 2018, attached).

While ATF considers the SBA3 accessory a shouldering device, SB Tactical has continued to market the SBA3 accessory as an ATF compliant “*stabilizing brace*” accessory.

Therefore, the SBA3 accessory, regardless of the manufacturers stated intent, is being used as the shouldering device for Exhibit 1. This indicates that Exhibit 1 is designed and intended to be fired from the shoulder. As received, Exhibit 1 is a weapon designed, made, and intended to be fired from the shoulder and designed and made to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger; therefore, Exhibit 1 is a "rifle" as defined. Exhibit 1, being a rifle having a barrel of less than 16 inches in length, is a "short-barreled rifle" as defined.

I test-fired Exhibit 1 on June 23, 2020, at the ATF test range, Martinsburg, West Virginia, using commercially available, PMC brand, .223 caliber ammunition. After I inserted a one-round ammunition load, placed the selector in the firing position, and pulled the trigger, Exhibit 1 successfully expelled a projectile by the action of an explosive. After I inserted a two-round ammunition load and pulled the trigger, Exhibit 1 fired a single round of ammunition for each pull of the trigger. I repeated this test one additional time with the same result.

Conclusions:

Exhibit 1, being a weapon which is designed to expel a projectile by the action of an explosive and incorporating the receiver of such a weapon, is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(A)&(B).

Exhibit 1, being a rifle having a barrel less than 16 inches in length, is a "short-barreled rifle" as defined in 18 U.S.C. § 921(a)(8).

Exhibit 1, being a rifle having a barrel less than 16 inches in length, is a "firearm" as defined in 26 U.S.C. § 5845(a)(3).

Exhibit 1 bears no NFA maker's marks of identification as required by 26 U.S.C. § 5842.

Examined by:

Approved by: 

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Chief, Firearms Technology Criminal Branch

Attachments: 13 pages including FTISB letter #308999 and 10 pages bearing photographs.

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



785070 20 0045 2020 519



Exhibit 1



785070 20 00:45 2020 519

Exhibit 1 markings



(b)(6); (b)(7)(C)

785070 20 0045 2020 519

(b)(6); (b)(7)(C)

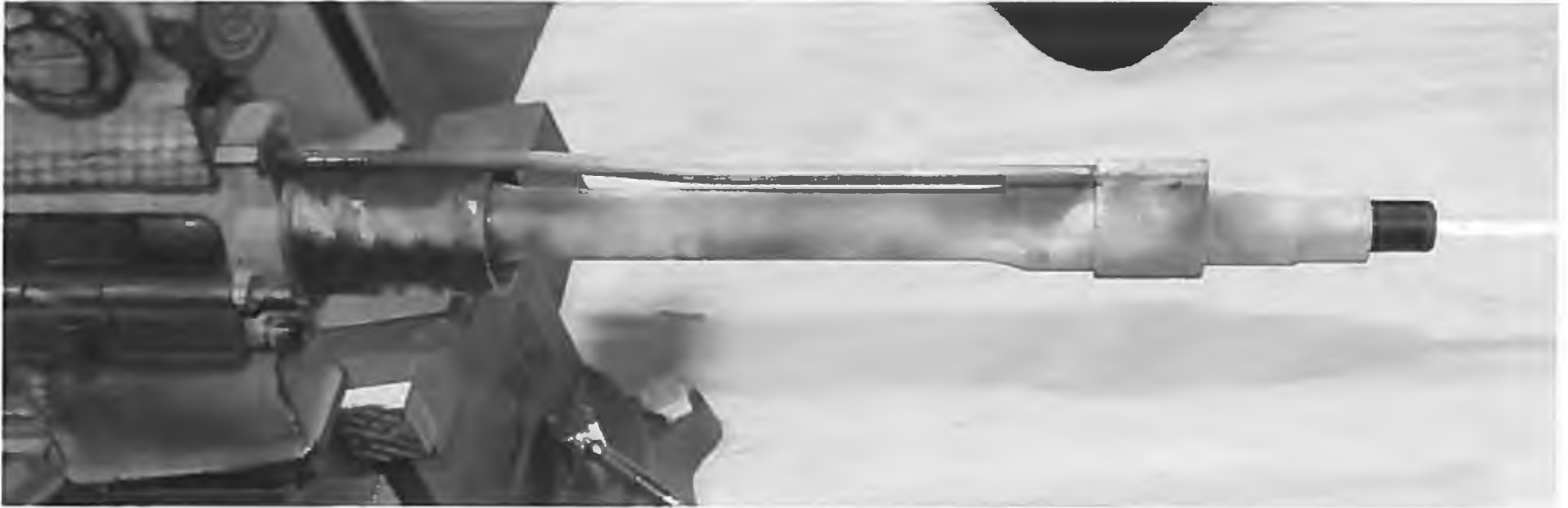
Exhibit 1 markings



785070 20 0045 2020 519

(b)(6);
(b)(7)(C)

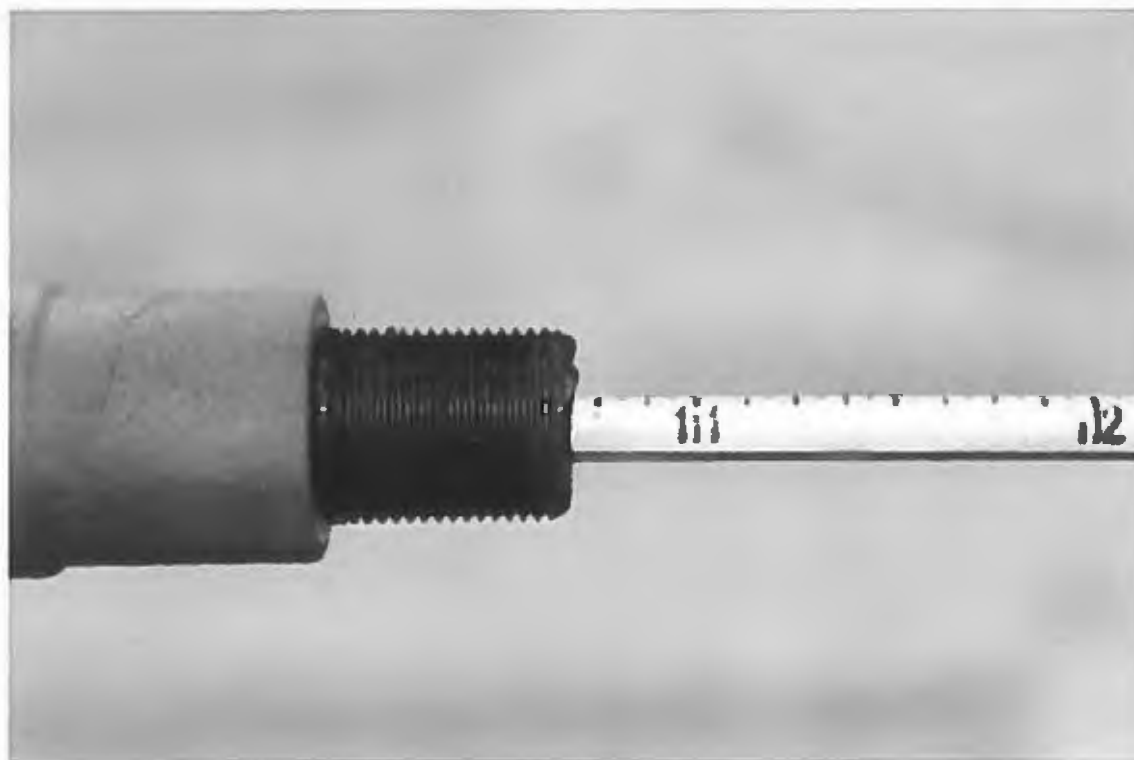
Exhibit 1 barrel measurement



785070 20 0045 2020 519



Exhibit 1 barrel measurement



785070 2Q 0045 2020 519

(M/S; (M7)(C)

Exhibit 1 SBA3 rear



785070 20 0045 2020 519 (b) (6); (b) (7)(C)

Exhibit 1 pistol firing. Strap not long enough to secure.



785070 20 0045 2020 519



Exhibit 1 SBA3 flaps do not support arm.



785070 20 0045 2020 519

(b)(6);
(b)(7)(C)

Exhibit 1 shoulder firing



785070 20 0045 2020 515 (b)(6); (b)(7)(C)

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

2020-00000

000001030670

FORM 3311.2

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:
Special Agent (b)(6); (b)(7)(C)
Bureau of Alcohol, Tobacco, Firearms and Explosives
2929 3rd Avenue North
Suite #528
Billings, MT 59101

Date: JUL 3 1 2020

UI#: 788050-20-0095

RE: (b)(6); (b)(7)(C)

FTCB#: 2020-568- (b)(6); (b)(7)(C)
314570

Date Exhibits Received: 7/8/2020

Type of Examination Requested:

Delivered By: FedEx 7708 8993 4623

Examination, Test, Classification

Exhibits:

1. Daniel Defense, model DDM4, .300 BLK caliber, AR-type firearm, serial number (b)(6); (b)(7)(C) (suspected short-barreled rifle).

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 and the National Firearms Act.

The Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "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."

The GCA, 18 U.S.C. § 921(a)(7), defines the term "rifle" as:

"...a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of the explosive to fire only a single projectile through a rifled bore for each single pull of the trigger..."

Pertinent Authority (cont.):

The GCA, 18 U.S.C. § 921(a)(8), defines the term “**short-barreled rifle**” to mean:

“...a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches...”

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 (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. § 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 .300 BLK caliber, AR-type firearm manufactured by Daniel Defense, Black Creek, Georgia. The Exhibit is equipped with a SB Tactical SBA3 accessory, a Vertical Fore-Grip and a Vortex SPARC AR red dot sight.

The Exhibit has an overall length of approximately 27-1/2 inches (with shouldering device extended) and contains a rifled barrel approximately 10-3/8 inches in length. I determined the overall length of Exhibit 1 by placing the Exhibit on a flat surface, and measuring the distance between the extreme ends of the Exhibit (shouldering device extended and muzzle device removed), along a line parallel to the center line of the bore. Additionally, I measured the barrel of Exhibit 1 in the following manner: I closed the bolt, placed the Exhibit on a flat surface, inserted a graduated cylindrical scale into the muzzle of the barrel until it touched the bolt face, noted the measurement, and removed the rod from the barrel.

Findings (cont.):

During my examination, I observed the following markings:

On the receiver (left side- magazine well)

-  **DANIEL DEFENSE**
- **BLACK CREEK, GA**
- **U.S.A.**
- **MODEL DDM4**
- **CAL. MULTI**
- **[(b)(6); (b)(7)(C)] serial number**

On the upper assembly

-  **300**
- **DDM4V7P**

On the barrel

- **300 AAC**
- **BLACKOUT**
- **1/8**

The selector markings

- **SAFE** at the 9 O'clock position
- **FIRE** at the 12 O'clock position

In determining whether a firearm with a "stabilizing brace" accessory is "intended" to be fired from the shoulder, ATF considers the weapon's objective design features and overall configuration. The objective design features considered when determining whether the weapon is designed, made and intended to be held and fired with one hand, with an attached "stabilizing brace" accessory, or alternatively, when a weapon is intended to be fired from the shoulder include, but are not limited to: the weight and overall length of the firearm utilizing the "stabilizing brace" accessory; the length of pull; the design of the "stabilizing brace" accessory as compared to known shoulder stocks; the attachment method for the "stabilizing brace" accessory; whether the "stabilizing brace" accessory functions as designed when assembled on the firearm; presence of a secondary grip which demonstrates the weapon is not designed to be held and fired with one hand; incorporation of sights/scopes that possess eye relief incompatible with one-handed firing; and any other peripheral accessories that demonstrate the weapon is intended to be fired from the shoulder.

incorporation of sights/scopes that possess eye relief incompatible with one-handed firing; and any other peripheral accessories that demonstrate the weapon is intended to be fired from the shoulder.

Findings (cont.):

ATF's Firearms Technology Industry Services Branch (FTISB) previously notified SB Tactical that:

"FTISB does not approve "stabilizing braces" which are similar or based off of shoulder stock designs." (see FTISB letter #308999, dated July 18, 2018, attached).

(b)(3):26 U.S.C. §§ 6103

The SBA3 *"Pistol Stabilizing Brace"* accessory contains two bifurcated (split) rubber flaps and a Velcro strap which wrap around a shooter's arm. Unlike the original SB Tactical SB15 *"stabilizing brace"* accessory, the rubber flaps have been greatly reduced in size, resulting in the flaps on the SBA3 *"Pistol Stabilizing Brace"* accessory being nearly ineffectual. An attempt was made to utilize the SBA3 *"Pistol Stabilizing Brace"* accessory in accordance with the manufacturer's stated intent of "stabilizing" one-handed firing. In the collapsed position, the flaps on the SBA3 *"Pistol Stabilizing Brace"* accessory barely fit around a portion of the shooter's arm providing limited "stabilizing" support. In the extended position, the flaps on the SBA3 *"Pistol Stabilizing Brace"* accessory are completely ineffective and the accessory provides limited "stabilizing" support.

Additionally, Exhibit 1 is equipped with a secondary grip on the fore end, and, as such, it is not designed to be held and fired by the use of a single hand. This is another indicator that Exhibit 1 is designed and intended to be fired from the shoulder, and the SBA3 accessory, regardless of the manufacturers stated intent, is being used as the shouldering device for Exhibit 1.

Therefore, although Exhibit 1 is marketed by Daniel Defense as a *"pistol"* (without the vertical fore-grip installed), by utilizing the SBA3 accessory, a known shouldering device, the objective design features do not support this self-classification. Instead, the objective design of Exhibit 1 including the incorporation of the SBA3 *"Pistol Stabilizing Brace"* accessory, and the installation of the secondary grip, supports the conclusion that the Exhibit is designed and intended to be fired from the shoulder.

As received, Exhibit 1 is a weapon designed, made, and intended to be fired from the shoulder and designed and made to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger; therefore, Exhibit 1 is a **"rifle"** as defined. Exhibit 1, being a rifle having a barrel of less than 16 inches in length, is a **"short-barreled rifle"** as defined.

Conclusions:

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

Exhibit 1, being a weapon that is designed, made, and intended to be fired from the shoulder and designed and made to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger; is a **"rifle"** as defined in 18 U.S.C. § 921(a)(7).

Exhibit 1, being a rifle having a barrel less than 16 inches in length, is a **"short-barreled rifle"** as defined in 18 U.S.C. § 921(a)(8).

Exhibit 1, being a rifle having a barrel less than 16 inches in length, is a **"firearm"** as defined in 26 U.S.C. § 5845(a)(3).

Examined by:

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Approved by:



(b)(6); (b)(7)(C)

Chief, Firearms Technology Criminal Branch

Attachments: 7 pages bearing 12 photographs,
FTISB letter #308999

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

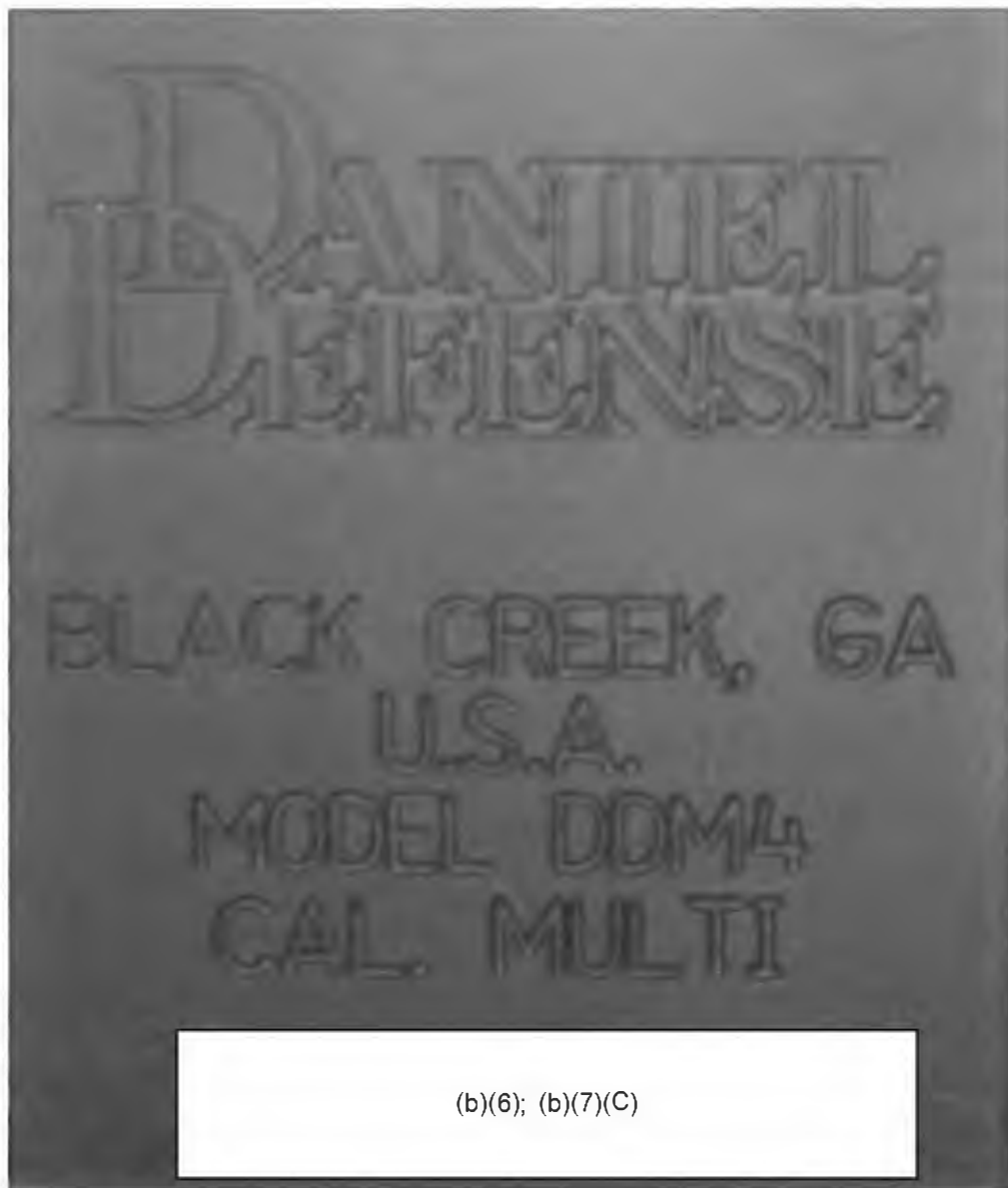


Exhibit 1 Markings

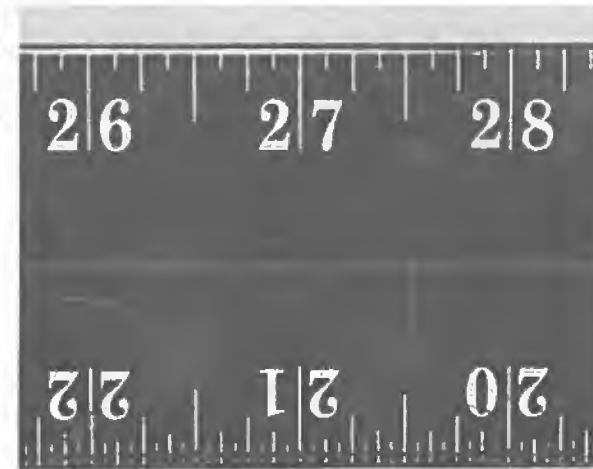


Exhibit 1 Measurements



Exhibit 1 Equipped with Secondary Grip



Exhibit 1 – SBA3 Accessory – Known
Shouldering Device



Exhibit 1 – the SBA3 accessory flaps fail to cover a shooters arm providing limited “*stabilizing*” support



Exhibit 1 - Designed and intended to be fired
from the shoulder

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

2025-00885

00000139576

"UNCLASSIFIED"

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:

Special Agent [(b)(6); (b)(7)(C)]
Bureau of Alcohol, Tobacco, Firearms and Explosives
550 Main Street
Suite 10-502
Cincinnati, OH 45202

Date:

NOV 25 2019

UI#: 773011-20-0006

RE: [(b)(6); (b)(7)(C)]

FTCB#: 2020-158 [(b)(6); (b)(7)(C)]
312654

Date Exhibits Received: 11/22/2019

Type of Examination Requested:

Delivered By: Fed Ex 7770 3454 7103

Examination, Test, Classification

Exhibits:

23. SIG Sauer, AR-15 type, 5.56x45mm caliber firearm, serial number [(b)(6); (b)(7)(C)] (suspected short-barrel rifle).
59. Diamondback Firearms, model DB-15, 5.56x45mm caliber firearm, serial number [(b)(6);] (suspected any other weapon).
66. Bushmaster, model XM15-E2S, 5.56x45mm caliber firearm bearing serial number [(b)(6); (b)(7)(C)] (suspected short-barrel rifle).

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 “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.”

Additionally, 18 U.S.C. § 921(a)(29), defines the term “**handgun**” in part as:

“...(A) a firearm which has a short stock and is designed to be held and fired by the use of a single hand...”

Further, 27 C.F.R. §478.11, defines the term “**pistol**” in part as:

“... a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having ...(b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).”

The National Firearms Act (NFA), 26 U.S.C. § 5845(a), 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.”

In addition, the NFA, 26 U.S.C. § 5845(e), defines the term “**any other weapon**” (AOW) to include:

“...any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell....Such term shall not include a pistol or revolver having a rifled bore, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition.”

Further, 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 23 is a 5.56x45mm caliber firearm utilizing a receiver manufactured by Hodge Tool Co. Inc., in Lancaster, Pennsylvania and marketed by SIG Sauer, in Exeter, New Hampshire. As received, Exhibit 23 is equipped with a muzzle device, flip-up sights, a Lucio brand optic, and a SIGTAC, *Pistol Stabilizing Brace* is


installed on the receiver extension. Additionally, Exhibit 23 is equipped with a vertical fore-grip. The Exhibit is approximately 26-1/8 inches in overall length and contains a barrel approximately 11-1/2 inches in length.

I measured the overall length of Exhibit 23 in the following manner: I removed the SIGTAC pistol stabilizing brace and muzzle device and placed the Exhibit on a flat surface and measured the distance between the extreme ends of the Exhibit measured along a line parallel to the center line of the bore and noted the measurement.

I measured the barrel of Exhibit 1 in the following manner: I placed the Exhibit on a flat surface and then closed the bolt; inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face; noted the measurement and removed the cylindrical scale from the barrel.

During my examination, I observed the following external markings on Exhibit 23:

On the left side of the receiver

- 
- **SIG SAUER INC**
- **EXETER NH USA**
- [(b)(6); (b)(7)(C)] (serial number)

On the left side of the upper assembly

- **SIG SAUER SIGM400**

On top of the barrel

- **5.56 NATO 1/7**

Exhibit 23 utilizes semiautomatic fire control components, and my examination revealed that the Exhibit function-tested as a semiautomatic firearm only.

I test-fired Exhibit 23 on November 25, 2019, at the ATF test range, Martinsburg, West Virginia, using commercially available, American Eagle brand, 5.56x45mm caliber ammunition. I inserted a one round ammunition load and pulled the trigger. Exhibit 23 successfully expelled a projectile by the action of an explosive. I then inserted a two round ammunition load and pulled the trigger. Exhibit 23 fired each round with a separate function of the trigger. Finally, I inserted a 5 round ammunition load and pulled the trigger. Exhibit 23 fired each round with a separate function of the trigger. I repeated this method of test-fire twice more with the same results.

Because Exhibit 23 is equipped with a vertical fore-grip, it is not designed to be held and fired by the use of a single hand. As such, the Exhibit is not a “pistol” as defined.

Also, because Exhibit 23 is over 26 inches in overall length, it is not an “Any Other Weapon” as defined.

Exhibit 59 is a 5.56x45mm caliber firearm utilizing a receiver manufactured by AO Precision Manufacturing in Daytona Beach, Florida, and marketed by Diamondback Firearms LLC, in Cocoa, Florida. As received, Exhibit 59 is equipped with a muzzle device, flip-up sights, a red-dot optic, and a SIG Sauer Pistol Stabilizing Brace is installed on the receiver extension. Additionally, Exhibit 59 is equipped with a vertical fore-grip. The Exhibit is approximately 21-3/8 inches in overall length and contains a barrel approximately 7-1/8 inches in length.

I measured the overall length of Exhibit 59 in the following manner: I removed the SIG Sauer pistol stabilizing brace and muzzle device and placed the Exhibit on a flat surface and measured the distance between the extreme ends of the Exhibit measured along a line parallel to the center line of the bore and noted the measurement with.

I measured the barrel of Exhibit 59 in the following manner: I placed the Exhibit on a flat surface and then closed the bolt; inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face; noted the measurement and removed the cylindrical scale from the barrel.

During my examination, I observed the following external markings on Exhibit 59:

On the left side of the receiver



On the right side of the receiver (fire control area)

- **DIAMONDBACK FIREARMS LLC**
- **COCOA, FL USA**

On the right side of the receiver (magazine well)



- **CAL. MULTI**
- **DB-15**
- [(b)(6); (b)(7)(C)] serial number

Exhibit 59 utilizes semiautomatic fire control components, and my examination revealed that the Exhibit function-tested as a semiautomatic firearm only.

I test-fired Exhibit 59 on November 25, 2019, at the ATF test range, Martinsburg, West Virginia, using commercially available, American Eagle brand, 5.56x45mm caliber ammunition. I inserted a one round ammunition load and pulled the trigger. Exhibit 59 successfully expelled a projectile by the action of an explosive. I then inserted a two round ammunition load and pulled the trigger. Exhibit 59 fired each round with a separate function of the trigger. Finally, I inserted a 5 round ammunition load and pulled the trigger. Exhibit 59 fired each round with a separate function of the trigger. I repeated this method of test-fire twice more with the same results.

Because Exhibit 59 is equipped with a vertical fore-grip, it is not designed to be held and fired by the use of a single hand. As such, the Exhibit is not a "pistol" as defined.

Also, because Exhibit 59 is under 26 inches in overall length, and is not a pistol, it is an "Any Other Weapon" as defined.

Exhibit 66 is a 5.56x45mm caliber firearm utilizing a receiver manufactured by Titan Machine Products Inc., in Westbrook, Maine, and marketed by Bushmaster Firearms Inc., in Ilion, New York. As received, Exhibit 66 is equipped with a muzzle device, a red-dot optic, and a SIG Sauer Pistol Stabilizing Brace is installed on the receiver extension. Additionally, Exhibit 66 is equipped with a vertical fore-grip. The Exhibit is approximately 24-1/2 inches in overall length and contains a barrel approximately 10-1/8 inches in length.

I measured the overall length of Exhibit 66 in the following manner: I removed the SIG Sauer pistol stabilizing brace and muzzle device and placed the Exhibit on a flat surface and measured the distance between the extreme ends of the Exhibit measured along a line parallel to the center line of the bore and noted the measurement with.

I measured the barrel of Exhibit 66 in the following manner: I placed the Exhibit on a flat surface and then closed the bolt; inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face; noted the measurement and removed the cylindrical scale from the barrel.

During my examination, I observed the following external markings on Exhibit 66:

On the left side of the receiver (magazine well)



- (b)(6); (b)(7)(C) serial number
- **CAL.223-5056MM**
- **MOD.XM15-E2S**

On the left side of the receiver (fire control area)

- **B.F.I.**
- **ILION, NY**
- **U.S.A.**

Exhibit 66 utilizes semiautomatic fire control components, and my examination revealed that the Exhibit function-tested as a semiautomatic firearm only.

I test-fired Exhibit 66 on November 25, 2019, at the ATF test range, Martinsburg, West Virginia, using commercially available, American Eagle brand, 5.56x45mm caliber ammunition. I inserted a one round ammunition load and pulled the trigger. Exhibit 66 successfully expelled a projectile by the action of an explosive. I then inserted a two round ammunition load and pulled the trigger. Exhibit 66 fired each round with a separate function of the trigger. Finally, I inserted a 5 round ammunition load and pulled the trigger. Exhibit

66 fired each round with a separate function of the trigger. I repeated this method of test-fire twice more with the same results.

Because Exhibit 66 is equipped with a vertical fore-grip, it is not designed to be held and fired by the use of a single hand. As such, the Exhibit is not a "pistol" as defined.

Also, because Exhibit 66 is under 26 inches in overall length, and is not a pistol, it is an "Any Other Weapon" as defined.

Conclusions:

Exhibit 23 is a weapon which is designed to expel a projectile by the action of an explosive and incorporates the receiver of a firearm; therefore, Exhibit 23 is a "**firearm**" as defined in 18 U.S.C. § 921(a)(3)(A) and (B).

Exhibit 59 is a weapon which is designed to expel a projectile by the action of an explosive; therefore, Exhibit 59 is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(A).

Exhibit 59 is a weapon capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, and is not a pistol; therefore, it is an "**any other weapon**" as defined in 26 U.S.C. § 5845(e).

Being an "any other weapon", **Exhibit 59** is also a "**firearm**" as defined in 26 U.S.C. § 5845(a)(5).

Exhibit 59 bears no NFA manufacturer's marks of identification as required by 26 U.S.C. § 5842.

Exhibit 66 is a weapon which is designed to expel a projectile by the action of an explosive; therefore, Exhibit 66 is a "firearm" as defined in 18 U.S.C. § 921(a)(3)(A).

Exhibit 66 is a weapon capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, and is not a pistol; therefore, it is an "**any other weapon**" as defined in 26 U.S.C. § 5845(e).

Being an "any other weapon", **Exhibit 66** is also a "**firearm**" as defined in 26 U.S.C. § 5845(a)(5).

Exhibit 66 bears no NFA manufacturer's marks of identification as required by 26 U.S.C. § 5842.

Examined by:

Approved by:

(b)(6); (b)(7)(C)

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Chief, Firearms Technology Criminal Branch

Attachment: 14 pages bearing photographs

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 23



773011 20 0006 2020 158

(b)(6);
(b)(7)(C)

Exhibit 23



773011 20 0006 2020 158

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

Exhibit 23 markings



773011 20 0006 2020 158

(b)(6);
(b)(7)(C)

Exhibit 23 SIGTAC brace



773011 20 0006 2020 15

2025
10/17/2025

Exhibit 23 markings



773011 20 0006 2020 158

[REDACTED]

Exhibit 59



773011 20 0006 2020 15

C:\Users\m\774C

Exhibit 59



Exhibit 59 markings



(b)(6); (b)(7)(C)

773011 20 0006 2020 158

(b)(6);
(b)(7)(C)

Exhibit 59 markings



773011 20-0006 2020 158

(b)(6);
(b)(7)(C)

Exhibit 59 SIG Sauer brace



(b)(6);
(b)(7)(C)

Exhibit 66



773011 20 0006 2020 158



Exhibit 66



773011 20 0006 2020 158

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

Exhibit 66 markings



773011 20 0006 2020 158



Exhibit 66 SIG Sauer brace



773011 20 0006 2020 158

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

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

2026-08226

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"UNCLASSIFIED"

02/09/20

Firearms Technology Criminal Branch
Report of Technical Examination



244 Needy Road #1600
Martinsburg, WV 25405

(b)(7)(E)

To:
Special Agent [(b)(6); (b)(7)(C)]
Bureau of Alcohol, Tobacco, Firearms and Explosives
950 17th Street
Suite 1800
Denver, Colorado 80202

Date: **JAN 06 2020**

UI#: 788010-20-0005

RE: NFA SBR

FTCB#: 2020-207 [(b)(6); (b)(7)(C)]
312850

Date Exhibits Received: 12/12/2019

Type of Examination Requested:

Delivered By: FedEx 7772 2029 7554

Examination, Test, Classification

Exhibit:

1. Colt, model Sporting, .300BO caliber firearm, serial number [(b)(6); (b)(7)(C)] suspected weapon made from a rifle).

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 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...*"

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

The GCA, § 478.11 defines "**pistol**," in part, as "... a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand..."

**Pertinent Authority (cont.):**

The GCA, § 921(a)(7), defines “**rifle**” as “... *a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger.*”

The NFA, § 5845(a)(4), defines “**firearm**,” in part, as “...*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...*”

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 Secretary may by regulations prescribe.”

Findings:

Exhibit 1 is a Colt, model Sporting, .300BO caliber pistol, serial number CSR15005618, which incorporates a receiver manufactured by Anderson Manufacturing in Hebron, Kentucky. As received, the Exhibit is classified as a pistol by virtue of being assembled with a Shockwave Technologies brand “Blade” pistol stabilizing brace and, therefore, is not designed to be fired from the shoulder. The Exhibit is approximately 25-5/8 inches in overall length and is fitted with a rifled barrel approximately 10-9/16 inches in length.

I measured the barrel of Exhibit 1 in the following manner:

I removed the muzzle device from the barrel, placed the Exhibit on a flat surface with the bolt closed, inserted a cylindrical scale into the muzzle of the barrel until it touched the bolt face, noted the measurement, and removed the cylindrical scale from the barrel.

I measured the overall length of Exhibit 1 in the following manner:

I placed the Exhibit on a flat surface and measured the distance between the extreme ends of the Exhibit, with the muzzle device removed and the brace retracted, along a line parallel to the centerline of the bore, and noted the measurement.

My examination revealed the following markings:

On the barrel

- -300 BLK 1/8

Findings (cont.):**Left side of magazine well**

- (Colt logos)
- **SPORTING**
- **CAL. 223**
- (b)(6); (b)(7)(C) (serial number)

Right side of magazine well

- (Colt "Sporting Rifle" logo)

Left center of receiver

- **COLT'S MFG. CO. LLC**
- **HARTFORD, CONN.**
- **-----USA-----**

Right center of receiver

- **LICENSED PRODUCT OF NCHC** (New Colt Holding Corporation)
- **B/I TE★AS** (Bold Ideas of Texas)

Left and right side selector marks

- **SAFE**
- **FIRE**

My research revealed that the receiver of the Exhibit contains markings consistent with firearms assembled and distributed by Chazkat, LLC (DBA/Bold Ideas) in Breckenridge, Texas, as Colt "Sporting Rifles." Those firearms were typically configured in a "rifle" configuration and assembled with shoulder stocks and rifled barrels of either 16 or 18 inches in length. However, research has indicated that the Exhibit 1 receiver was sold as a stripped receiver, not a rifle, when it was transferred to the last Federal Firearms Licensee (FFL) in the trace. As such, the firearm was not configured as a rifle by Chazkat as mentioned above. Unfortunately, the final FFL is out of business and did not provide disposition information in the records submitted to the National Tracing Center. As such, there is no way to know how the firearm was configured when disposed of by the last FFL.

Findings (cont.):

I test-fired Exhibit 1 on December 19, 2019, at the ATF test range, Martinsburg, West Virginia, using commercially available, Sellier & Bellot brand, .300BO caliber ammunition and a magazine from the ATF National Firearms Collection.

After I inserted a 1-round ammunition load and set the selector lever to the semiautomatic-fire position, and pulled the trigger, Exhibit 1 successfully expelled a projectile by the action of an explosive.

I then inserted a 5-round ammunition load, pulled the trigger, and the Exhibit fired one round for each separate function of the trigger.

My examination revealed that Exhibit 1, as received, is assembled as a closed-bolt, semiautomatic, magazine-fed "pistol." Were it to be determined that the Exhibit 1 receiver had previously been used in the assembly of a "rifle" as defined above, the Exhibit would then be classified as a "weapon made from a rifle" and an NFA "firearm" by virtue of having an overall length less than 26 inches and a barrel less than 16 inches in length.

Conclusions:

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

Examined by:

(b)(6); (b)(7)(C)

Firearms Enforcement Officer

Approved by:

(b)(6); (b)(7)(C)



Chief, Firearms Technology Criminal Branch

Attachment: Two pages bearing six 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.

788010-20-0005

Exhibit 1

Barrel caliber = .300BO



"Blade" pistol brace



Overall length = 25-5/8"



Barrel length = 10-9/16"