FIREARMS INDUSTRY CONSULTING GROUP

A Division of Civil Rights Defense Firm, P.C.

Joshua Prince
Adam Kraut
Jorge Pereira

Phone: 888-202-9297
Fax: 610-400-8439

March 30, 2018

Stephanie M. Boucher
Disclosure Division
Bureau of Alcohol, Tobacco, Firearms and Explosives
99 New York Avenue, NE
Washington, DC 20226

RE: Firearms Policy Foundation (FPF) and Firearms Industry Consulting Group (FICG) vs. U.S. Department of Justice - Bureau of Alcohol, Tobacco, Firearms and Explosives - Bump Stock Rulemaking
Docket Number: ATF-2018-0001
EXPEDITED Freedom of Information Act (FOIA) Request

VIA EMAIL: FOIAMail@ATF.gov

Dear Stephanie Boucher,

Pursuant to the federal Freedom of Information Act, 5 U.S. Code § 552 (hereinafter "FOIA"), I submit the following request for documents from the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter "ATF"). If the requested documents are not available from ATF, I respectfully request that you forward this request to the appropriate agency that maintains the requested records or advise me of the identity of any such agency.

Status of Requester: I am attorney and scholar of firearms laws and related issues. I have been published by the Pennsylvania Bar Institute in a number of publications for attorneys on firearms law issues and maintain an active blog on firearms law issues at http://blog.princelaw.com/category/firearms-law/. As a result, I ask that you classify this request as made by a freelance journalist and I have been previously found, on numerous occasions, to be a freelance journalist for purposes of FOIA by ATF, FBI and DDTC. In the alternative, I am requesting a fee waiver. This waiver is applicable under the Freedom of Information Act of 1986. It specifies, "[a] fee waiver or reduction can only be granted if the information furnished to the requester is likely to contribute significantly to the public understanding of the operations or

activities of the government and not primarily in the commercial interest of the requester." As this request is in relation to issues of public importance that will significantly assist the public in understanding the ATF's position in relation to its current rulemaking regarding bump stocks (ATF 2017R-22, RIN 1140-AA52, Fed. Register No. 2018-06292 - https://www.regulations.gov/document?D=ATF-2018-0002-0001), a fee waiver is appropriate. Although Firearms Industry Consulting Group ("FICG") has been retained by Firearms Policy Foundation ("FPF"), a 501(c)3 non-profit public benefit organization, in relation to this rulemaking, as both FPF and FICG intend to publicly post all documents received in response to this FOIA, any response will be provided to the public and is for the benefit of the public.

While I believe that my purposes fall directly within the standard set forth for a freelance journalist or, alternatively, for a "Fee Waiver," if you find that my purposes do not, I will agree to pay the appropriate fees up to $100.00. If you estimate that the cost will exceed $100.00, please advise me the estimated costs exceeding $100, and I will make a decision on whether to proceed. Nonetheless, even with my agreement to pay, I retain the right to appeal any decision based on the fee waiver; and if successful, the return of any money, which was inappropriately paid, in relation to this FOIA.

Expedited Request: Pursuant to 5 U.S.C. § 552, I am requesting expedited review of this FOIA, as ATF has entered into rulemaking relative to the requested documents (ATF 2017R-22, RIN 1140-AA52, Fed. Register No. 2018-06292 - https://www.regulations.gov/document?D=ATF-2018-0002-0001), for which individuals, including myself, only have until June 27, 2018 to respond As ATF has failed to include the requested documents in the docket and the absence of the requested documents would deny the public - including FPF, FICG, and myself - due process and the ability to formulate legal arguments and meaningful opportunity to participate in the rulemaking process, this request is proper for expedited review and processing. If the requested documents are not provided promptly, there will be an inadequate opportunity to review them and formulate meaningful comments before the deadline of June 27, 2018. Consistent with 5 U.S.C. § 552(a)(6)(E)(ii), I am requesting, as required, that a determination be made within 10 days.

Subject Matter of Request: This is a request for all ATF determinations relative to devices referred to as "bump stocks" and "bump-fire stocks" by ATF in its proposed rulemaking (ATF 2017R-22, RIN 1140-AA52, Fed. Register No. 2018-06292 - https://www.regulations.gov/document?D=ATF-2018-0002-0001), as well as, all ATF Form 9310.3A "Correspondence Approval and Clearance" forms relative to each determination, and any versions or drafts of the determinations, which were different than the final determination. The use of the word "determinations" shall be understood to mean any correspondence, whether in electronic or paper form, by ATF to any person, which shall include any individual, Member of Congress, corporation, limited liability company, and partnership, regarding the lawfulness or unlawfulness of any bump stock or bump-fire stock device, whether a sample device was submitted or not to ATF. A copy of two such known determinations are attached hereto as Exhibit A.

Temporal Scope of Request: Please limit your search for responsive documents to the period January 1, 2000 to the present.

Request for "Vaughn Index": In the event all or any part of an otherwise responsive document is withheld subject to a claim that one or more FOIA exemptions apply, please provide an index identifying the document or part thereof, by author(s), addressee(s), date, subject matter, and the

specific exemption asserted as a basis for failing to produce the complete document. If a document is withheld only in part, please mark the redacted document to indicate the deletion.

Waiver of Inspection: If search and copying costs are not estimated to exceed $100.00, please send a copy of the documents to me at the address referenced below.

Request for Timely Action: As mandated by FOIA, 5 U.S.C. § 552(a)(6)(A)(i), I request your reply within twenty business days. The requested documents relate to a matter of current public concern so that time is of the essence. In the event you have any questions concerning this request, please contact me as soon as possible. I would be pleased to clarify any perceived ambiguity informally or to discuss ways to narrow my request so as to ensure a timely response.

Contact Information: Please direct all communications to me at:

Joshua Prince
646 Lenape Rd
Bechtelsville, PA 19505
888-202-9297 ext 81114
Joshua@CivilRightsDefenseFirm.com

Certification: I certify everything in this request, including request for expedited review and processing to true and correct to the best of my knowledge and belief.

Thank you in advance for your attention to this matter.

Yours truly,
Firearms Industry Consulting Group

Joshua G. Prince
joshua@civilrightsdefensefirm.com

jgp/web
Matter no. 10377

regulations.gov

Your Voice in Federal Decision-Making

Home

Bump-Stock-Type Devices

Docket Folder Summary View all documents and comments in this Docket

Docket ID: ATF-2018-0002 **Agency:** Alcohol Tobacco Firearms and Explosives Bureau (ATF) **Parent Agency:** Department of Justice (DOJ)

RIN: 1140-AA52 **Impacts and Effects:** None **CFR Citation:** 27 CFR 478,27 CFR 479 **Priority:** Economically Significant

+ View More UA and Regulatory Plan Information and Docket Details

Primary Documents View All (1)

PR

Bump-Stock Type Device

Proposed Rule **Posted:** 03/29/2018 **ID:** ATF-2018-0002-0001

Comment Now!

Due Jun 27, 2018 11:59 PM ET

Supporting Documents

No documents available.

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226
www.atf.gov

February 7, 2019

REFER TO: 2018-0758

Via Email

Mr. Joshua G. Prince
Firearms Industry Consulting Group
646 Lenape Road
Bechtelsville, PA 19505
Joshua@CivilRightsDefenseFirm.com

Dear Mr. Prince:

This letter is in response to your Freedom of Information Act (FOIA) records request, dated March 30, 2018, to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). In this request, you ask that ATF produce to you records of "ATF determinations relative to devices referred to as 'bump stocks' or 'bump fire stocks' by ATF in its proposed rulemaking (ATF 2017R-22, RIN 1140-AA52, Fed. Register No. 2018-06292." You also ask that ATF limit its search for responsive records to the time period of January 1, 2000 through March 30, 2018. Your request was assigned number 2018-0758 for internal tracking purposes.

ATF located and processed 244 pages of records responsive to your request and is now producing these records to you in an electronic format with some redactions, as permitted by certain exemptions under FOIA. All redactions specify the exemptions claimed.

As I understand that this FOIA request is now subject of a lawsuit against ATF, I respectfully ask that you please direct any questions concerning this matter to Department of Justice Senior Trial Counsel Eric Soskin, who is counsel of record for ATF in the civil case. Mr. Soskin may be reached by phone at 202-353-0533 or by email at eric.soskin@usdoj.gov.

Sincerely,

Adam C. Siple
Chief, Disclosure Division

110061

See also:
71814
54689
48397

* MachineGun

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25401
www.atf.gov

903050 (b) (6)
3311/2006-1060

NOV 2 2 2006

BY HAND DELIVERY

(b) (6)
President
Akins Group, Inc.
935 S. Cherry Street #B
Cornelius, OR 97113

Dea (b) (6)

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) recently received a request from an individual to examine a device referred to as an "Akins Accelerator." Because your company is manufacturing and distributing the device, we are contacting you to advise you of the results of our examination and classification.

The National Firearms Act (NFA), Title 26 United States Code (U.S.C.) Chapter 53, defines the term "firearm" to include a machinegun. Section 5845(b) of the NFA defines the term "machinegun" as follows:

> *...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.*

Machineguns are also regulated under the Gun Control Act of 1968 (GCA). 18 U.S.C. Chapter 44, which defines the term in the same way as in the NFA. 18 U.S.C. § 921(a)(23). Pursuant to 18 U.S.C. § 922(o), machineguns manufactured on or after May 19, 1986, may only be manufactured for and distributed to Federal, State, and local government agencies for official use.

The Firearms Technology Branch (FTB) examination of the submitted item indicates that the Akins Accelerator is an accessory that is designed and intended to accelerate the rate of fire for Ruger 10/22 semiautomatic firearms. The Akins Accelerator device, which is patented, consists of the following metal block components (also see enclosed photos):

(b) (6)

- Block 1: A metal block that replaces the original manufacturer's V-Block of the 10/22 rifle. The replacement block has two rods attached that are approximately ¼ inch in diameter and approximately 6 inches in length.
- Block 2: A metal block that is approximately 3 inches long, 1-3/8 inches wide, and ¾ of an inch high that has been machined to allow the two guide rods to pass through. Block 2 serves as a support for the guide rods and as an attachment to the stock.

As received, the Akins Accelerator utilizes the following parts and features to facilitate assembly:

- Assembly of Block 1 to Block 2: These blocks are assembled using ¼ inch rods, metal washers, rubber and metal bushings, two collars with set screws, one coiled spring, C-clamps, and a split ring.
- Apertures for Attachment of Stock: Block 2 is drilled and tapped for two 10-24 NC screws. These threaded holes allow the attachment of the Akins device with Ruger 10/22 barreled receiver to the composite stock that is a component part of the Akins device.

The composite stock is designed for a Ruger 10/22 barrel and receiver. This stock permits the entire firearm (receiver and all its firing components) to recoil a short distance within the stock when fired. Rearward pressure on the trigger causes the firearm to discharge, and as the firearm moves rearward in the composite stock, the shooter's trigger finger contacts the stock. The trigger mechanically resets, and the accelerator, which has a coiled spring located forward of the firearm receiver, is compressed. Energy from this accelerator spring subsequently drives the firearm forward into its normal firing position and, in turn, causes the trigger to contact the shooter's trigger finger, so long as the shooter maintains finger pressure against the stock, making the weapon fire again. The Akins device assembled with a Ruger 10/22 is advertised to fire approximately 650 rounds per minute.

For testing purposes, FTB personnel installed a semiautomatic Ruger 10/22 rifle from the National Firearms Collection into the stock, with the Akins device attached. Live-fire testing of the Akins Accelerator demonstrated that a single pull of the trigger initiates an automatic firing cycle that continues until the finger is released, the weapon malfunctions, or the ammunition supply is exhausted.

In order to be regulated as a "machinegun" under Section 5845(b), conversion parts must be designed and intended to convert a weapon into a machinegun, i.e., a weapon that shoots automatically more than one shot, without manual reloading, by a **single function of the trigger**. Legislative history for the National Firearms Act indicates that the drafters equated "single function of the trigger" with "single pull of the trigger." National Firearms Act: Hearings Before the Comm., on Ways and Means, House of Representatives, Second Session on H.R. 9066, 73rd Cong., at 40 (1934). Accordingly, it is the position of this agency that conversion parts that are designed and intended to convert a weapon into a machinegun, that is, one that will

(b) (6)

shoot more than one shot, without manual reloading, by a single pull of the trigger, are regulated as machineguns under the National Firearms Act and the Gun Control Act.

We note that by letters dated November 17, 2003, and January 29, 2004, we previously advised you that we were unable to test-fire a prototype of the Akins device that you sent in for examination. However, both letters state that the theory of operation is clear, and because the device is not a part or parts designed and intended for use in converting a weapon into a machinegun, it is not a machinegun as defined under the National Firearms Act. The previous classification was based on a prototype that fractured when this office attempted to test fire it. Nonetheless, the theory of operation of the prototype and the Akins Accelerator is the same. To the extent the determination in this letter is inconsistent with the letters dated November 17, 2003, and January 29, 2004, they are hereby overruled.

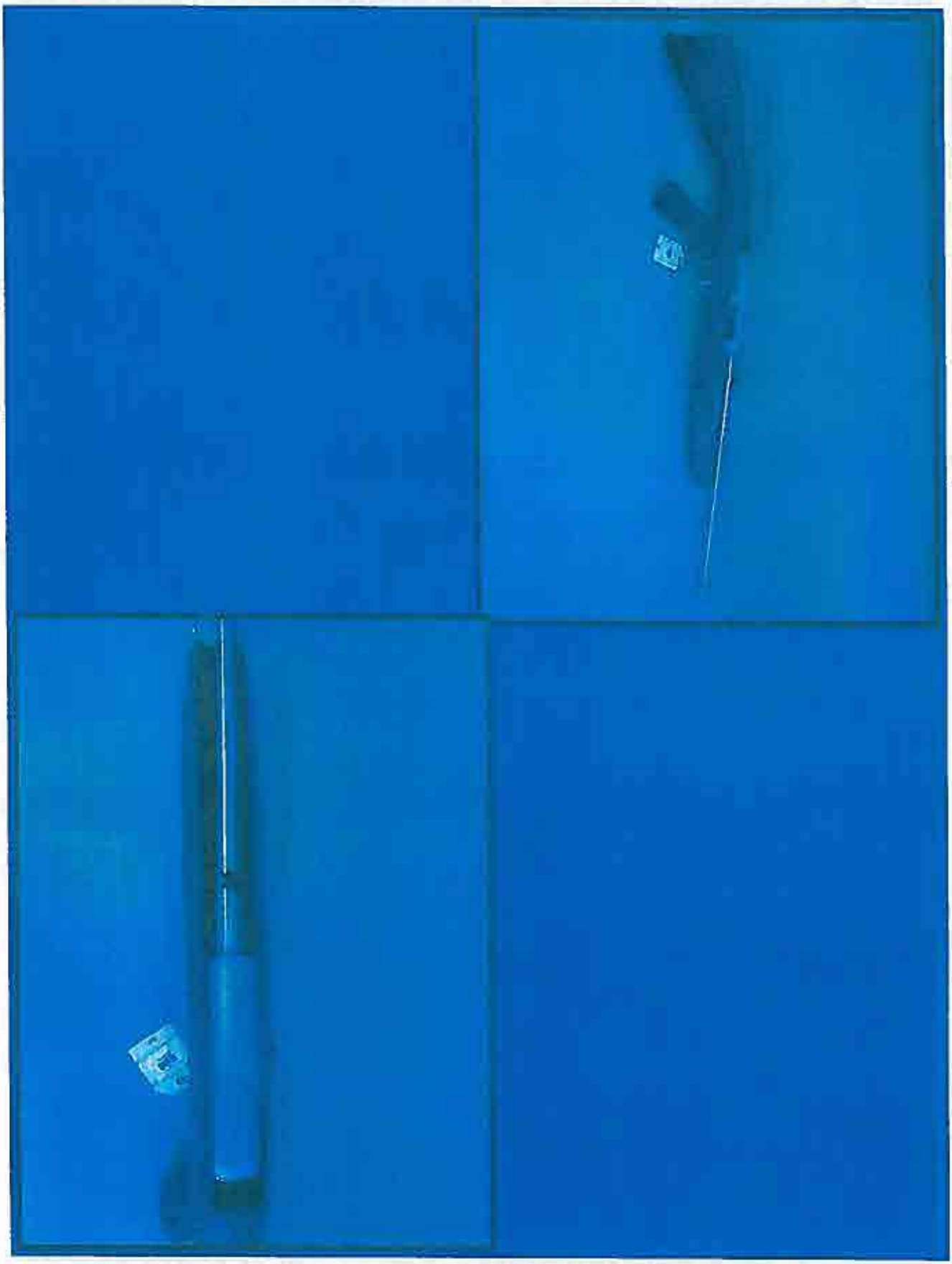
Manufacture and distribution of the Akins Accelerator device must comply with all provisions of the NFA and the GCA. Accordingly, any devices you currently possess must be registered in accordance with 26 U.S.C. § 5822 and regulations in Part 27 Code of Federal Regulations (C.F.R). § 479.103. If you do not wish to register the devices, they should immediately be abandoned to the nearest ATF Office. You may contact the Portland field office at (503) 331-7850 to arrange for abandonment of the weapons. Pursuant to 18 U.S.C. § 922(o), the devices may only be manufactured for and distributed to Federal, State, and local law enforcement agencies. In addition, the devices must be marked in accordance with 18 U.S.C. § 923(i), 26 U.S.C. § 5842, 27 C.F.R. § 478.92, and 27 C.F.R. § 479.102. If you have questions about any of these provisions of law, please contact Acting Assistant Chie(b) (6) in the Firearms Programs Division a(b) (6)

Sincerely yours,

Richard Vasquez
Assistant Chief, Firearms Technology Branch

cc: SAC, Seattle Field Division
DIO, Seattle Field Division
Division Counsel, Seattle
Assistant Chief Counsel, San Francisco

Enclosures



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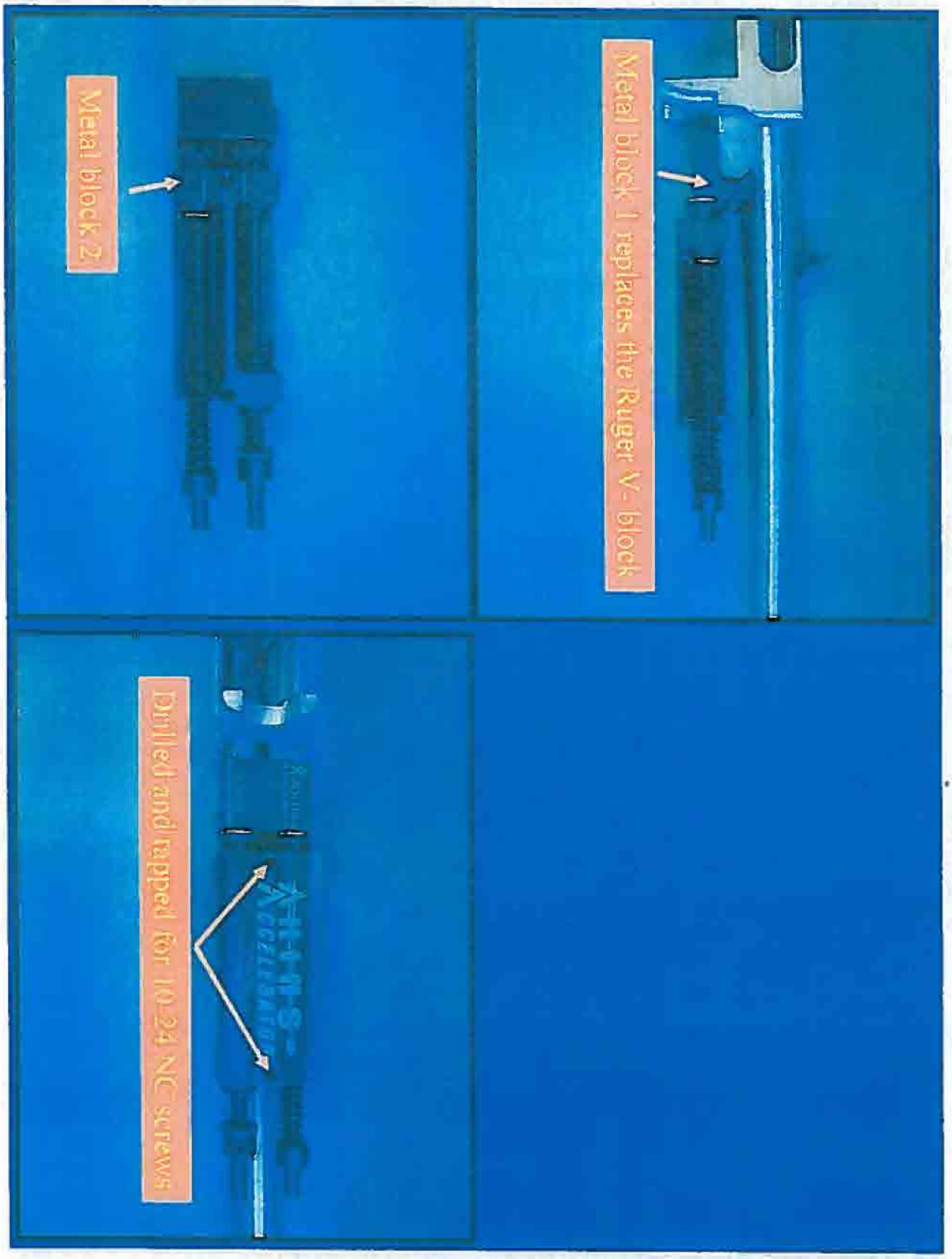

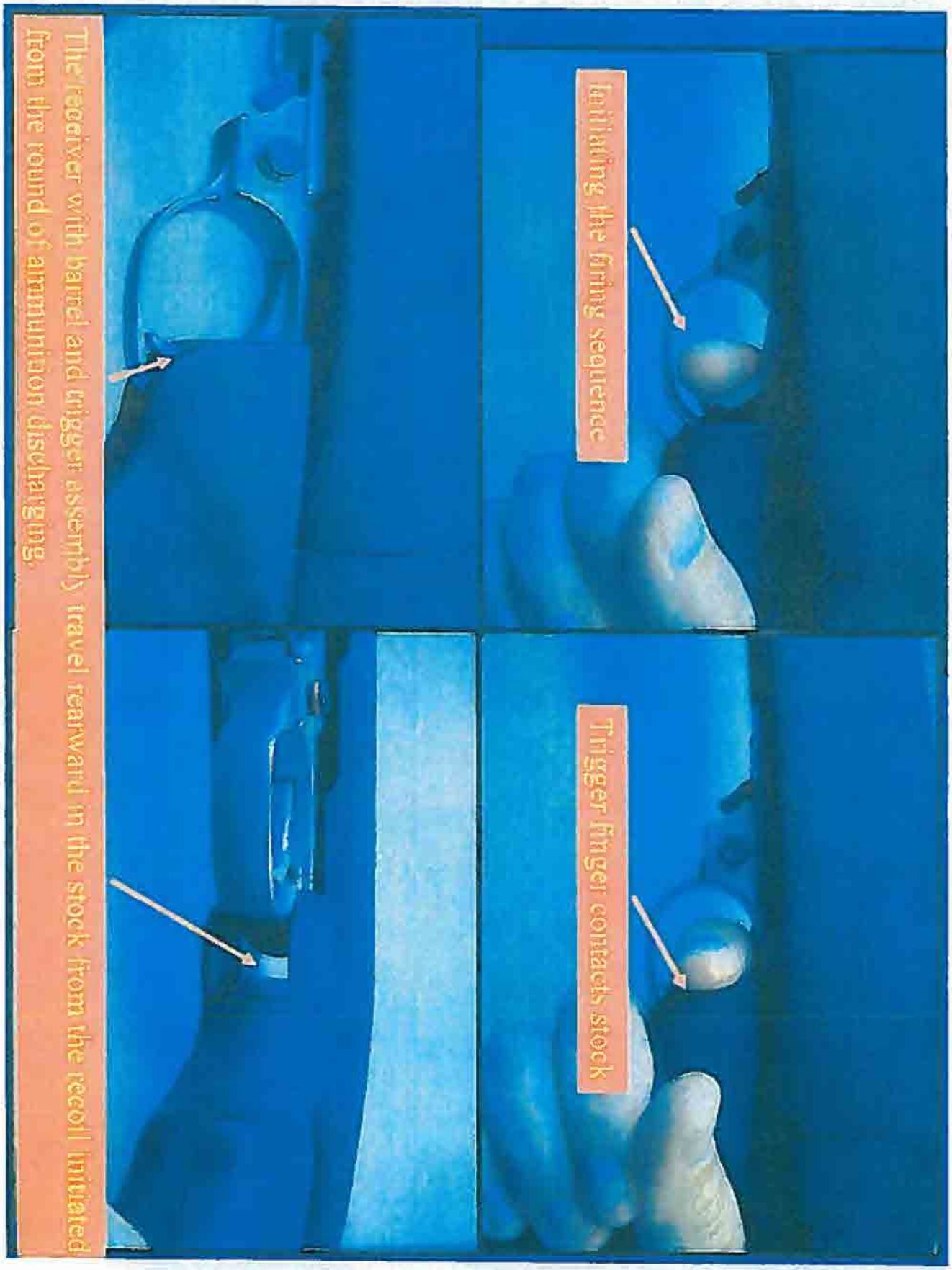
Initiating the firing sequence
Trigger finger contacts stock
The receiver with barrel and trigger assembly travel rearward in the stock from the recoil initiated from the round of ammunition discharging.

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
WASHINGTON, DC 20226

903050 (b) (6)
JUL 28 2003 3311/2002-404

(b) (6)

Dear Mr (b) (6)

This is in response to your letter dated March 31, 2002, to the Bureau of Alcohol, Tobacco and Firearms (ATF). In your letter you ask about the classification of a device intended to facilitate rapid semiautomatic fire in certain firearms.

As defined in Title 26, United States Code (U.S.C.), Chapter 53, §5845(b), of the National Firearms Act (NFA), the term "machinegun" means 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.

In addition to your letter of request, you have provided certain patent drawings (patent number 6,101,918) along with supporting text for our review. The information you supplied illustrates an accessory firearm stock that is designed and intended to accelerate the rate of fire on certain semiautomatic firearms. The device depicted consists of a modified stock assembly with a cavity or depression at the rear of the unit where it would normally meet the rear portion of the firearm receiver. This cavity permits the entire firearm (receiver and all its firing components) to recoil a short distance within the

Mr. (b) (6)

stock, when fired. As the firearm moves rearward in the modified stock, a spring located within the modified stock is compressed. Energy from this spring subsequently drives the firearm forward and back into its normal firing position. After the shooter initially activates the trigger, the shooter's finger is held in a fixed position by a stop screw device embedded into the stock that does not move during the firing process. The effect of this is that the trigger mechanism moves rearward and disengages from the shooter's finger as the firearm recoils in the modified stock. After the firearm recoils a sufficient distance, the recoil spring located within the stock drives the firearm forward and the trigger again makes contact with the shooter's stationary finger. This action trips the firearm's trigger and begins the firing cycle once more.

ATF has previously examined a similar device and determined that it failed to function as intended by design. Since this office has not had the opportunity to examine this specific device, it is suggested that a sample be submitted for classification. Upon completion of our examination you will be provided with a letter of classification and the sample will be returned. However, if the submitted sample is found to be a machinegun as defined in Federal law, it cannot be returned to you.

Sincerely yours,

Sterling Nixon
Chief, Firearms Technology Branch

See also
71814
71021
48297

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

no device submitted
no classif. given

OCT 20 2003

903050 (b) (6)
3311/2002-404

(b) (6)

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In addition to your letter of request, you have provided certain patent drawings (patent number 6,101,918), along with supporting text, for our review. The information you supplied illustrates an accessory firearm stock that is designed and intended to accelerate the rate of fire on certain semiautomatic firearms. The device depicted consists of a modified stock assembly with a cavity or depression at the rear of the unit where it would normally meet the rear portion of the firearm receiver. This cavity permits the entire firearm (receiver and all its firing components) to recoil a short distance within the stock, when fired.

(b) (6) [redacted]

As the firearm moves rearward in the modified stock, a spring located within the modified stock is compressed. Energy from this spring subsequently drives the firearm forward and back into its normal firing position.

In addition, after the shooter initially activates the trigger, the shooter's finger is held in a fixed position by a stop screw device embedded into the stock that does not move during the firing process. As a result, the trigger mechanism moves rearward and disengages from the shooter's finger as the firearm recoils in the modified stock. After the firearm recoils a sufficient distance, the recoil spring located within the stock drives the firearm forward, and the trigger again makes contact with the shooter's stationary finger. This action trips the firearm's trigger and begins the firing cycle once more.

ATF has previously examined a similar device and determined that it failed to function as intended by design. Since this office has not had the opportunity to examine this specific device, it is suggested that a sample be submitted for classification. Upon completion of our examination, you will be provided with a letter of classification, and the sample will be returned. However, if the submitted sample is found to be a *machinegun* as defined in Federal law, it cannot be returned to you.

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

Sincerely yours,

Sterling Nixon
Chief, Firearms Technology Branch

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

NOV 17 2003

not m/gun

903050 (b) (6)
3311/2004-096

(b) (6)
Post Office Box 430
Cornelius, Oregon 97113

Dear (b) (6)

This refers to your recoiling metal stock assembly, designed for use on an SKS type semiautomatic rifle, that was received by the Firearms Technology Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), on August 21, 2003 for the purposes of examination and classification.

Our evaluation indicates that the submitted sample stock assembly measures approximately 36 inches long and approximately 9-7/8 inches at its widest point. It is marked "BOWERS", "CORNELIUS OR", and "AA1". The following is a list of its physical characteristics:

- rectangular channel, approximately 22-5/16 inches long;
- barrel mounting block/spring actuated recoiling mechanism affixed to the forward end of the rectangular channel;
- access cutout in the bottom of the rectangular channel for the trigger group and magazine;
- two adjustable screws affixed to the underside of the rectangular channel; and
- tubular pistol grip/shoulder stock assembly welded to the underside of the rectangular channel.

The proposed theory of operation of this stock involves the application of the movement of the counter recoiling rifle to initiate a rapid succession of semiautomatic fire. The shooter places his trigger finger behind the two adjustable screws and forward of the weapon's trigger. After the weapon is initially fired and the action is moved to the rear (by the recoiling mechanism), the subsequent forward movement of the action is halted

(b) (6)

by the shooter's trigger finger being held against the adjustable screws. The trigger is then depressed, and a second firing of the weapon commences. The movements of the action within the stock assembly are used to consecutively fire the weapon in lieu of the traditional method of manually pulling the trigger.

The action of a semiautomatic SKS-type 7.62x39mm rifle from our firearms reference collection was placed within the submitted stock. The weapon was then test fired. Both of the adjustable screws fractured, breaking away from the underside of the stock. These fractures occurred on the second test firing. The weapon did not fire more than one shot by a single function of the trigger.

The National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines the term "machinegun" to include the following:

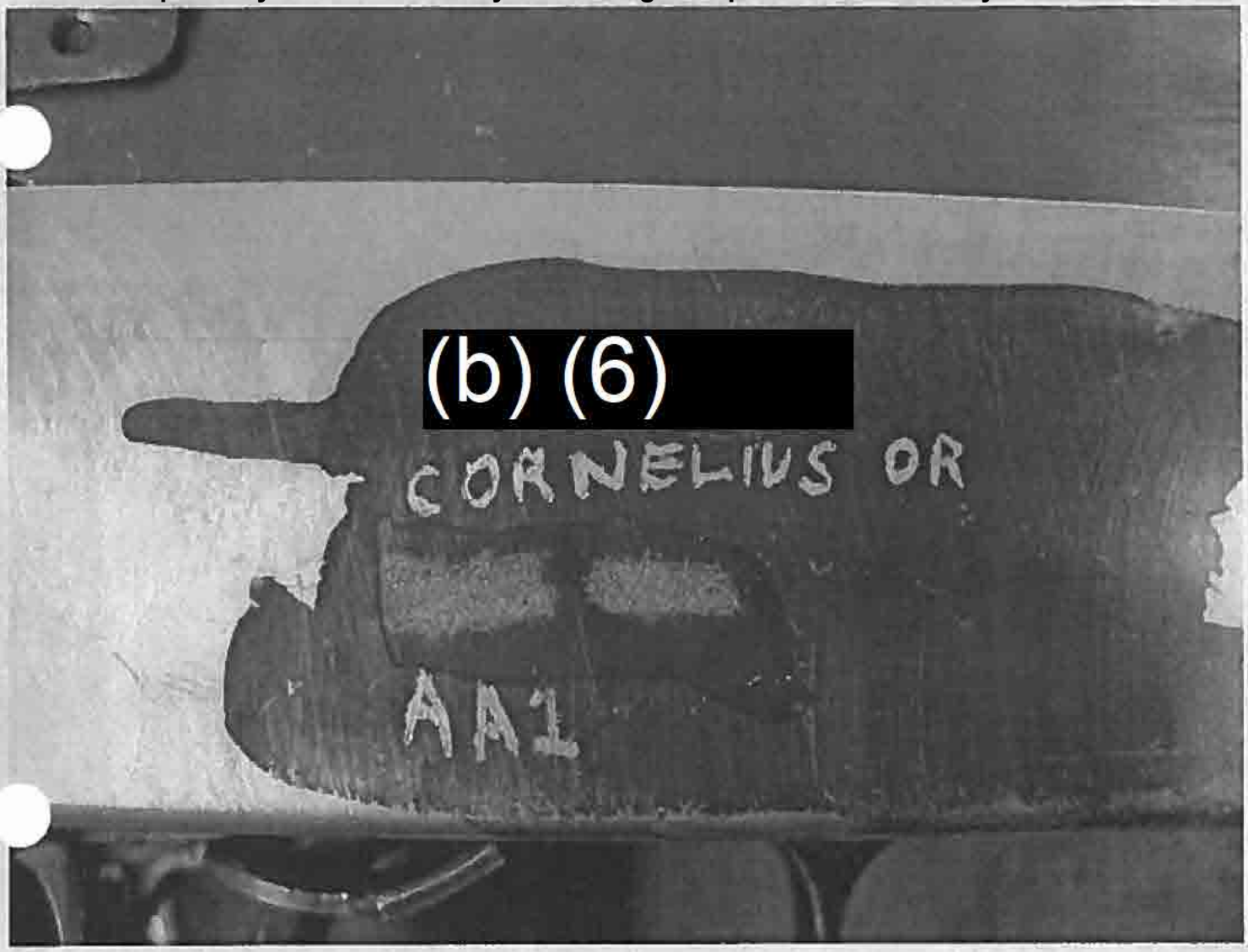
...any weapon that shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. This term shall also include the frame or receiver of any such weapon, any part designed and intended solely and exclusively, 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.

Our examination has determined that the submitted stock assembly does not constitute a machinegun as defined in the NFA. It is not a part or parts designed and intended for use in converting a weapon into a machinegun.

We thank you for your submitted assembly and trust that the foregoing has been responsive.

Sincerely yours,

Sterling Nixon
Chief, Firearms Technology Branch



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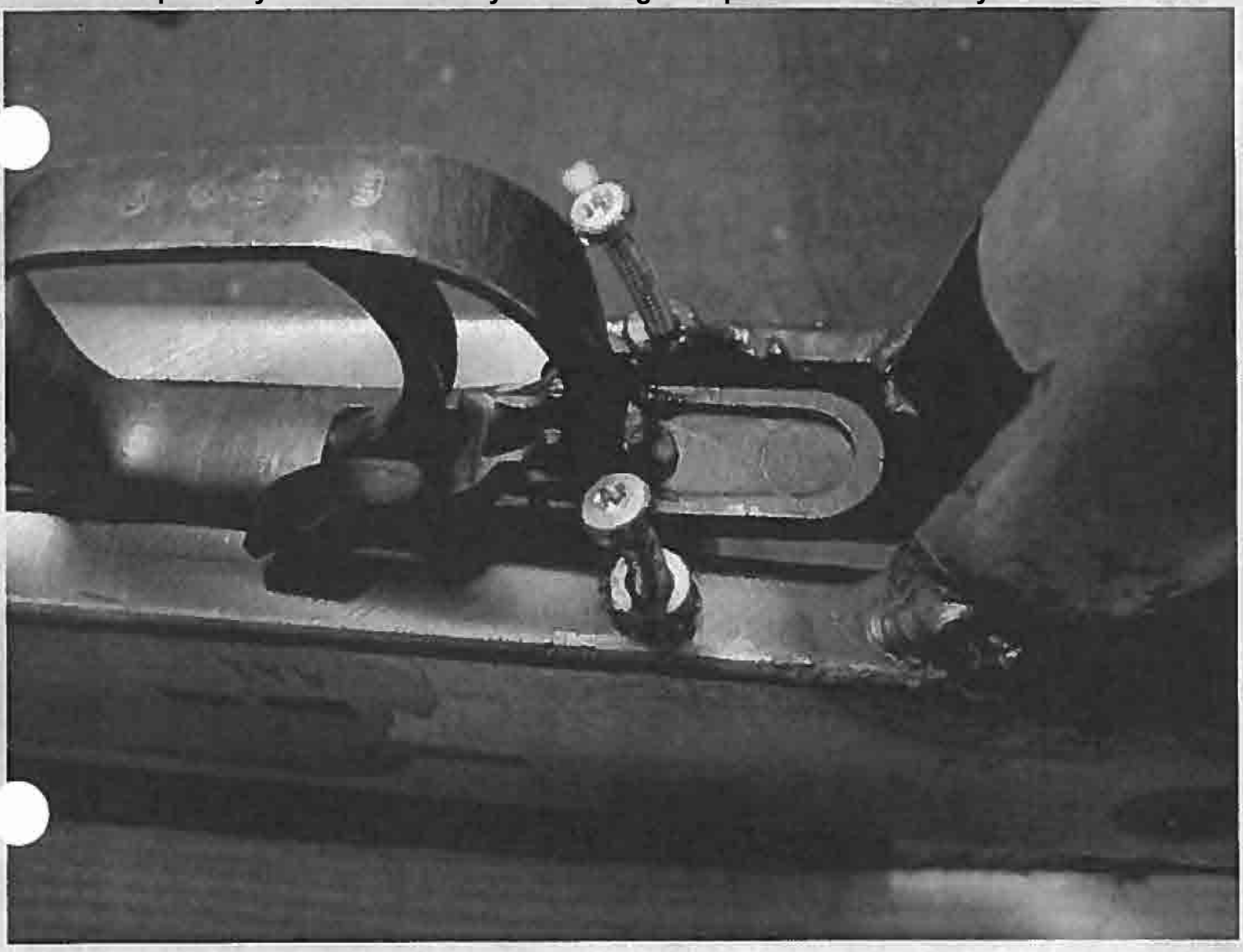

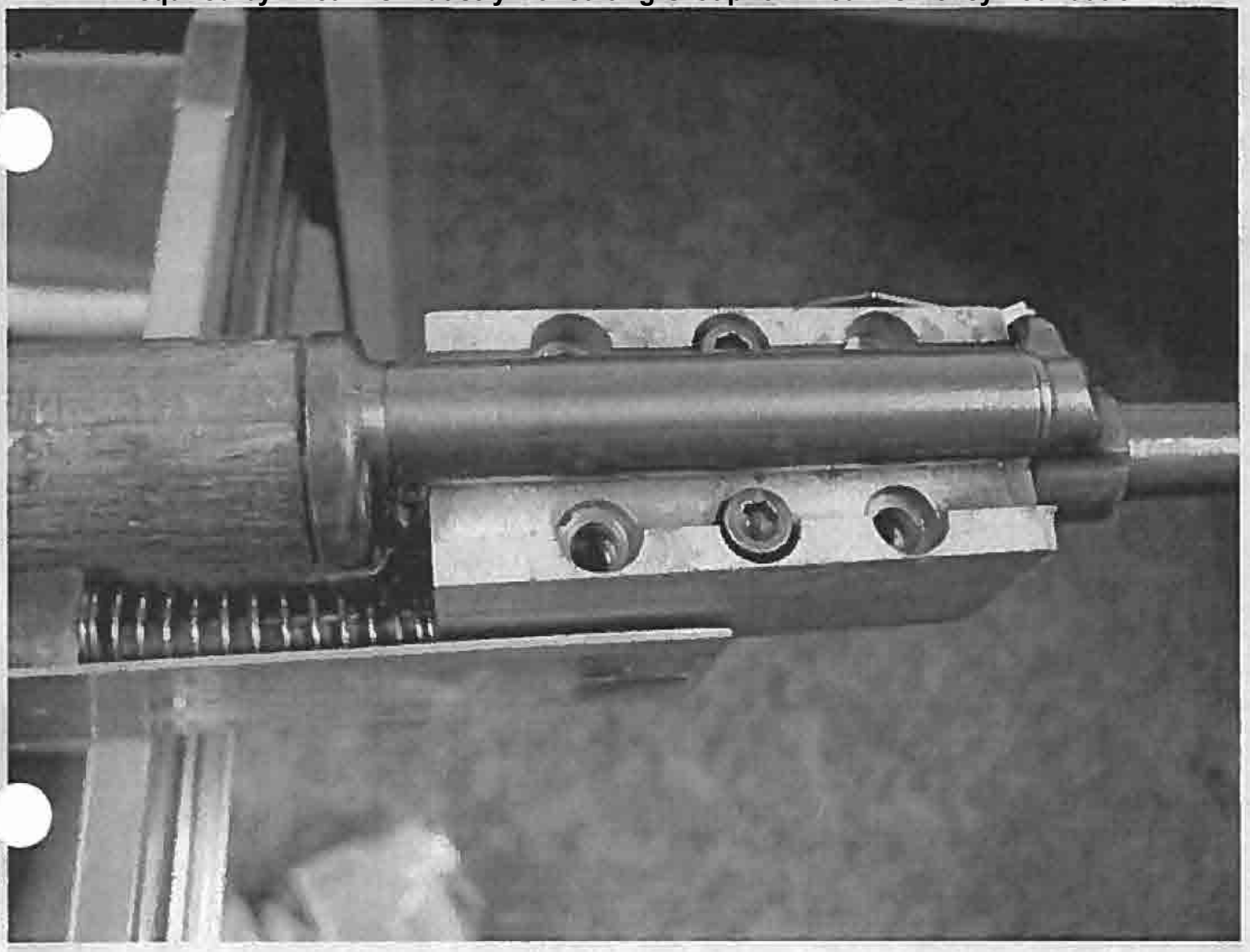

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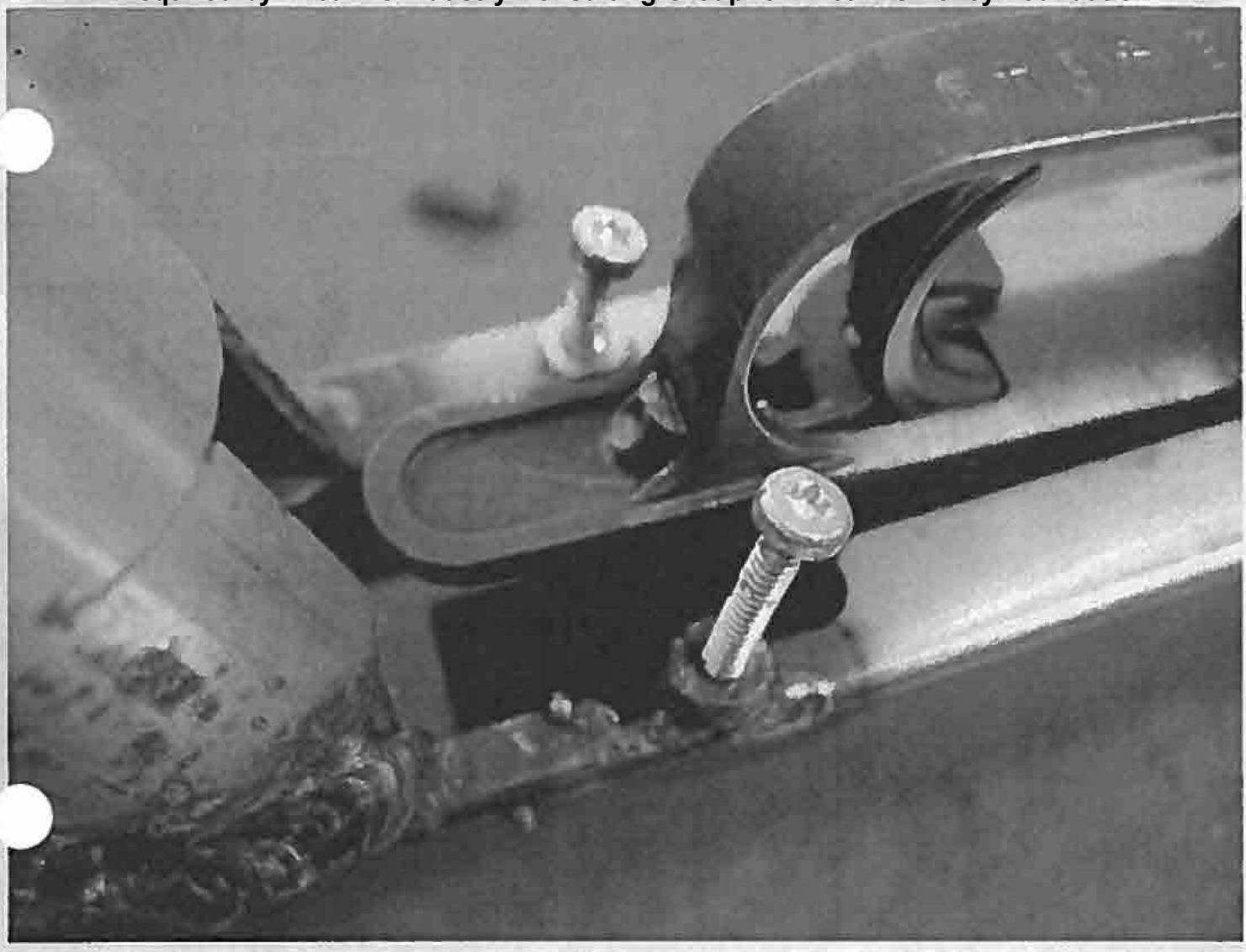

28438

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

JAN 2 9 2004

903050 (b) (6)
3311/2004-308

NOT Machine

www.atf.gov

(b) (6)
Post Office Box 430
Cornelius, OR 97113

Dear (b) (6)

This refers to your letter of January 21, 2004, to the Firearms Technology Branch, ATF, in which you request clarification of our previous correspondence (3311/2004-096) regarding the manufacture of a recoiling metal stock assembly that is designed for use on an SKS-type semiautomatic rifle.

As noted previously, the proposed theory of operation of this stock involves the application of the movement of the counter recoiling rifle to initiate a rapid succession of semiautomatic fire. Our examination and subsequent classification revealed that the stock did not constitute a "machinegun" as that term is defined in the National Firearms Act (NFA), 26 U.S.C. Chapter 53.

As indicated, during the course of our examination and testing of the item (SKS barreled action installed into the submitted stock), two set-screws dislodged from the frame. The weapon did not fire more than one shot by a single function of the trigger at any point throughout the testing.

Our classification of the stock assembly was rendered despite the fact that the screws dislodged from the frame. The theory of operation was clear even though the rifle/stock assembly did not perform as intended.

In conclusion, your prototype shoulder stock assembly does not constitute a "machinegun" as defined in the NFA. This evaluation is valid *provided that when the*

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
CORRESPONDENCE APPROVAL AND CLEARANCE

903050 (b) (6)
3311/2004-308

(b) (6)
Post Office Box 430
Cornelius, OR 97113

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In conclusion, your prototype shoulder stock assembly does not constitute a "machinegun" as defined in the NFA. This evaluation is valid *provided that when the*

	INITIATOR	REVIEWER	REVIEWER	REVIEWER	REVIEWER	REVIEWER	REVIEWER
CODE	903050	903050	903050	903050			
SURNAME	(b) (6)		Nixon				
DATE	1-23-04	1-23-04	29 Jan 04				

ATF F 3310.3A (7-97) (Formerly ATF F 1325.6A, which may still be used) U.S. Government Printing Office

28428

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
CORRESPONDENCE APPROVAL AND CLEARANCE

(b) (6)

stock is assembled with an otherwise unmodified SKS semiautomatic rifle, the rifle does not discharge more than one shot by a single function of the trigger.

We trust the foregoing has been responsive to your follow-up inquiry.

Sincerely yours,

Sterling Nixon
Chief, Firearms Technology Branch

	INITIATOR	REVIEWER	REVIEWER	REVIEWER	REVIEWER	REVIEWER	REVIEWER
CODE	903050	903050	903050	903050			
SURNAME							
DATE							

ATF F 9310.3A (7-97) (Formerly ATF F 1325.6A, which may still be used)

'14544

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

NOT m/gun

903050:(b) (6)
3311/2010-434

Martinsburg, West Virginia 25405
www.atf.gov

JUN 0 7 2010

(b) (6)
P.O. Box 3175
Albany, Texas 76430

Dear (b) (6)

This is in reference to your submission and accompanying letter to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), asking for an evaluation of a replacement shoulder stock for an AR-15 type rifle. Your letter advises that the stock (referenced in this reply as a "bump-stock") is intended to assist persons whose hands have limited mobility to "bump-fire" an AR-15 type rifle. Your submission includes the following: a block to replace the pistol grip while providing retention for the selector stop spring; a hollow shoulder stock intended to be installed over the rear of an AR-15 fitting with a sliding-stock type buffer-tube assembly; and a set of assembly instructions.

The FTB evaluation confirmed that the submitted stock (see enclosed photos) does attach to the rear of an AR-15 type rifle which has been fitted with a sliding shoulder-stock type buffer-tube assembly. The stock has no automatically functioning mechanical parts or springs and performs no automatic mechanical function when installed. In order to use the installed device, the shooter must apply constant forward pressure with the non-shooting hand and constant rearward pressure with the shooting hand. Accordingly, we find that the "bump-stock" is a firearm part and is not regulated as a firearm under Gun Control Act or the National Firearms Act.

Per your telephoned instructions, we will contact you separately to make return delivery arrangements.

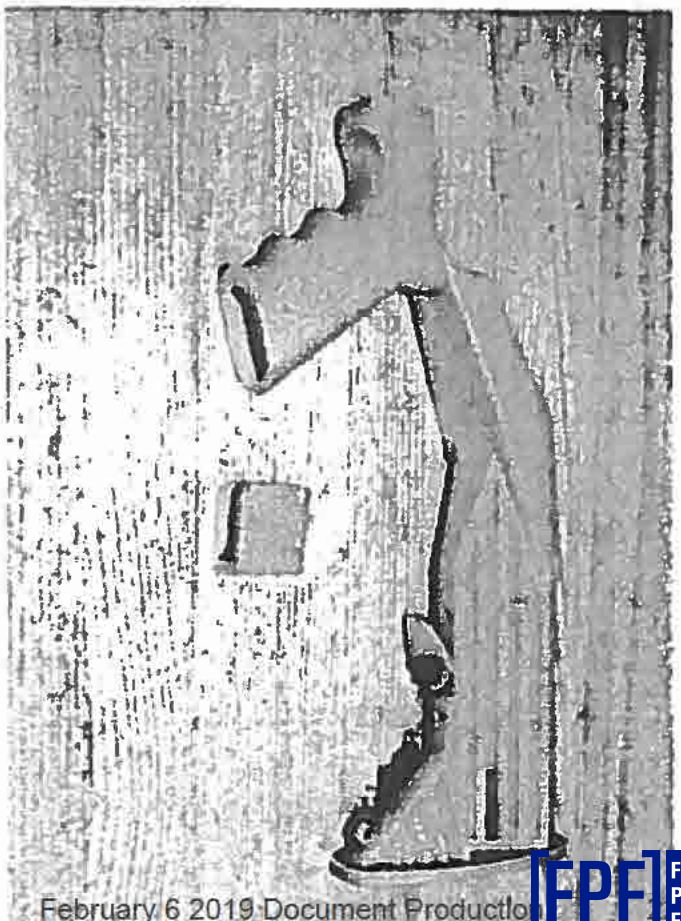
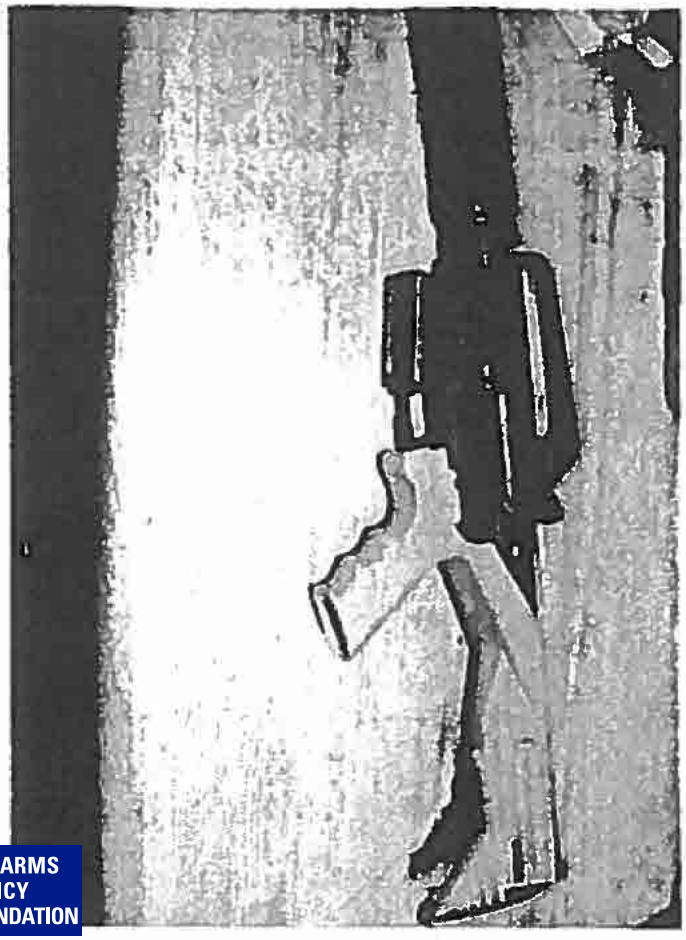
We thank you for your inquiry and trust that the foregoing has been responsive.

Sincerely yours,

John R. Spencer
Chief, Firearms Technology Branch

Enclosure



78025

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

NOT M/GUN

Martinsburg, WV 25403

www.atf.gov

903050 (b) (6)
3311/78025

May 1, 2013

(b) (6)

Dea (b) (6)

This is in reference to your sample, as well as accompanying correspondence, which was submitted in December 2012 to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB), for classification under Federal firearms laws. The sample—which you call "the HailStorm"—consists of a replacement "bump-fire" type stock designed for use with a semiautomatic AR-15 type rifle.

As you know, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines the term "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 submitted device (see enclosed photos) incorporates the following features or characteristics:

- A plastic, adjustable AR-type buttstock "anchor tube" that is designed to be installed onto the buffer tube of an AR-type firearm and, also, to house the "stabilizer bar."
- A "stock adjusting pin" to prevent linear movement of the "anchor tube" while it is installed to the buffer tube.

- Lack of any operating springs, bands, or other parts which would permit automatic firing.

Your stock is designed to allow the AR-type semiautomatic rifle mounted to it to reciprocate back and forth in a linear motion. The absence of an accelerator spring or similar component in the submitted device prevents it from operating automatically. When operated, forward pressure must be applied with the support hand to the forward handguard/fore-end of the AR-type rifle mounted to your stock, bringing the receiver assembly forward to a point where the trigger can be pulled by the firing hand. If sufficient forward pressure is not applied to the handguard with the support hand, the rifle can be fired in a conventional, semiautomatic manner since the reciprocation of the receiver assembly is eliminated.

The FTB examination of the submitted device indicates that if as a shot is fired—and a sufficient amount of pressure is applied to the handguard/gripping surface with the shooter's support hand—the AR-type rifle assembly will come forward until the trigger re-contacts the shooter's stationary firing-hand trigger finger: Re-contacting allows the firing of a subsequent shot. In this manner, the shooter pulls the receiver assembly forward to fire each shot, each succeeding shot firing with a single trigger function.

Since your device does not initiate an automatic firing cycle by a single function of the trigger, FTB finds that it is NOT a machinegun under the NFA. 26 U.S.C. 5845(b), or the amended Gun Control Act of 1968, 18 U.S.C. § 921(a)(23).

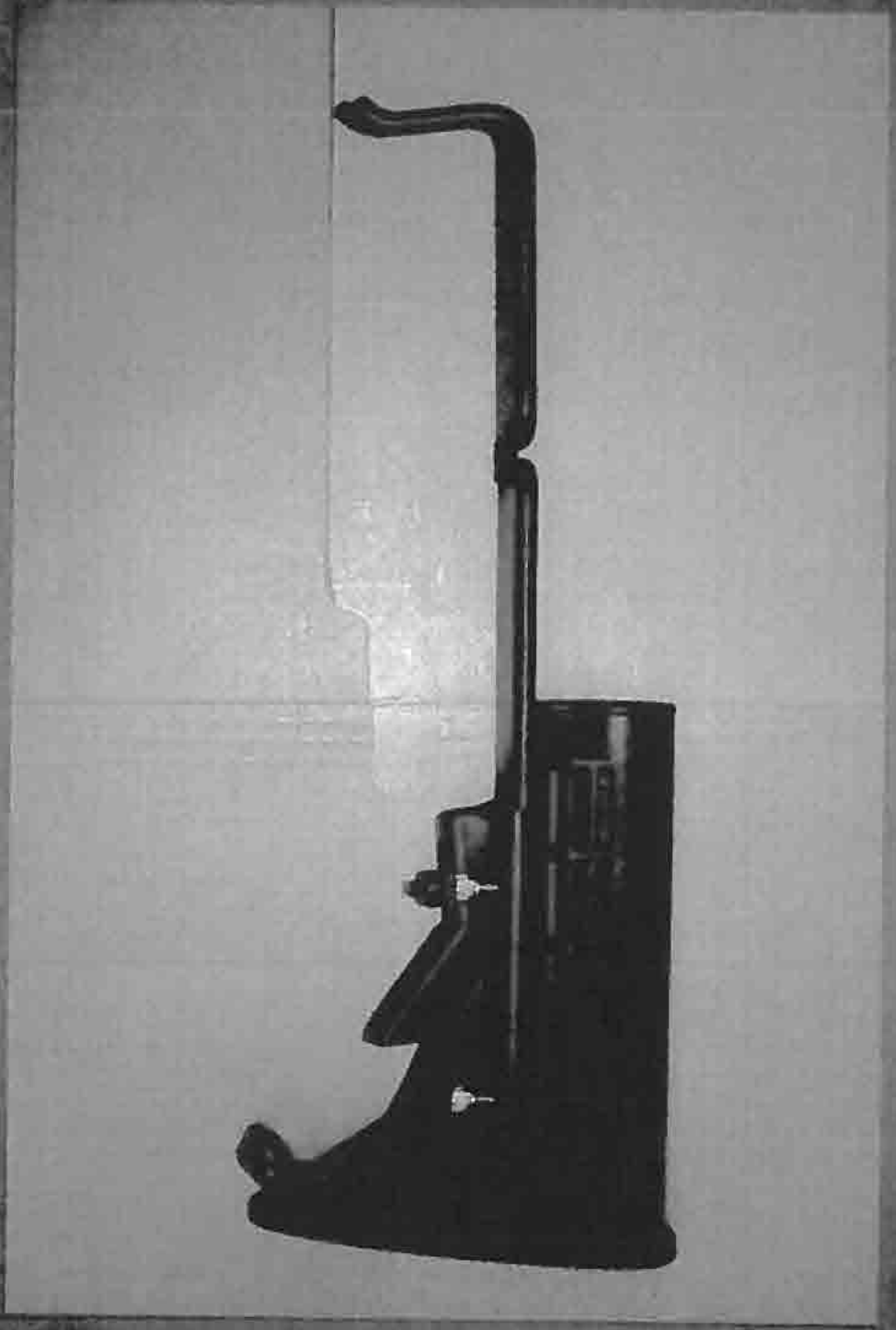
We caution that our findings are based on the item as submitted. Any changes to its design features or characteristics will void this classification. Moreover, we should point out that the addition of an accelerator spring or any other non-manual source of energy which allows this device to operate automatically will result in the manufacture of a "machinegun" as defined in the NFA, 5845(b).

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

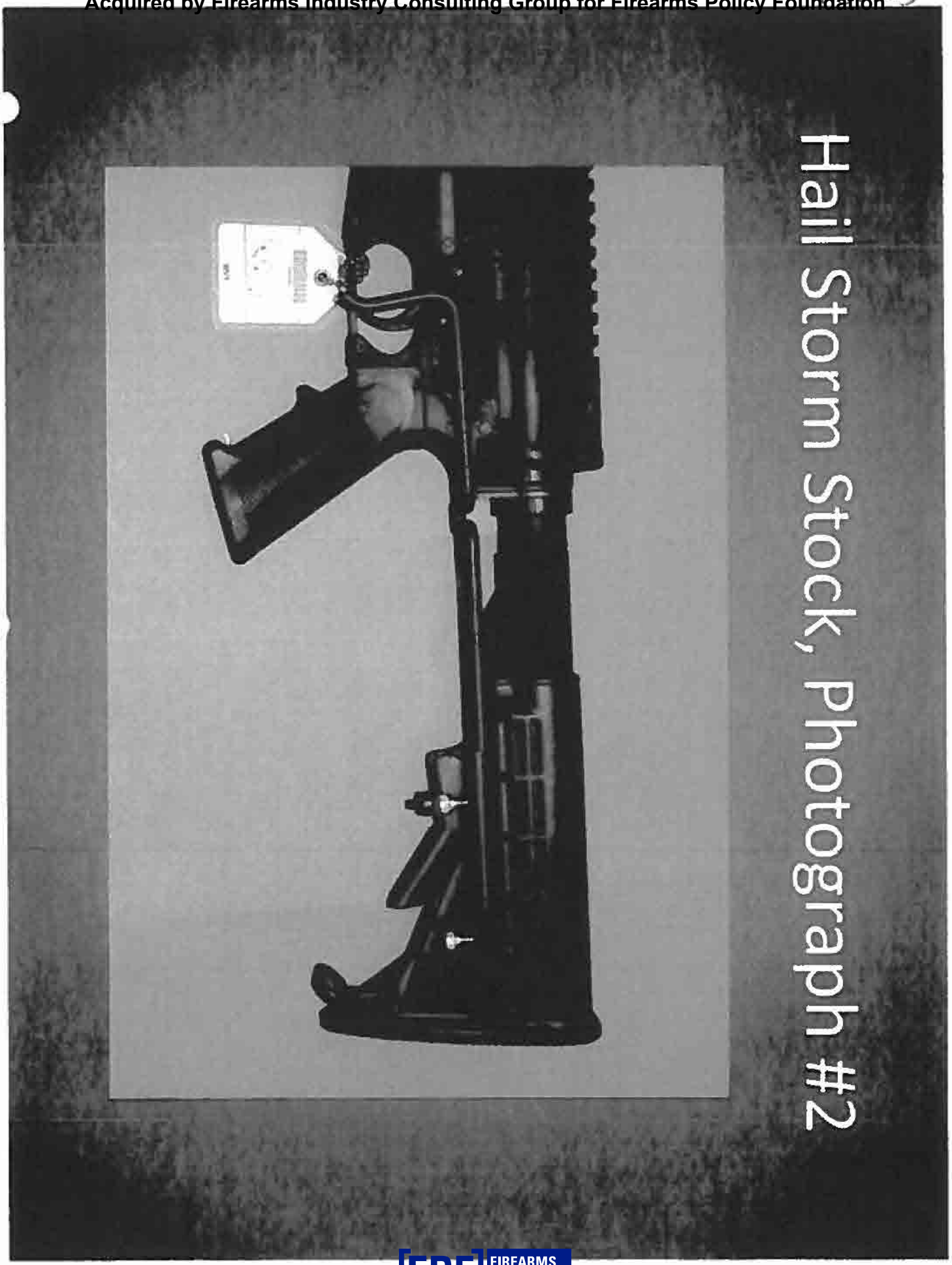
Sincerely yours,

Earl Griffith
Chief, Firearms Technology Branch

Hail Storm Stock, Photograph #1



78025



78025

78025 – MAY 1, 2013 – Bump Fire Stock – NOT A MACHINEGUN

(b) (6)

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, West Virginia 25405

www.atf.gov

NOT A m/frm

903050(b) (6)
3311/2008-371

JUN 18 2008

(b) (6)

Dea(b) (6)

This is in reference to your submitted item, as well as accompanying correspondence, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB). This item, consisting of a metal type shoulder stock, was submitted with a request for classification under the Gun Control Act (GCA) and National Firearms Act (NFA).

As background information, the NFA, 26 U.S.C. Section 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 device submitted for evaluation consists of the following:

- Two sections of square metal tubing, the exterior tube measuring approximately 10 x 1-1/2 x 1-1/2 inches. Additionally, a flat piece of metal similar in shape to a butt plate is welded to the rear of the exterior tube.
- An interior tube measuring approximately 12-9/16 x 1-1/4 x 1-1/4 inches.
- A flat piece of metal measuring 4-3/4 x 1-3/8 x 3/16 inches attached by means of welding to the bottom and located on the front of the exterior tubing.
- A cylindrically shaped section of pipe that acts as pistol grip and is attached to the previously described flat piece of metal by means of welding. It measures approximately 4-1/8 inches in length and 1-5/16 inches in diameter.
- A support bar attached to the pistol grip and butt plate by means of welding. It measures approximately 11-1/4 x 13/16 x 3/8 inches.
- Interior tubing that has been drilled and tapped for two oval head screws which are located on the left and right side. These screws are used to stop the rearward movement after a short distance of travel. Additionally, two holes have been drilled and tapped into the top of the interior tube which allow attachment of the device to an AK-type rifle.

(b) (6)

- An exterior-tube slot (1-3/16 inches) milled on the bottom, approximately 4-3/16 inches from the front of the tube. The interior tubing has a hole drilled and tapped to accept an oval head screw. This screw supports the two previously mentioned stop screws on the interior tubing. It also stops the forward travel of the interior tubing after a short distance of travel.

To install this shoulder-stock device on an AK-type rifle, the shoulder stock and independent pistol grip has to be removed. Next, the front of the interior tube has to be inserted into the interior cavity of the receiver of the AK-type rifle, and the attachment screws installed.

The FTB live-fire testing of the submitted device indicates that if, as a shot is fired, an *intermediate* amount of pressure is applied to the fore-end with the support hand, the shoulder stock device will recoil rearward far enough to allow the trigger to mechanically reset. Continued intermediate pressure applied to the fore-end will then push the receiver assembly forward until the trigger re-contacts the shooter's stationary firing hand finger, allowing a subsequent shot to be fired. In this manner, the shooter pulls the firearm forward to fire each shot, each shot being fired by a single function of the trigger. Further, every subsequent shot depends on the shooter applying the appropriate amount of forward pressure to the fore-end and timing it to contact the trigger finger on the firing hand.

Since your device is incapable of initiating an automatic firing cycle that continues until either the finger is released or the ammunition supply is exhausted, FTB finds that it is NOT a machinegun under the NFA, 26 U.S.C. 5845(b), or the GCA, 18 U.S.C. 921(a)(23).

Please note that this classification is based on the item as submitted. Any changes to its design features or characteristics **will void** this classification. In addition, we caution that the addition of an accelerator spring or any other non-manual source of energy which allows this device to operate automatically as described will result in the manufacture of a machinegun as defined in the NFA, 26 U.S.C. 5845(b).

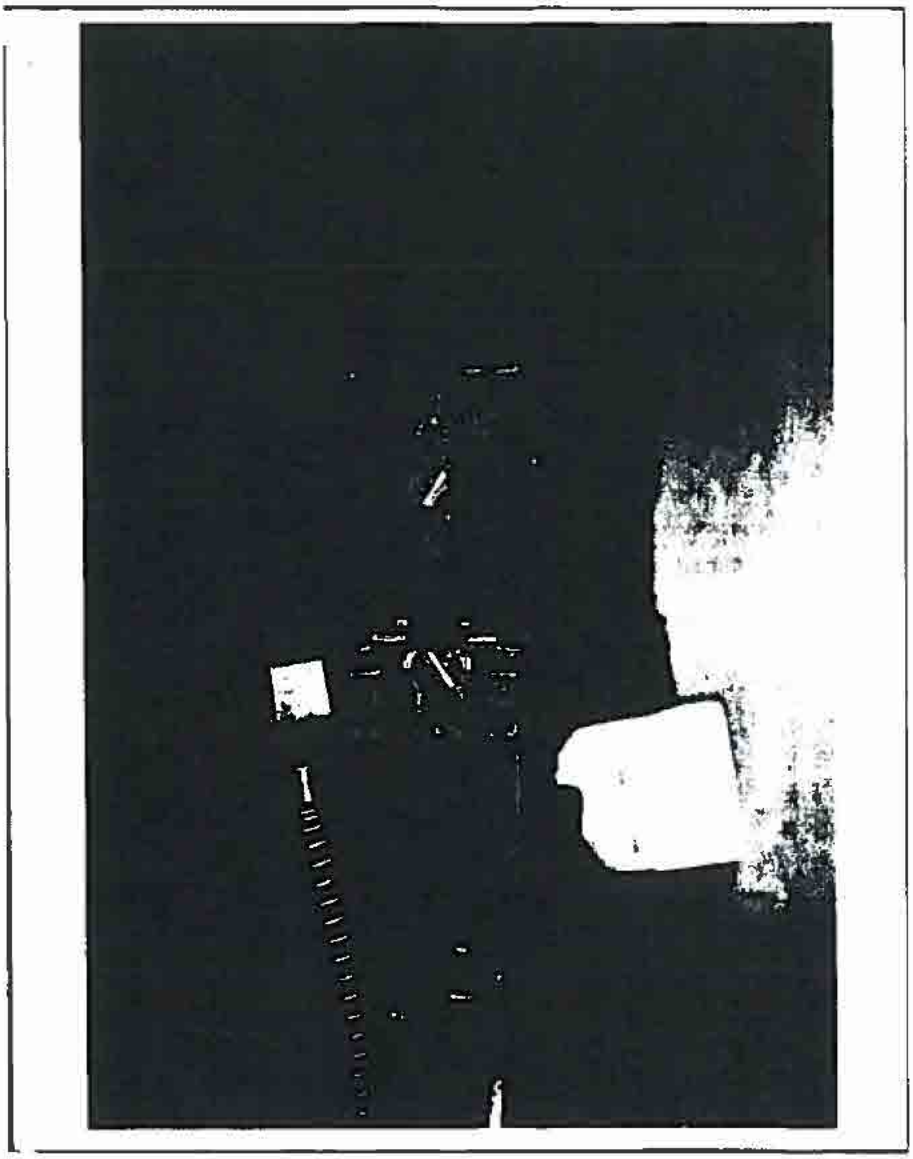
Please provide our Branch with a FedEx account number so that we may return this item to you.

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

Sincerely yours,

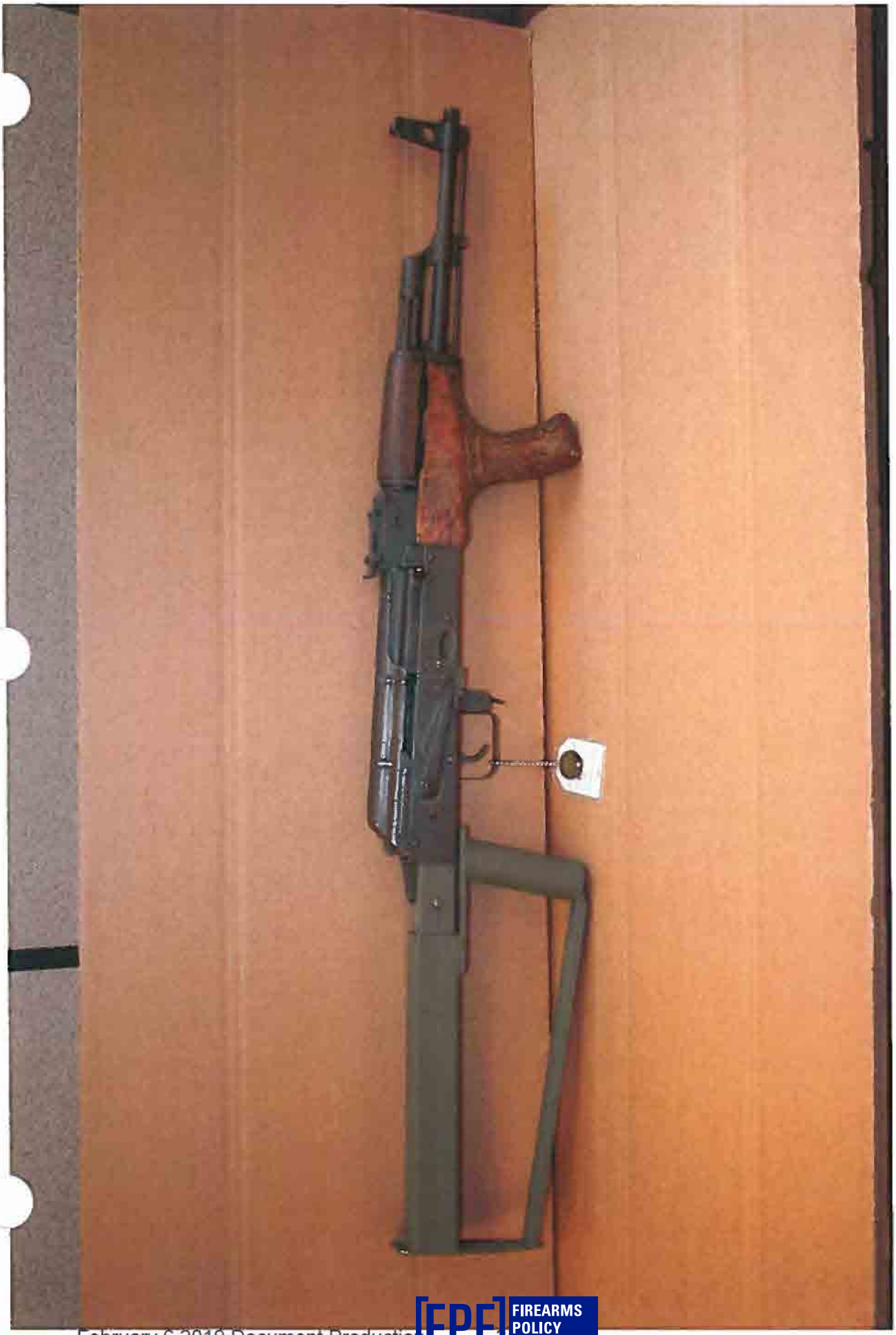
John R. Spencer
Chief, Firearms Technology Branch

72350



(b) (6)

72350 – JUNE 18, 2008 – Bump Fire Stock – NOT A MACHINEGUN.



12350

2008-371

12350

72350

72350 – JUNE 18, 2008 – (b) (6) – Bump Fire Stock – NOT A MACHINEGUN.

1/17/18

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

NOT M/S

Martinsburg, WV 25405

www.atf.gov

903050:(b) (6)
3311/2013-149

FEB 11 2013

(b) (6)
FosTecH Outdoors, LLC
9290 West County Road 750 South
Paris Crossing, Indiana 47270

Dear (b) (6):

This is in reference to your sample, as well as accompanying correspondence, which was submitted to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB). The sample, consisting of a replacement "bump-fire" type stock (or "Bumpski") designed for use with a semiautomatic AK-pattern type rifle, was furnished to FTB for classification under Federal firearms laws.

As you know, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines the term "**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 submitted device (see enclosed photos) incorporates the following features or characteristics:

- A non-ferrous metal "upper portion" of the stock, designed for insertion into the rear section of a stamped AK-type receiver and, also, for securing the "Bumpski" to the remainder of the weapon utilizing the factory tang of the AKM rifle.
- "Lower portion" to which this "upper portion" is assembled: The "lower" consists of a pistol-gripped assembly which reciprocates within the "upper portion" of the buttstock.
- Four screws used to secure your stock to the AKM rifle.
- A "selector bar" to prevent linear movement of the non-ferrous "lower portion" of the stock.
- Lack of any operating springs, bands, or other parts which would permit automatic firing.

(b) (6)

Your stock is designed to allow the AKM-type semiautomatic rifle mounted to it to reciprocate back and forth in a linear motion. The absence of an accelerator spring or similar component in the submitted device prevents it from operating automatically. When operated, forward pressure must be applied with the support hand to the forward handguard/fore-end of the AKM rifle mounted to your stock, bringing the receiver assembly forward to a point where the trigger can be pulled by the firing hand. If sufficient forward pressure is not applied to the handguard with the support hand, the rifle can be fired in a conventional semiautomatic manner since the reciprocation of the receiver assembly is eliminated.

The FTB examination of the submitted device indicates that if, as a shot is fired and a ***sufficient*** amount of pressure is applied to the handguard/gripping surface with the shooter's support hand, the AKM rifle assembly will come forward until the trigger re-contacts the shooter's stationary firing-hand trigger finger, allowing a subsequent shot to be fired. In this manner, the shooter pulls the receiver assembly forward to fire each shot, each shot being fired by a single function of the trigger.

Since your device does not initiate an automatic firing cycle by a single function of the trigger, FTB finds that it is NOT a machinegun under the NFA, 26 U.S.C. 5845(b), or the amended Gun Control Act of 1968, 18 U.S.C. § 921(a)(23).

We caution that our findings are based on the item as submitted. ***Any changes to its design features or characteristics will void this classification.*** Moreover, we should point out that the addition of an accelerator spring or any other non-manual source of energy which allows this device to operate automatically will result in the manufacture of a machinegun as defined in the NFA, 5845(b).

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

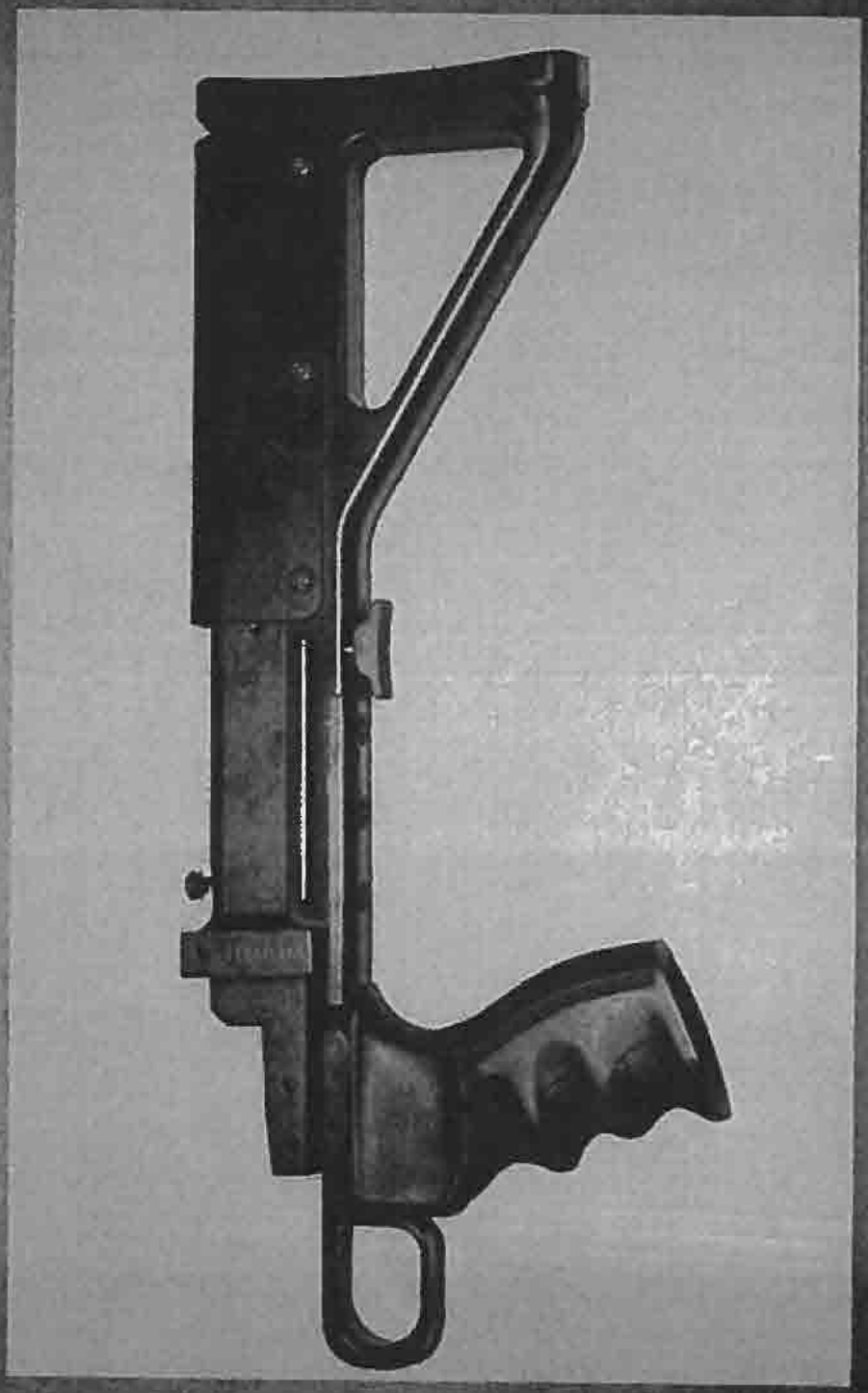
Sincerely yours,

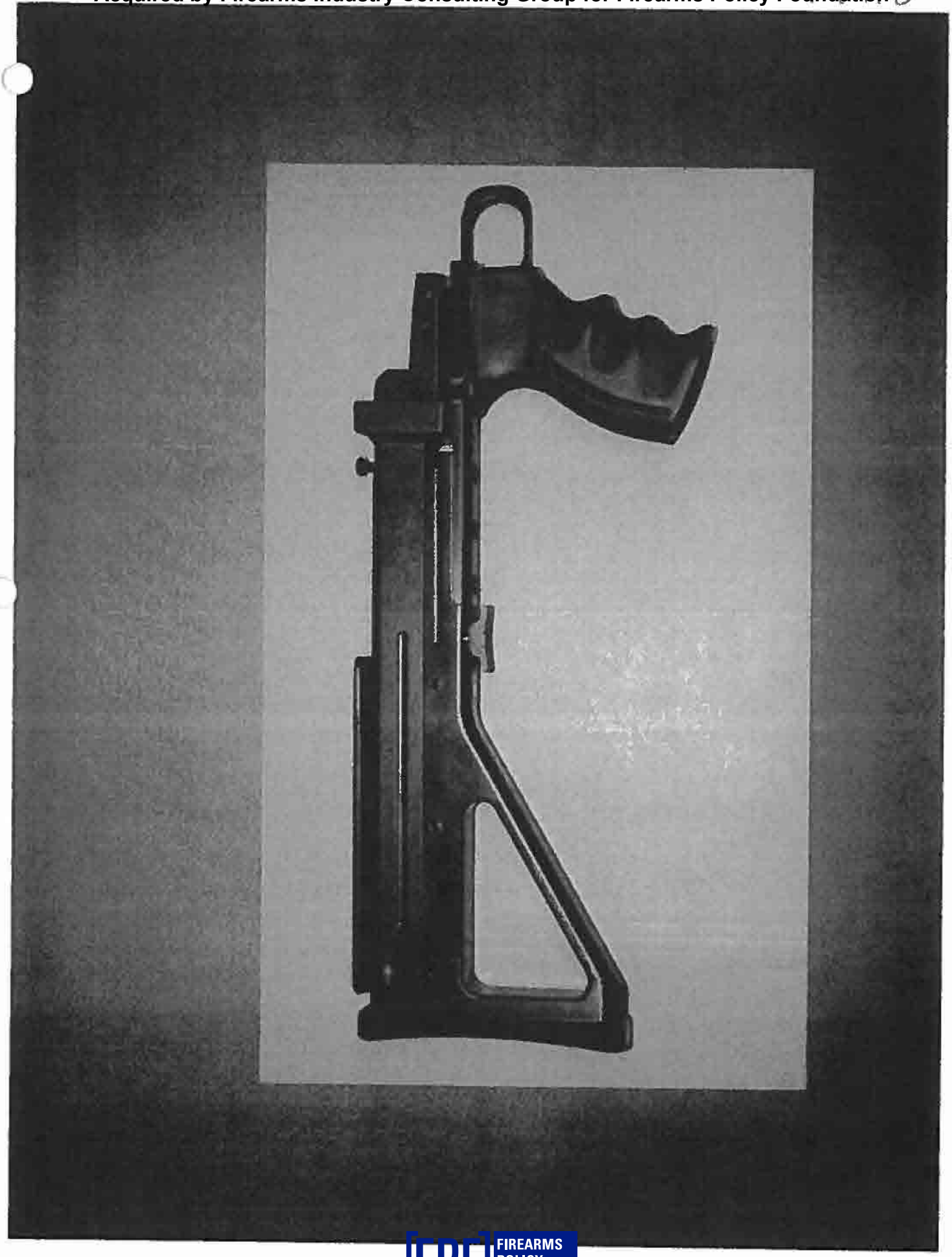
for John R. Spencer
Chief, Firearms Technology Branch

Enclosure

77918

Fostech Outdoors "BUMPSKI"
Submitted 11/6/2012





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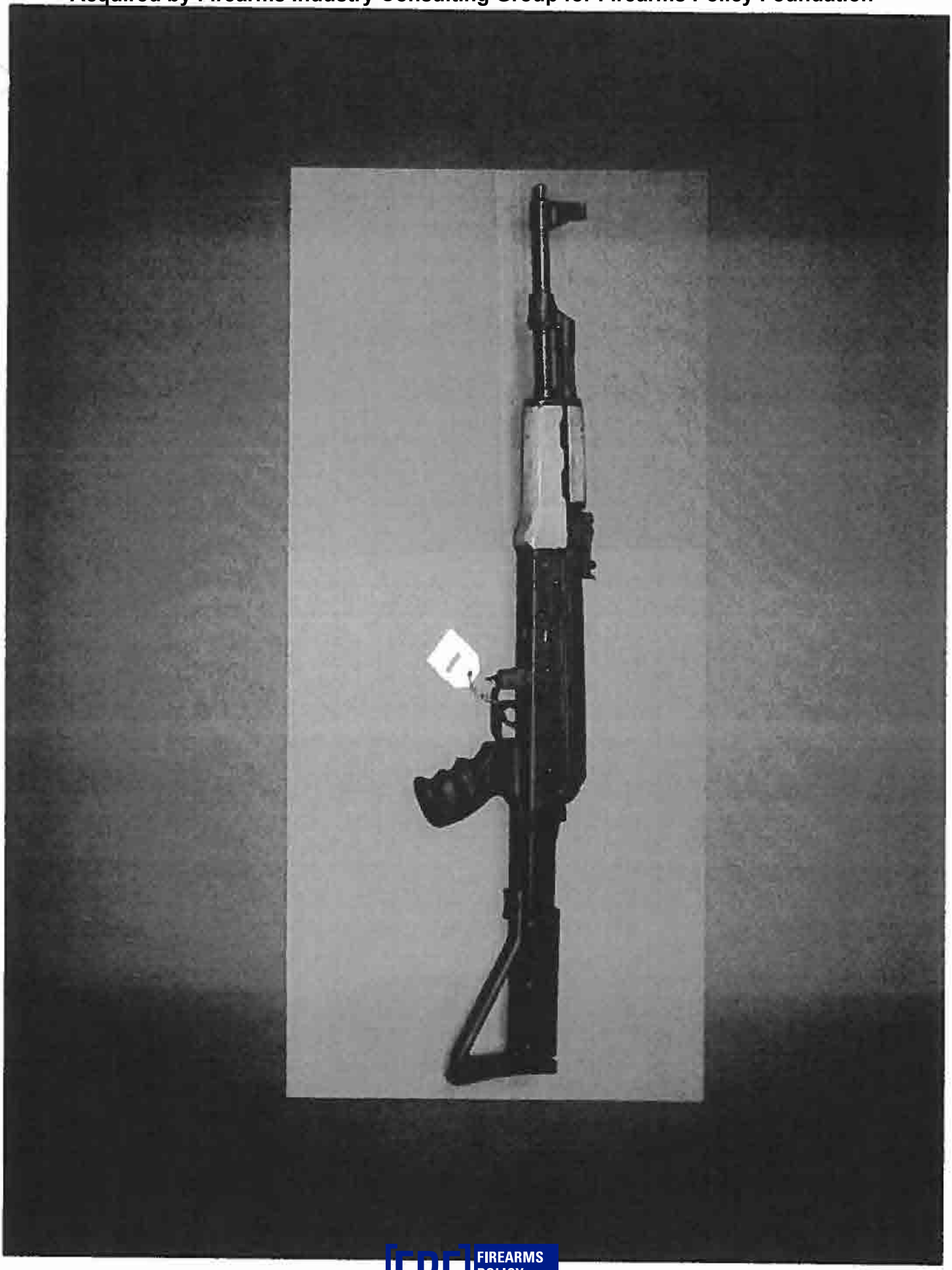


77918

— FEB 11, 2013 – "BUMPSKI" - Bump Fire type stock – NOT A MACHINEGUN

(b) (6)

77918 –

February 6 201

71539

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25401
www.atf.gov

N/A (not mfgr)

903050:(b) (6)
3311/2007-383

MAR 0 6 2007

(b) (6)

Dear (b) (6)

This is in response to your letter dated February 13, 2007, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB).

In your letter, you inquire regarding a modification to an Akins Accelerator device. You state that you are aware that the Akins Accelerator has been classified as a machinegun by ATF, and that the linear motion assembly spring must be removed and submitted to FTB per ATF ruling 2006-2 (see "Questions and Answers for the Akins Accelerator"). What you propose is to modify your Akins Accelerator (without a linear motion assembly spring) to incorporate a paddle-shaped screw on the forward underside of the stock body. You intend to use this screw t apply forward pressure to the Akins Accelerator, thereby enabling the device to operate through the use of manual pressure instead of pressure provided by the linear motion assembly spring.

In order to evaluate these proposed changes, FTB must examine a physical sample of the modified device. You may submit the sample item to:

Chief, Firearms Technology Branch
244 Needy Road, Suite 1600
Martinsburg, West Virginia 25405

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

Sincerely yours,

For Sterling Nixon
Chief, Firearms Technology Branch

71539

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

SEP 1 4 2007

Martinsburg, WV 25401
www.atf.gov

903050:(b) (6)
3311/2007-676

(b) (6)

Dea(b) (6)

This is in response to your submitted item, with letter dated June 7, 2007, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB).

Your sample, which you sent in response to our reply of March 6, 2007 (#3311/2007-383), consists of a Ruger 10/22 stock which has been modified to resemble an Akins Accelerator type device. You have incorporated a paddle-shaped screw on the forward underside of the stock body. You state that you intend to use this screw to apply forward pressure to your device, thereby enabling the device to operate through the use of manual pressure instead of pressure provided by a linear motion assembly spring.

We stress that in order to properly evaluate this item, FTB must examine your device in its entirety, including the 10/22-type receiver/barrel/trigger group and all its ancillary components. You may submit the item(s) to:

Chief, Firearms Technology Branch
244 Needy Road, Suite 1600
Martinsburg, West Virginia 25405

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

Sincerely yours,

Richard Vasquez
Acting Chief, Firearms Technology Branch

71968

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

. not m/gun

903050 (b) (6)
3311/2007-812

Martinsburg, West Virginia 25405

www.atf.gov

JUN 26 2008

(b) (6)

Dea (b) (6)

This is in reference to your submitted item, as well as accompanying correspondence, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB). This item, consisting of a Ruger 10/22 rifle and stock which you have modified to incorporate what you refer to as an Akins Accelerator type device of your own manufacture, was submitted with a request for classification under the Gun Control Act (GCA) and National Firearms Act (NFA). This submission was sent in response to our earlier reply to your initial correspondence (see FTB #3311/2007-383).

As you may be aware, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines the term "**machinegun**" as follows:

"*...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, **ATF Ruling 2006-2** describes a device that is designed and intended to accelerate the rate of fire of a semiautomatic weapon and classifies it as follows:

Held, a device (consisting of a block replacing the original manufacturer's V-Block of a Ruger 10/22 rifle with two attached rods approximately ¼ inch in diameter and approximately 6 inches in length; a second block, approximately 3 inches long, 1 ⅜ inches wide, and ¾ inch high, machined to allow the two guide rods of the first block to pass through; the second block supporting the guide rods and attached to the stock; using ¼ inch rods; metal washers; rubber and metal bushings; two collars with set screws; one coiled spring; C-clamps; a split ring; the

(b) (6)

two blocks assembled together with the composite stock) that is designed to attach to a firearm and, when activated by a single pull of the trigger, initiates an automatic firing cycle that continues until either the finger is released or the ammunition supply is exhausted, is a machinegun under the NFA, 26 U.S.C. 5845(b), and the GCA, 18 U.S.C. 921(a)(23).

The submitted device (also see enclosed photos, pages 4 and 5) incorporates the following features:

- A metal block that replaces the original manufacturer's V-Block from the 10/22 rifle. The replacement block has two rods attached that are approximately ¼ inch in diameter and approximately 6 inches in length.
- A second metal block which has been machined to allow the two guide rods to pass through. This component serves as a support for the guide rods and as an attachment to the modified stock.
- A third rod, threaded into the outside rear of the 10/22 receiver, rides within a bushing inletted into the tang area of the stock immediately behind the receiver.
- Two external finger stops mounted to the stock, adjacent to the rifle's trigger guard, which limit the rearward travel of the shooter's trigger finger.
- The device does not incorporate an operating spring like the original Akins Accelerator, but has been modified to utilize a thumbscrew which protrudes downward through the fore end of the stock, and allows the operator to apply manual forward pressure to the device.

The absence of an accelerator spring in the submitted device prevents the device from operating automatically as described in ATF Ruling 2006-2. Conversely, forward pressure must be applied to the thumb screw with the support hand, bringing the receiver assembly forward to a point where the trigger can be pulled by the firing hand. If strong forward pressure is applied to the thumb screw with the support hand, the rifle can be fired in a conventional semiautomatic manner since the reciprocation of the receiver assembly is eliminated. If, upon firing, weak pressure is applied to the thumb screw with the support hand, the receiver assembly will recoil rearward past the finger stops, requiring that the shooter push the receiver assembly forward before a subsequent shot can be fired.

The FTB live-fire testing of the submitted device indicates that if, as a shot is fired, an *intermediate* amount of pressure is applied to the thumb screw with the support hand, the receiver assembly will recoil rearward far enough to allow the trigger to mechanically reset. Continued intermediate pressure applied to the thumb screw will then push the receiver assembly forward until the trigger re-contacts the shooter's stationary firing hand finger, allowing a subsequent shot to be fired. In this manner, the shooter pulls the receiver assembly forward to fire each shot, each shot being fired by a single function of the trigger.

(b) (6)

Since your device does not, when activated by a single function of the trigger, initiate an automatic firing cycle that continues until either the finger is released or the ammunition supply is exhausted, FTB finds that it is NOT a machinegun under the NFA, 26 U.S.C. 5845(b), or the GCA, 18 U.S.C. 921(a)(23).

Please note that this classification is based on the item as submitted. Any changes to its design features or characteristics will void this classification. Moreover, we caution that the addition of an accelerator spring or any other non-manual source of energy which allows this device to operate automatically as described in ATF Ruling 2006-2 will result in the manufacture of a machinegun as defined in the NFA, 26 U.S.C. 5845(b).

Please provide our Branch with a FedEx account number so that we may return this item to you.

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

Sincerely yours,

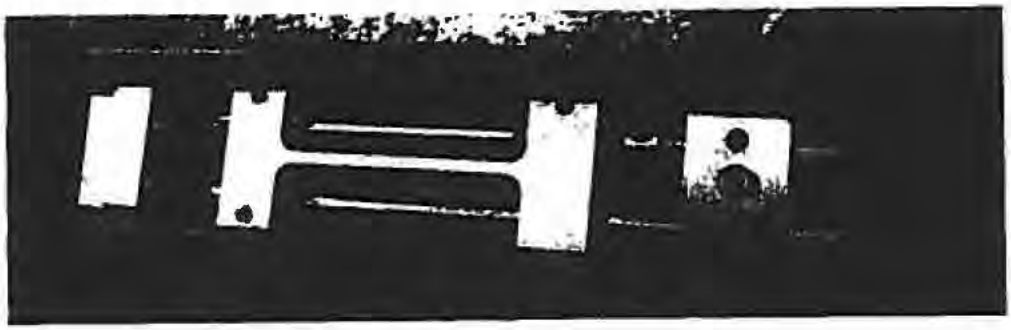
John R. Spencer
Chief, Firearms Technology Branch

Enclosures

(b) (6)

Submitted device before assembly:

View of operating portion of submitted device:



FOIA 300034

-5-

(b) (6)

Underside view of submitted device- note thumb screw at front of fore end. This thumb screw is used to provide manual pressure to the device.

7154

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Machinegun

Martinsburg, WV 25401
www.atf.gov

903050:(b) (6)
3311/2006-1153
JAN 31 2007

(b) (6)
P.O. Box 5497
Takoma Park, Maryland 20913

Dea(b) (6)

This is in reply to your correspondence dated August 23, 2006, to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), accompanying your submission of a device you refer to as an "Akins Accelerator."

You requested that FTB examine the submitted device, which is manufactured by Akins Group, Inc., Cornelius, Oregon, and make a determination regarding whether it would constitute a "firearm" as defined by the National Firearms Act (NFA) if assembled with a Ruger 10/22 barreled action.

As background, the NFA, 26 U.S.C. § 5845(a), defines "firearm" to include "(6) a machinegun" in turn, 26 U.S.C. § 5845(b), defines a "machinegun" as follows:

...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.

Machineguns are also regulated under the Gun Control Act of 1968 (GCA), 18 U.S.C. Chapter 44, which defines the term in the same way as in the NFA. (Please refer to 18 U.S.C. § 921(a)(23)). Pursuant to 18 U.S.C. § 922(o), machineguns manufactured on or after May 19, 1986, may only be manufactured for and distributed to Federal, State, and local government agencies for official use.

The FTB examination of the submitted item indicates that the Akins Accelerator is an accessory that is designed and intended to accelerate the rate of fire for Ruger 10/22 semiautomatic firearms.

71154

(b) (6)

The Akins Accelerator device, which is patented, consists of the following metal block components (also see enclosed photos):

- Block 1: A metal block that replaces the original manufacturer's V-Block of the 10/22 rifle. The replacement block has two rods that are approximately ¼ inch in diameter and approximately 6 inches in length attached.
- Block 2: A metal block that is approximately 3 inches long, 1-3/8 inches wide, and ¾ inches high that has been machined to allow the two guide rods to pass through. Block 2 serves as a support for the guide rods and as an attachment to the stock.

As received, the Accelerator utilizes the following parts and features to facilitate assembly:

- Block 1 to Block 2 Assembly: These blocks are assembled together using ¼-inch rods, metal washers, rubber and metal bushings, two collars with set screws, one coiled spring, C-clamps, and a split ring.
- Apertures for Attachment of Stock: Block 2 is drilled and tapped for two 10-24 NC screws. These threaded holes allow the attachment of the Atkins device with Ruger 10/22 barreled receiver to the composite stock that is a component part of the Akins device.

The composite stock is designed for a Ruger 10/22 barrel and receiver. This stock permits the entire firearm (receiver and all its firing components) to recoil a short distance within the stock when fired. Rearward pressure on the trigger causes the firearm to discharge, and as the firearm moves rearward in the composite stock, the shooter's trigger finger contacts the stock. The trigger mechanically resets, and the accelerator, which has a coiled spring located forward of the firearm receiver, is compressed.

Energy from this accelerator spring subsequently drives the firearm forward into its normal firin position and, in turn, causes the trigger to contact the shooter's trigger finger, making the weapo fire again. The Adkins device assembled with a Ruger 10/22 is advertised to fire approximately 650 rounds per minute.

For testing purposes, FTB personnel installed a semiautomatic Ruger 10/22 rifle from the National Firearms Collection into the stock, with the Akins device attached. Live-fire testing of the Akins Accelerator confirmed that finger pressure applied to the trigger initiates an automatic firing cycle which continues until the finger is released, the weapon malfunctions, or the ammunition supply is exhausted.

In order to be regulated as a "machinegun" under Section 5845(b), conversion parts must be designed and intended to convert a weapon into a machinegun, i.e., a weapon that shoots automatically more than one shot, without manual reloading, by a **single function of the trigger**

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The legislative history of the NFA indicates that the drafters equated "single function of the trigger" with "single pull of the trigger." (Please refer to National Firearms Act: Hearings Before the Comm. on Ways and Means, House of Representatives, Second Session on H.R. 9066, 73rd Cong., at 40 (1934).) Accordingly, it is the position of ATF that conversion parts that are designed and intended to convert a weapon into a machinegun, that is, one that will shoot more than one shot, without manual reloading, by a single pull of the trigger, are regulated as machineguns under the NFA and GCA.

Based on the evaluation and provisions of Federal law cited above, FTB concludes that the Akin Accelerator device, being a combination of parts designed and intended for use in converting a weapon into a machinegun, is a "machinegun" as defined in the above-cited § 5845(b). For reference, please see the enclosed copy of ATF Rul. 2006-2, which addresses the Akins Accelerator.

Since FTB has classified the Akins Accelerator as a post-1986 machinegun, we cannot return it to you as currently configured. However, because ATF has determined that the removal of the coil spring prevents the device from functioning automatically, thereby removing it from the NFA, we advise that you submit a written authorization for FTB to remove the coil spring from your Akins Accelerator, accompanied by a statement that you are abandoning the spring to ATF After we receive your authorization, we will return the remnant of the Accelerator.

We caution that reinstallation of a coil spring on the Akins Accelerator will constitute the manufacture of a post-1986 machinegun.

Finally, we are returning your personal check of $15.00 (# 2834) for shipping. Please provide u with a FedEx Account number or make arrangements with UPS for a one-time pick-up.

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

Sincerely yours,

for Sterling Nixon
Chief, Firearms Technology Branch

Enclosure

7/154

18 U.S.C. 922(o): Transfer or possession of machinegun
26 U.S.C. 5845(b): Definition of machinegun
18 U.S.C. 921(a)(23): Definition of machinegun

The definition of machinegun in the National Firearms Act and the Gun Control Act includes a part or parts that are designed and intended for use in converting a weapon into a machinegun. This language includes a device that, when activated by a single pull of the trigger, initiates an automatic firing cycle that continues until the finger is released or the ammunition supply is exhausted.

ATF Rul. 2006-2

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has been asked by several members of the firearms industry to classify devices that are exclusively designed to increase the rate of fire of a semiautomatic firearm. These devices, when attached to a firearm, result in the firearm discharging more than one shot with a single function of the trigger. ATF has been asked whether these devices fall within the definition of machinegun under the National Firearms Act (NFA) and Gun Control Act of 1968 (GCA). As explained herein, these devices, once activated by a single pull of the trigger, initiate an automatic firing cycle which continues until either the finger is released or the ammunition supply is exhausted. Accordingly, these devices are properly classified as a part "*designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun*" and therefore machineguns under the NFA and GCA.

The National Firearms Act (NFA), 26 U.S.C. Chapter 53, defines the term "firearm" to include a machinegun. Section 5845(b) of the NFA 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 Gun Control Act of 1968 (GCA), 18 U.S.C. Chapter 44, defines machinegun identically to the NFA. 18 U.S.C. 921(a)(23). Pursuant to 18 U.S.C. 922(o), machineguns manufactured on or after May 19, 1986, may only be

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transferred to or possessed by Federal, State, and local government agencies for official use.

ATF has examined several firearms accessory devices that are designed and intended to accelerate the rate of fire for semiautomatic firearms. One such device consists of the following components: two metal blocks; the first block replaces the original manufacturer's V-Block of a Ruger 10/22 rifle and has attached two rods approximately ¼ inch in diameter and approximately 6 inches in length; the second block, approximately 3 inches long, 1 ⅜ inches wide, and ¾ inch high, has been machined to allow the two guide rods of the first block to pass through. The second block supports the guide rods and attaches to the stock. Using ¼ inch rods, metal washers, rubber and metal bushings, two collars with set screws, one coiled spring, C-clamps, and a split ring, the two blocks are assembled together with the composite stock. As attached to the firearm, the device permits the entire firearm (receiver and all its firing components) to recoil a short distance within the stock when fired. A shooter pulls the trigger which causes the firearm to discharge. As the firearm moves rearward in the composite stock, the shooter's trigger finger contacts the stock. The trigger mechanically resets, and the device, which has a coiled spring located forward of the firearm receiver, is compressed. Energy from this spring subsequently drives the firearm forward into its normal firing position and, in turn, causes the trigger to contact the shooter's trigger finger. Provided the shooter maintains finger pressure against the stock, the weapon will fire repeatedly until the ammunition is exhausted or the finger is removed. The assembled device is advertised to fire approximately 650 rounds per minute. Live-fire testing of this device demonstrated that a single pull of the trigger initiates an automatic firing cycle which continues until the finger is released or the ammunition supply is exhausted.

As noted above, a part or parts designed and intended to convert a weapon into a machinegun, *i.e.*, a weapon that will shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a machinegun under the NFA and GCA. ATF has determined that the device constitutes a machinegun under the NFA and GCA. This determination is consistent with the legislative history of the National Firearms Act in which the drafters equated "single function of the trigger" with "single pull of the trigger." *See, e.g., National Firearms Act: Hearings Before the Comm. on Ways and Means, House of Representatives, Second Session on H.R. 9066*, 73rd Cong., at 40 (1934). Accordingly, conversion parts that, when installed in a semiautomatic rifle, result in a weapon that shoots more than one shot, without manual reloading, by a single pull of the trigger, are a machinegun as defined in the National Firearms Act and the Gun Control Act.

Held, a device (consisting of a block replacing the original manufacturer's V-Block of a Ruger 10/22 rifle with two attached rods approximately ¼ inch in diameter and approximately 6 inches in length; a second block, approximately 3 inches long, 1 ⅜ inches wide, and ¾ inch high, machined to allow the two guide rods of the first block to pass through; the second block supporting the guide rods and attached to the stock; using ¼ inch rods; metal washers; rubber and metal bushings; two collars with set screws; one coiled spring; C-clamps; a split ring; the two blocks assembled together with the

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composite stock) that is designed to attach to a firearm and, when activated by a single pull of the trigger, initiates an automatic firing cycle that continues until either the finger is released or the ammunition supply is exhausted, is a machinegun under the National Firearms Act, 26 U.S.C. 5845(b), and the Gun Control Act, 18 U.S.C. 921(a)(23).

Held further, manufacture and distribution of any device described in this ruling must comply with all provisions of the NFA and the GCA, including 18 U.S.C. 922(o).

To the extent that previous ATF rulings are inconsistent with this determination, they are hereby overruled.

Date approved: December 13, 2006

Michael J. Sullivan
Director

46913

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

not my gun

Martinsburg, WV 25401
www.atf.gov

903050(b) (6)
3111/2006-1088

OCT 13 2006

* (b) (6)

Dea(b) (6)

This refers to your correspondence dated September 5, 2006, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Office of Public and Governmental Affairs, in which you ask about the legality of "bump-firing" a firearm and installing aftermarket parts enabling a firearm to more easily "bump-fire." Your letter was forwarded to the ATF Firearms Technology Branch (FTB), Martinsburg, West Virginia, for reply.

For your information, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines a "machinegun" as follows:

...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 term "bump-fire" is a vernacular used in the firearms culture and is not defined in either the Gun Control Act of 1968 or the NFA. For present purposes, FTB will regard the term as meaning rapid manual trigger manipulation to simulate automatic fire. As long as you must consciously pull the trigger for each shot of the "bump-fire" operation, you are simply firing a semiautomatic weapon in a rapid manner and are not violating any Federal firearms laws or regulations.

Regarding the installation of various aftermarket parts; modifying fire-control components; installing Tac, Hellfire, or Hellstorm triggers; or attaching rubber bands to triggers to facilitate easier "bump-fire" operations, you should be aware that any modifications which permit a weapon to fire automatically more than one shot with a single function of the trigger could result

(b) (6)

in that weapon being defined as a "machinegun" as noted in 5845(b). Possession of an unregistered machinegun is a violation of Federal law.

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

Sincerely yours,

for Sterling Nixon
Chief, Firearms Technology Branch

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25401
www.atf.gov

71089

903050 (b) (6)
3111/2006-1088
OCT 13 2006

(b) (6)

Dea (b) (6)

This refers to your correspondence dated September 5, 2006, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Office of Public and Governmental Affairs, in which you ask about the legality of "bump-firing" a firearm and installing aftermarket parts enabling a firearm to more easily "bump-fire." Your letter was forwarded to the ATF Firearms Technology Branch (FTB), Martinsburg, West Virginia, for reply.

For your information, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines a "machinegun" as follows:

...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 term "bump-fire" is a vernacular used in the firearms culture and is not defined in either the Gun Control Act of 1968 or the NFA. For present purposes, FTB will regard the term as meaning rapid manual trigger manipulation to simulate automatic fire. As long as you must consciously pull the trigger for each shot of the "bump-fire" operation, you are simply firing a semiautomatic weapon in a rapid manner and are not violating any Federal firearms laws or regulations.

Regarding the installation of various aftermarket parts; modifying fire-control components; installing Tac, Hellfire, or Hellstorm triggers; or attaching rubber bands to triggers to facilitate easier "bump-fire" operations, you should be aware that any modifications which permit a weapon to fire automatically more than one shot with a single function of the trigger could result

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in that weapon being defined as a "machinegun" as noted in 5845(b). Possession of an unregistered machinegun is a violation of Federal law.

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

Sincerely yours,

For Sterling Nixon
Chief, Firearms Technology Branch

301754

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

NOT M/Gun
#NOT Submitted

Martinsburg, WV 25405

www.atf.gov

903050(b) (6)
3311/301754

APR 1 0 2014

(b) (6)

Dear (b) (6)

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB), which accompanied your submitted sample of a device you describe as a bump-fire adapter. Specifically, you requested an evaluation and classification of this item.

As you may be aware, the amended Gun Control Act of 1968, 18 U.S.C. § 921(a)(3), defines the term "firearm" to include *...any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive...[and]...the frame or receiver of any such weapon....*

Further, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines "machinegun" as follows:

...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.

In your correspondence, you have requested ATF to modify one of its own rifles in order to evaluate and classify your submitted device; however, ATF divisions, branches, etc., are constrained from doing so. In order for FTB to classify your device, please submit a properly functioning sample that is already installed on a rifle.

We caution that if the manufacture of this item would result in the assembly of a "machinegun" as defined by the NFA, FTB could neither solicit nor sanction its unlawful production. Also, you should confirm that the manufacture of this device does not violate any State or local laws and ordnances.

In conclusion, if the FTB evaluation were to determine that the submitted sample is a "machinegun" as defined in the NFA, we would be unable to return it unless you are a licensed manufacturer and have paid the special occupational tax ("SOT"). Conversely, if FTB finds that the sample is not a "machinegun" as defined, it would be returned to you as soon as our Branch has received either a FedEx (or alternate carrier) account number to which the return can be billed, or a prepaid return label.

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

Sincerely yours,

Earl Griffith
Chief, Firearms Technology Branch

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

903050(b) (6)
3311/2012-081

www.atf.gov

JUL 09 2012

(b) (6)
Saigatechusa/Ramlake, LLC
4540 South Berkeley Lake Road
Norcross, Georgia 30071

Dea(b) (6)

This is in reference to your recent submission and accompanying letter to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), asking for an evaluation of a replacement shoulder stock for a Saiga-12 type shotgun. Your letter advises that the stock (referenced in this reply as a "Rapid Fire Stock") is intended to assist persons with limited mobility to "bump-fire" an AK-type weapon (such as the Saiga-12 shotgun). The submitted Saiga-12 shotgun has been fitted with an AR-15 stock adapter, as well as a modified, AR-15 type, collapsible stock assembly. The modified assembly incorporates a trigger finger stop **and** allows the shotgun to slide back and forth, independently of the shoulder stock and pistol grip.

The FTB evaluation confirmed that the submitted stock (see enclosed photos) has no automatically functioning mechanical parts or springs and performs no automatic mechanical function when installed. In order to use the installed device, the shooter must apply constant forward pressure with the non-shooting hand and constant rearward pressure with the shooting hand. Accordingly, we find that the "Rapid Fire Stock" is a firearm part and is not regulated as a firearm under Gun Control Act or the National Firearms Act.

Please note that this determination pertains to the Rapid Fire Stock as received and evaluated by our Branch. Any changes to the design features or physical characteristics of the Rapid Fire Stock will void this classification. We thank you for your inquiry and trust that the foregoing has been responsive to your evaluation request.

Sincerely yours,

John R. Spencer
Chief, Firearms Technology Branch

Enclosure

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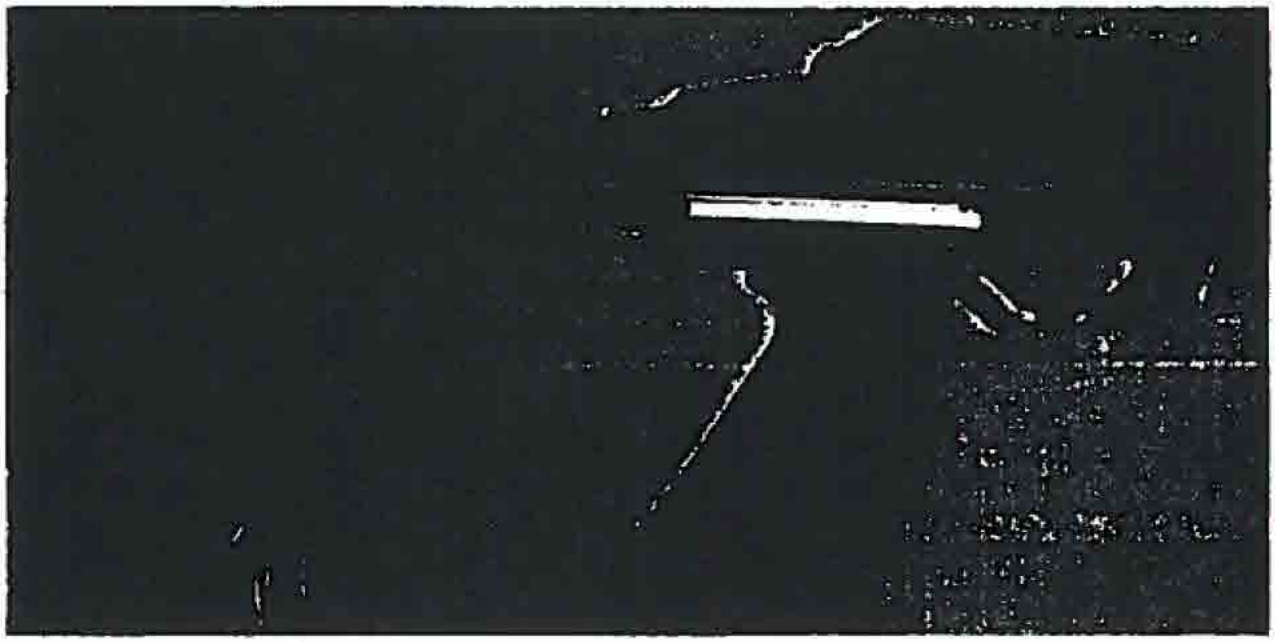
Submitted item:



303318

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

NOT M/Gun.

Firearms Technology Industry Services Branch

Martinsburg, WV

www.atf.gov

907010:(b) (6)
3311/303318

JUL 2 4 2015

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Dea(b) (6)

This refers to your correspondence, and sample AR-15 and AK type "Bump Fire Grip Devices" to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), in which you ask the legality of installing this device on semi-automatic AR-15 and AK type rifles and pistols and inquire if your sample device would be regulated by the provisions of the Gun Control Act of 1968 (GCA) or the National Firearms Act (NFA).

As background to your inquiry, we should point out that the amended Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(29), defines "handgun" to include a firearm which has a short stock and is designed to be held and fired by the use of a single hand....

Additionally, 27 CFR § 478.11, a regulation implementing the GCA, defines "pistol" as ...a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of, or 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)....

Also, 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.

Further, the National Firearms Act (NFA), 26 U.S.C. § 5845(a) (5), defines "firearm" to mean:

...any other weapon, as defined in subsection (e);

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Finally, "Any other weapon (AOW)" is defined under the NFA, 26 U.S.C. § 5845(e), as—

...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 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 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.

Your device works in the following manner:

"To bump fire an AR/AK rifle or pistol with this device you simply put your finger on the left extension rest on the plastic/polymer slide grip and pull forward on the rifle or pistol hand guard with 1-3 pounds more pressure than the weight of the trigger on the rifle. Review of the submitted device indicates that if, as a shot is fired, an intermediate amount of pressure is applied to the handguard with the support hand, and the receiver assembly will recoil rearward far enough to allow the trigger to mechanically reset. Continued intermediate pressure applied to the handguard will then push the receiver assembly forward until the trigger re-contacts the shooter's stationary firing hand finger, allowing a subsequent shot to be fired. In this manner, the shooter pulls the receiver assembly forward to fire each shot, each shot being fired by a single function of the trigger. To fire single shots you have designed a locking button into the grip that when pushed into position, the grip will only function as a standard grip."

Your bump fire grip device consists of the following:

One plastic/polymer center piece that is molded to fit an AR type receiver pistol grip attachment point and has holes for the selector detent spring and pistol grip screw. There is a 12 X 28 inch machine screw for the attachment of the moveable pistol grip. Further, there is a left grip panel and a right grip panel. The left grip panel has the extension to allow the trigger finger to rest upon during bump firing (see attached photo).

The above statues define "handgun" and "pistol" respectively to include "a firearm which has a short stock and is designed to be held and fired by the use of a single hand....", and "...a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand". We must caution you if your "Bump Fire Grip Device" is installed on an AR-15 type pistol, the resulting firearm would no longer be designed to be held and fired by the use of a single hand and as such would no longer meet the definition of a "handgun" or "pistol". The left hand would be required to make the pistol grip bump fire device function instead of being used a support hand. If such a firearm had an overall length less than 26 inches; the result would be a firearm regulated by the NFA, specifically such firearm would be an "Any Other Weapon".

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In summary, your "Bump Fire Grip Device" in and of itself, would not be subject to regulation under federal law. However, if your "Bump Fire Grip Device" were to be installed on or possessed in conjunction with a compatible AR-15 type pistol, the resulting firearm or combination could be classified as an Any Other Weapon (AOW) under the NFA. Should an individual wish to manufacture an NFA firearm upon receipt of an approved ATF Form 1 (5320.1), it would be required to be marked in accordance with Title 26, U.S.C., Chapter 53, section 5842. Finally, the installation of your "Bump Fire Grip Device" on or possession with an AR-15 type rifle would not be a violation of Federal law similarly to the "Slide Fire Device" AR-15 rifle stock.

Your device will be returned to you via your provided UPS shipping label. We thank you for your inquiry and trust the foregoing has been responsive to your concerns.

We thank you for your correspondence and trust the foregoing is responsive to your inquiry.

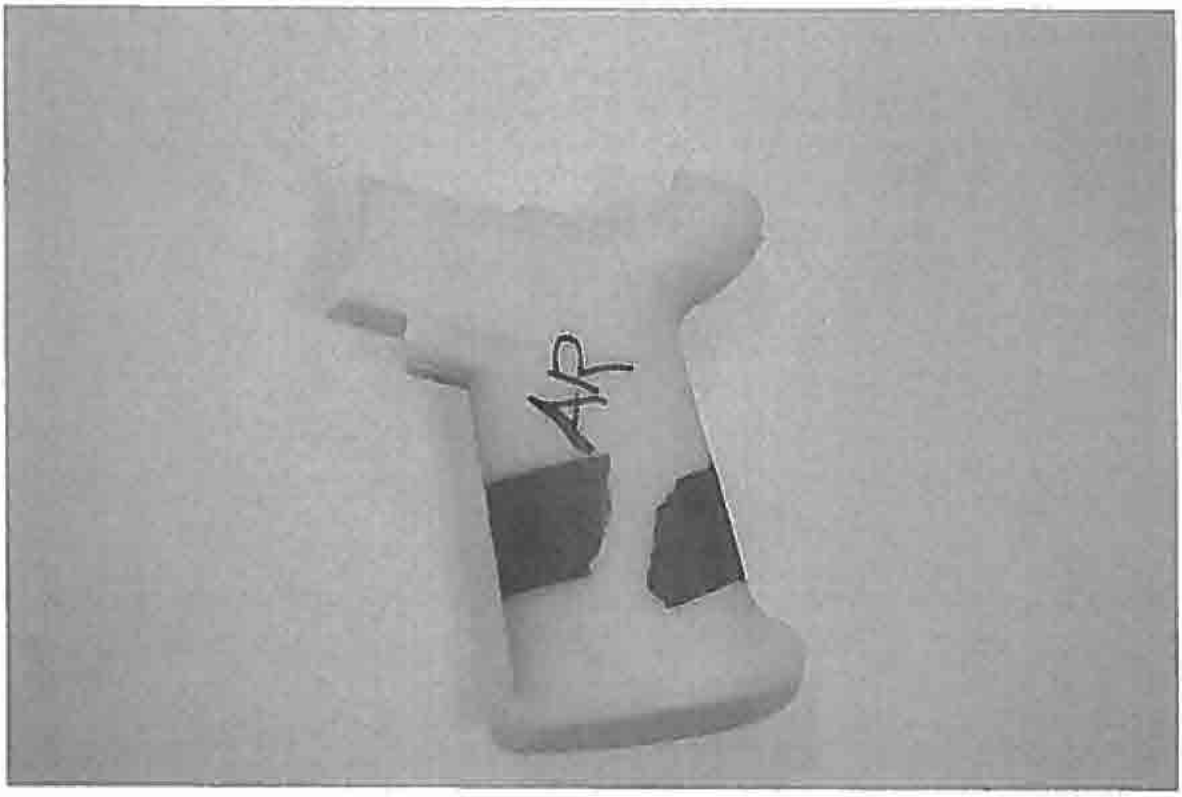
Sincerely yours,

Max M Kingery
Acting Chief, Firearms Technology Industry Services Branch

Enclosure:

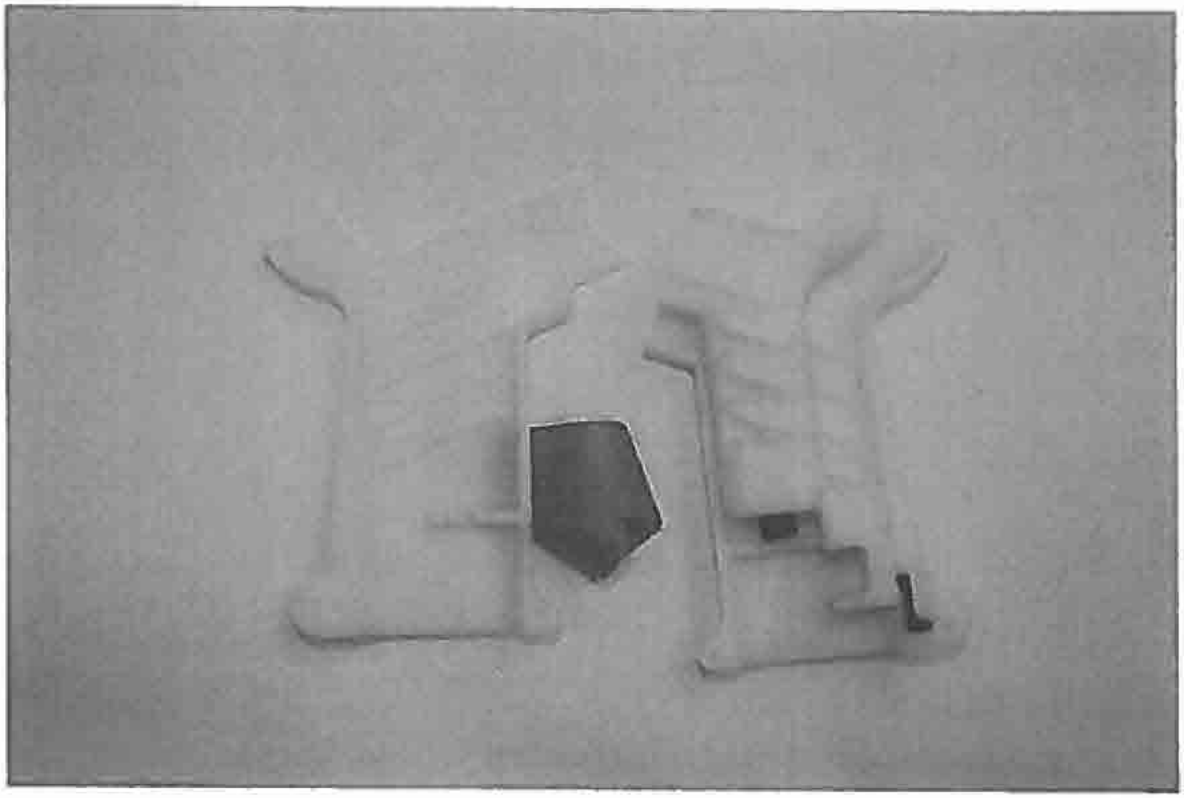
(b) (6)

AR-15 bump fire device side view



(b) (6)

AR-15 bump fire device internal view



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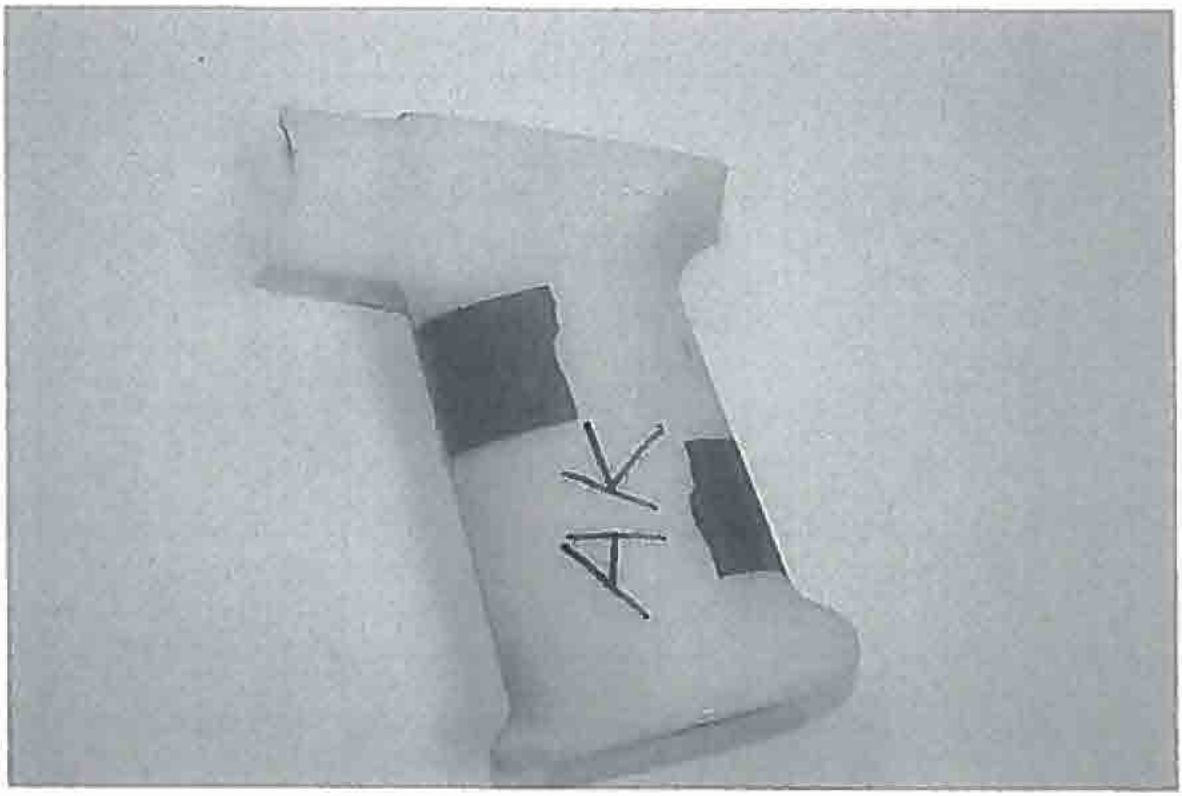
AK bump fire device



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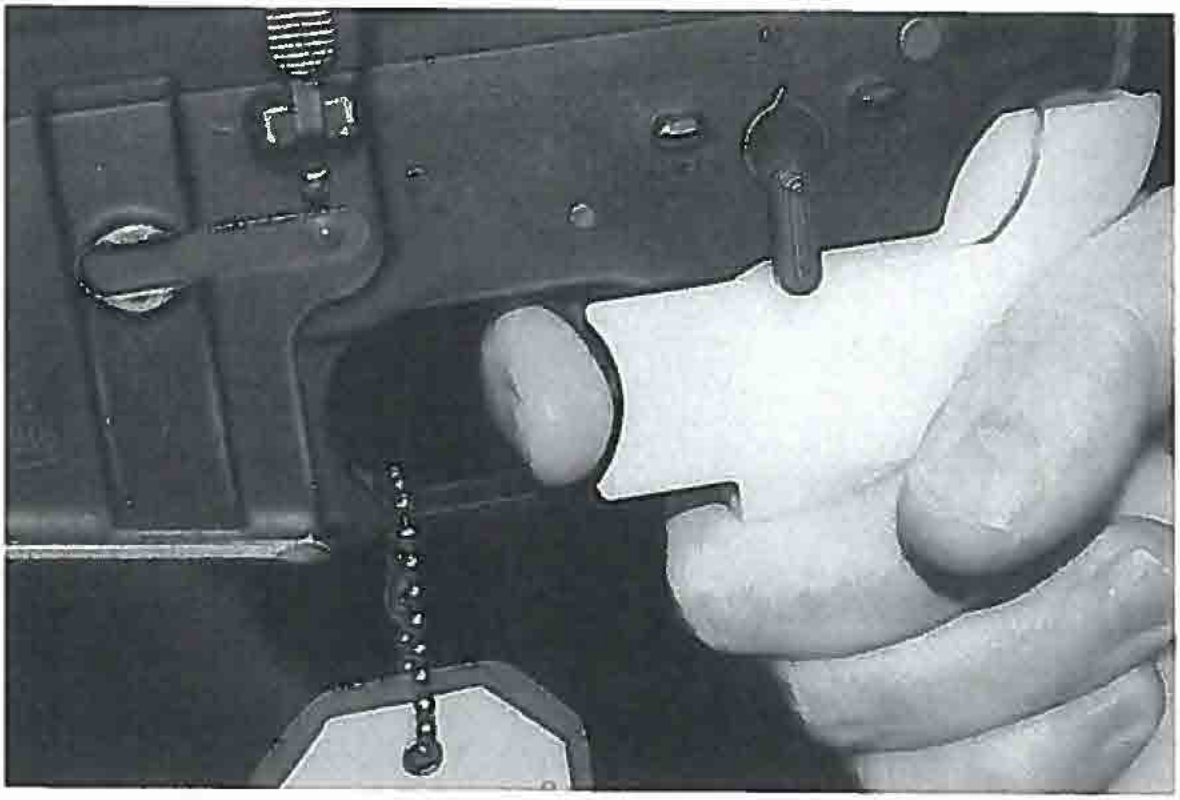
AR-15 bump fire device installed on an M-16 rifle



– Bump Fire Device – NOT MACHINEGUN

(b) (6)

– 303318 – JULY 24, 2015 –

99487

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Not eval. yet

Martinsburg, West Virginia 25405
www.atf.gov

903050(b) (6)
3311/2012-726

(b) (6)
William J. Middleton Company
3029 CR 3310
Jacksonville, Texas 75766

SEP 0 4 2012

Dea(b) (6)

This is in response to your correspondence and follow-up fax directed to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Your basic inquiry is whether the A-A Springless parts set, when combined with a Ruger 10-22 semiautomatic rifle, would be classified as a machinegun.

As you are aware, National Firearms Act (NFA), 26 U.S.C. Section 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.***

You explain in your correspondence that since ATF issued Ruling 2006-2, classifying the Akins Accelerator as a machinegun, the Akins Accelerator (less) spring has been redesigned as a bump-fire kit. You further point out that Fostech Outdoors, LLC, is selling a kit identified as the "Springless AA2 kit" which consists of a stock that incorporates a cylindrical rod-bearing system, Kidd trigger, and a vertical grip. Because you have purchased one of the AA2 kits and plan to sell it (in quantity) as part of normal business operations, you are concerned this kit would be considered a machinegun: Consequently, you want to have an FTB letter finding that such kits do not constitute machineguns.

Additionally, on June 8, 2012, you faxed FTB Chief John R. Spencer, noting that FTB had evaluated similar systems for Messrs(b) (6) an(b) (6) (However, for your information, FTB has previously evaluated bump-fire systems only when a physical sample was submitted.)

99487

(b) (6) [redacted]

We should inform you that FTB has approved devices that operate as follows:

When a shot is fired, an ***intermediate*** amount of pressure is applied to the fore-end with the support hand, and the shoulder stock device recoils sufficiently rearward to allow the trigger to mechanically reset. Continued intermediate pressure applied to the fore-end will then push the receiver assembly forward until the trigger re-contacts the shooter's stationary firing-hand finger, allowing a subsequent shot to be fired. *In this manner, the shooter pulls the firearm forward to fire each shot so that the action of firing is accomplished by a single trigger function.* Further, each subsequent shot depends on the shooter applying the appropriate amount of forward pressure to the fore-end and timing it to contact the trigger-finger on the firing hand.

In conclusion, please understand that FTB has not evaluated an AA2 Springless kit and cannot render a classification without performing a physical examination that confirms its actual mode of operation.

We thank you for your inquiries and trust the foregoing has been responsive. We are ready to examine and evaluate the AA2 kit as soon as you submit an actual sample.

Sincerely yours,

John R. Spencer
Chief, Firearms Technology Branch

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

907010(b) (6)
3311/302624

DEC 1 5 2014

(b) (6)

Dear (b) (6)

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), regarding so-called "bump stocks". Specifically, you asked about the lawfulness of modifying a bump stock previously approved by our Branch and ultimately attaching the device to a pistol.

As you may be aware, the amended Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "firearm" to include *...any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive...[and]...the frame or receiver of any such weapon....*

Further, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines "machinegun" as follows:

...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.

Modifying a previously-approved bump stock would result in the manufacture of a new device.

We should point out that FTISB is unable to classify your proposed device based solely upon photographs and a written description. A physical sample would have to be examined in order to make a formal determination.

3/22/24

(b) (6)

Our shipping address is the same as our mailing address—

Bureau of Alcohol, Tobacco, Firearms and Explosives
Firearms Technology Industry Services Branch
244 Needy Road
Martinsburg, West Virginia 25405

We caution that if the manufacture of this item would result in the assembly of a "machinegun" as defined by the NFA, FTISB could neither solicit nor sanction its unlawful production. Also, you should confirm that the manufacture of the proposed item does not violate any Oklahoma State or local laws or ordnances.

In conclusion, if the FTISB evaluation were to determine that the submitted sample is a "machinegun" as defined in the NFA, we would be unable to return it unless you are a licensed manufacturer and have paid the special occupational tax ("SOT"). Conversely, if FTISB determines that the sample is not a "machinegun" as defined, it would be returned to you as soon as our Branch has received either a FedEx (or alternate carrier) account number to which the return can be billed, or a prepaid return label.

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

Sincerely yours,

Michael R. Curtis
Acting Chief, Firearms Technology Industry Services Branch

3401 1

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

Bump Fire GRIP

NOT M/Gun

Martinsburg, WV 25405

www.atf.gov

907010:(b) (6)
3311/304071

JAN 04 2013

(b) (6)
Slide Fire Solutions
P.O. Box 143
Moran, Texas 76464

Dear (b) (6)

This refers to your correspondence, along with a sample AR-15 pistol-type "Bump fire Grip," to the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Firearms Technology Industry Services Branch (FTISB), posing questions regarding the legality of installing this device on an AR-15 type pistol; further, you inquire if your device (photo, page 4), would be subject to the provisions of the amended Gun Control Act of 1968 (GCA) or the National Firearms Act (NFA).

You indicate that this device is a version of your previously ATF approved Slide Fire Solutions bump fire AR-15 type rifle stock, which lacks the buttstock feature and is designed for installation on AR-15 type handguns.

As background to your inquiry, we should point out that the GCA, 18 U.S.C. § 921(a)(29), defines "**handgun**" to include ***a firearm which has a short stock and is designed to be held and fired by the use of a single hand***....

Additionally, 27 CFR § 478.11, a regulation implementing the GCA, defines "**pistol**" as ***a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand,*** *and having (a) a chamber(s) as an integral part(s) of, or 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)....*

Also, the GCA, § 921(a)(7), defines "**rifle**" as follows:

...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.

Further, the NFA, 26 U.S.C. § 5845(a)(5), defines "**firearm**" to include—

(b) (6)

...any other weapon, as defined in subsection (e);

Finally, "**Any other weapon** (AOW)" is defined under the NFA, § 5845(e), as—

...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 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 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."

The FTISB evaluation found the following details included with the device:

1. *The device includes: a block that replaces the pistol grip while still providing retention for the selector stop spring and plunger; a hollow tube that has a pistol grip molded to it that encapsulates the recoil spring housing, an ambidextrous finger rest that slides over the pistol grip (can be reversed for left or right hand shooters), a locking lever on the bottom of the pistol grip and a second locking lever on the side where the pistol grip and outer tube intersect. The locking lever on the bottom of the pistol grip serves to lock the free movement of the grip assembly when a person does not want to use the bump fire capabilities.*

2. *When installed on an AR-15 type recoil spring housing the collapsed length is approximately 8 inches and when extended has an approximately length of 8.5 inches. Additionally, the bump fire grip is further designed so that a butt stock cannot be installed over it.*

3. *As with the rifle bump fire stock the bump fire pistol grip has no automatically functioning mechanical parts or springs, hydraulics, motors and preforms no automatic mechanical function when installed. When the bump fire pistol grip is installed, the user is still capable of firing the weapon with one hand and incapacitating the bump fire feature.*

4. *In order to use the device as a bump fire grip, the shooter must apply constant forward pressure with the non-shooting hand and constant rearward pressure with the shooting hand. The finger rest allows the shooter to keep his trigger finger in the same location to pull the trigger each time the pistol reciprocates in the stock which causes the bump fire sequence.*

Your submission includes a letter from FTISB (dated June 7, 2010) which addressed a similar evaluation request on behalf of *Slide Fire Solutions* for a bump fire stock device for AR-15 type rifles. As you recount, FTISB determined that that device was an unregulated firearms part; and it is your opinion that this device should receive that same classification.

(b) (6)

While you are correct that FTISB has evaluated devices designed and intended to be installed on AR-15 type rifles that operate on principles similar to this most recent device—and determined that they are not subject to Federal controls—the installation of your "Bump Grip" onto an AR-15 type pistol proves to be problematic when both 18 U.S.C. § 921(a)(29) and 27 CFR § 478.11 are considered.

These statutes define "**handgun**" and "**pistol**" respectively to include "a *firearm which has a short stock and is designed to be held and fired by the use of a single hand*...."and "*...a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand.*" However, your submitted instructions indicate that your "*Bump Fire Grip*," when installed on an AR-15 type pistol, is designed and intended to utilize both hands for firing. Consequently, when your "*Bump Fire Grip*" is installed on an AR-15 type pistol, the resulting firearm, as made, would no longer be designed to be held and fired by the use of a single hand; and, as such, it would no longer meet the definition of a "handgun" or "pistol."

Unlike a rifle, the addition of the submitted device to a handgun changes the classification of the firearm. Your design actually requires the use of a second hand if it is to operate as designed which is confirmed by your statement that in order to use the device as a bump fire grip, "*the shooter must apply constant forward pressure with the non-shooting hand ....*"

In summary, your AR-15 type pistol "*Bump Fire Grip*," in and of itself, would not be subject to regulation under Federal law. However, if this grip were to be installed on or possessed in conjunction with a compatible AR-15 type pistol, the resulting firearm or combination could be classified as an AOW under the NFA because it no longer meets the definition of "handgun" and "pistol".

Should an individual wish to manufacture an NFA firearm upon receipt of an approved ATF Form 1 (5320.1), he or she would be required to mark it in accordance with 26 U.S.C. 5842. Finally, the installation of your "*Bump Fire Grip*" on (or its possession with) an AR-15 type "rifle" or AR-15 type "firearm" having an overall length of 26 inches or greater would not be a violation of Federal law as had been noted in our determination regarding your "*Slide Fire Solutions*" AR-15 type bump fire rifle stock.

In order to return your submitted item, FTISB will require a FedEx account billing number or a pre-printed shipping label to be submitted within 30 days of receipt of this letter.

We thank you for your inquiry and trust the foregoing has been responsive to your concerns. You may contact us at any time if you have any additional questions concerning the matters reviewed in this letter.

Sincerely yours,

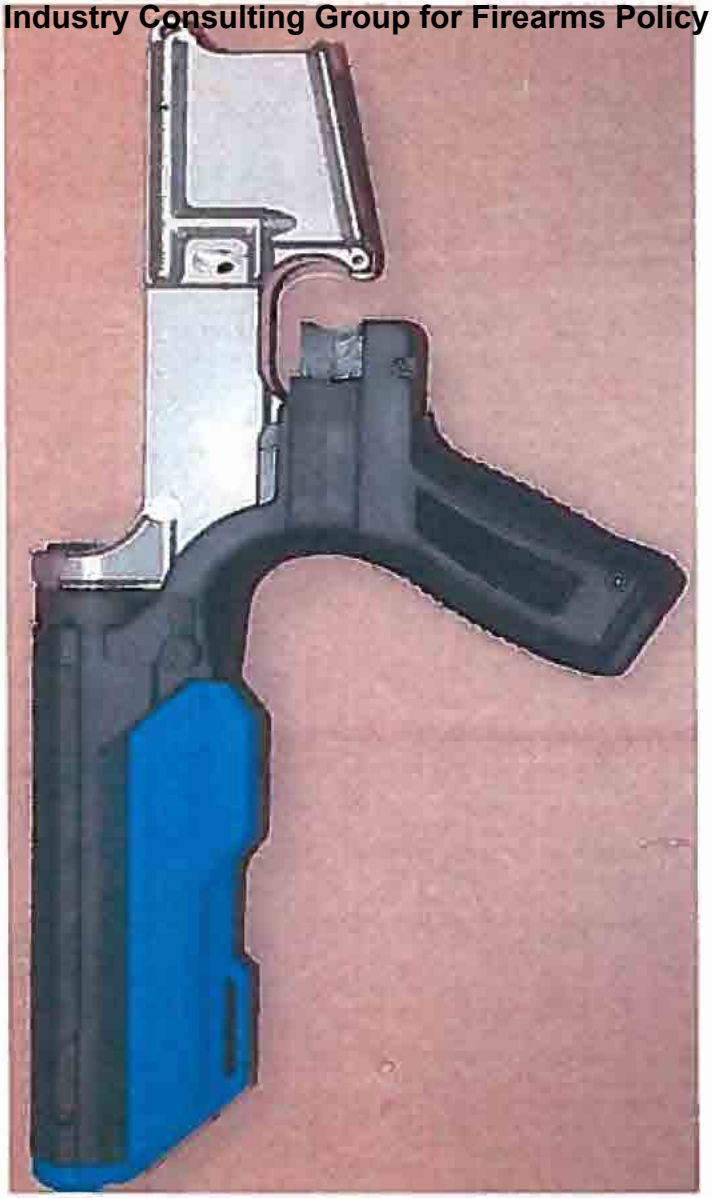
Michael R. Curtis
Chief, Firearms Technology Industry Services Branch

304071

(b) (6)

Slide Fire Solutions AR-15 type pistol bump-fire grip assembly.

304011



(b) (6)

– Bump Fire Grip – NOT A MACHINEGUN

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

* no physical sample

Martinsburg, West Virginia 25405

www.atf.gov

90305(b) (6)
3111/2011-485

MAR 0 9 2011

(b) (6)

Dea(b) (6)

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Firearms Technology Branch (FTB), in which you asked about the legality of designing an electronic device which would allow a person to "pull the trigger" of a firearm faster. Based on your description of the device, it appears that you are designing a device to facilitate "bump-firing" a firearm.

For your information, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines a "machinegun" as follows:

...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.

Additionally, we should point out that "bump-fire" is a vernacular expression used in contemporary firearms culture and is not defined in either the Gun Control Act of 1968 or the NFA. For present purposes, FTB will regard the term as meaning rapid manual trigger manipulation to simulate automatic fire. As long as you must consciously pull the trigger for each shot of the "bump-fire" operation, you are simply firing a semiautomatic weapon in a rapid manner and are not violating any Federal firearms laws or regulations.

Regarding the installation of your proposed electronic device as well as various aftermarket parts; modifying fire-control components; installing Tac, Hellfire, or Hellstorm triggers; or attaching rubber bands to triggers to facilitate easier "bump-fire" operations, we caution that any modifications which permit a weapon to fire automatically more than one shot with a single function of the trigger could result in that weapon being defined as a "machinegun" as noted in § 5845(b). Possession of an unregistered machinegun is a violation of Federal law.

15 / 19

(b) (6)

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

Sincerely yours,

John R. Spencer
Chief, Firearms Technology Branch

71346

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25401
www.atf.gov

90305:(b) (6)
3311/2007-190

APR 05 2007

(b) (6)

Dear (b) (6)

This is in response to your letter dated December 2, 2006, along with accompanying picture, to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). In your correspondence, you ask if a particular design feature, as described below, constitutes a machinegun under the National Firearms Act (NFA).

As background to your inquiry, the National Firearms Act (NFA), 26 U.S.C. Section 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.

Describing your design feature, you suggest manufacturing a firearm in which the receiver is fixed to the stock, but in which the trigger group moves to the rear during recoil and returns forward after firing. As the trigger moves forward, if the operator's finger is intentionally held in just the right position, the trigger contacts the operator's finger and the cycle repeats. In this manner, an automatic firing cycle continues until either the finger is released or the ammunition supply is exhausted.

We caution that FTB cannot make a classification on pictures, diagrams, or theory. We suggest that you submit a prototype for our examination.

You should be aware that if the manufacture of this firearm would result in the assembly of a "machinegun" as defined by the NFA, FTB could neither solicit nor sanction its unlawful production. Finally, you should confirm that the manufacture of the proposed firearm does not violate any State or local laws and ordnances.

71346

(b) (6)

Please note that if the FTB evaluation were to determine that the submitted sample is a "machinegun" as defined in the NFA, we would be unable to return it unless you are a licensed manufacturer and have paid the special occupational tax (SOT). Conversely, if FTB determines that the sample is not a "machinegun" as defined, it will be returned to you as soon as our Branch has received a FedEx (or alternate carrier) account number to which the return can be billed.

Finally, you should be aware that ATF has recently reclassified the Akins Accelerator and considers it to be a combination of parts designed and intended to convert a weapon into a machinegun. See enclosure (ATF Rul.2006-2).

We trust the foregoing has been responsive to your request.

Sincerely yours,

Richard Vasquez
Assistant Chief, Firearms Technology Branch

Enclosure

71346

71479

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25401
www.atf.gov

903050 (b) (6)
3311/2007-323

APR 0 5 2007

(b) (6)

Dear (b) (6) :

This is in response to your letter dated December 2, 2006, along with accompanying picture, to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). In your correspondence, you ask if a particular assembly, as described below, constitutes a machinegun under the National Firearms Act (NFA).

As background to your inquiry, the National Firearms Act (NFA), 26 U.S.C. Section 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 assembly you describe is based on installing a semiautomatic barreled action with trigger group into a "MuzzleLite bullpup stock" functioning with a spring in the same manner as the Akins Accelerator. Whenever the gun returns to the forward position after firing, the gun's trigger will impinge the stock's trigger bar, which in turn is held back by operator's finger.

We caution that FTB cannot make a classification on pictures, diagrams, or theory. We suggest that you submit a prototype for our examination.

You should be aware that if the manufacture of this firearm would result in the assembly of a "machinegun" as defined by the NFA, FTB could neither solicit nor sanction its unlawful production. Finally, you should confirm that the manufacture of the proposed firearm does not violate any State or local laws and ordnances.

(b) (6) [redacted]

Please note that if the FTB evaluation were to determine that the submitted sample is a "machinegun" as defined in the NFA, we would be unable to return it unless you are a licensed manufacturer and have paid the special occupational tax (SOT). Conversely, if FTB determines that the sample is not a "machinegun" as defined, it will be returned to you as soon as our Branch has received a FedEx (or alternate carrier) account number to which the return can be billed.

Finally, you should be aware that ATF has recently reclassified the Akins Accelerator and considers it to be a combination of parts designed and intended to convert a weapon into a machinegun. See enclosure (ATF Rul.2006-2).

We trust the foregoing has been responsive to your request.

Sincerely yours,

Richard Vasquez
Assistant Chief, Firearms Technology Branch

Enclosure

18 U.S.C. 922(o): Transfer or possession of machinegun
26 U.S.C. 5845(b): Definition of machinegun
18 U.S.C. 921(a)(23): Definition of machinegun

The definition of machinegun in the National Firearms Act and the Gun Control Act includes a part or parts that are designed and intended for use in converting a weapon into a machinegun. This language includes a device that, when activated by a single pull of the trigger, initiates an automatic firing cycle that continues until the finger is released or the ammunition supply is exhausted.

ATF Rul. 2006-2

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has been asked by several members of the firearms industry to classify devices that are exclusively designed to increase the rate of fire of a semiautomatic firearm. These devices, when attached to a firearm, result in the firearm discharging more than one shot with a single function of the trigger. ATF has been asked whether these devices fall within the definition of machinegun under the National Firearms Act (NFA) and Gun Control Act of 1968 (GCA). As explained herein, these devices, once activated by a single pull of the trigger, initiate an automatic firing cycle which continues until either the finger is released or the ammunition supply is exhausted. Accordingly, these devices are properly classified as a part "*designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun*" and therefore machineguns under the NFA and GCA.

The National Firearms Act (NFA), 26 U.S.C. Chapter 53, defines the term "firearm" to include a machinegun. Section 5845(b) of the NFA 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 Gun Control Act of 1968 (GCA), 18 U.S.C. Chapter 44, defines machinegun identically to the NFA. 18 U.S.C. 921(a)(23). Pursuant to 18 U.S.C. 922(o), machineguns manufactured on or after May 19, 1986, may only be

transferred to or possessed by Federal, State, and local government agencies for official use.

ATF has examined several firearms accessory devices that are designed and intended to accelerate the rate of fire for semiautomatic firearms. One such device consists of the following components: two metal blocks; the first block replaces the original manufacturer's V-Block of a Ruger 10/22 rifle and has attached two rods approximately ¼ inch in diameter and approximately 6 inches in length; the second block, approximately 3 inches long, 1 ⅜ inches wide, and ¾ inch high, has been machined to allow the two guide rods of the first block to pass through. The second block supports the guide rods and attaches to the stock. Using ¼ inch rods, metal washers, rubber and metal bushings, two collars with set screws, one coiled spring, C-clamps, and a split ring, the two blocks are assembled together with the composite stock. As attached to the firearm, the device permits the entire firearm (receiver and all its firing components) to recoil a short distance within the stock when fired. A shooter pulls the trigger which causes the firearm to discharge. As the firearm moves rearward in the composite stock, the shooter's trigger finger contacts the stock. The trigger mechanically resets, and the device, which has a coiled spring located forward of the firearm receiver, is compressed. Energy from this spring subsequently drives the firearm forward into its normal firing position and, in turn, causes the trigger to contact the shooter's trigger finger. Provided the shooter maintains finger pressure against the stock, the weapon will fire repeatedly until the ammunition is exhausted or the finger is removed. The assembled device is advertised to fire approximately 650 rounds per minute. Live-fire testing of this device demonstrated that a single pull of the trigger initiates an automatic firing cycle which continues until the finger is released or the ammunition supply is exhausted.

As noted above, a part or parts designed and intended to convert a weapon into a machinegun, *i.e.*, a weapon that will shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a machinegun under the NFA and GCA. ATF has determined that the device constitutes a machinegun under the NFA and GCA. This determination is consistent with the legislative history of the National Firearms Act in which the drafters equated "single function of the trigger" with "single pull of the trigger." *See, e.g., National Firearms Act: Hearings Before the Comm. on Ways and Means, House of Representatives, Second Session on H.R. 9066*, 73rd Cong., at 40 (1934). Accordingly, conversion parts that, when installed in a semiautomatic rifle, result in a weapon that shoots more than one shot, without manual reloading, by a single pull of the trigger, are a machinegun as defined in the National Firearms Act and the Gun Control Act.

Held, a device (consisting of a block replacing the original manufacturer's V-Block of a Ruger 10/22 rifle with two attached rods approximately ¼ inch in diameter and approximately 6 inches in length; a second block, approximately 3 inches long, 1 ⅜ inches wide, and ¾ inch high, machined to allow the two guide rods of the first block to pass through; the second block supporting the guide rods and attached to the stock; using ¼ inch rods; metal washers; rubber and metal bushings; two collars with set screws; one coiled spring; C-clamps; a split ring; the two blocks assembled together with the

composite stock) that is designed to attach to a firearm and, when activated by a single pull of the trigger, initiates an automatic firing cycle that continues until either the finger is released or the ammunition supply is exhausted, is a machinegun under the National Firearms Act, 26 U.S.C. 5845(b), and the Gun Control Act, 18 U.S.C. 921(a)(23).

Held further, manufacture and distribution of any device described in this ruling must comply with all provisions of the NFA and the GCA, including 18 U.S.C. 922(o).

To the extent that previous ATF rulings are inconsistent with this determination, they are hereby overruled.

Date approved: December 13, 2006

Michael J. Sullivan
Director

10'1'14

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

not submitted

Martinsburg, WV 25401
www.atf.gov

903050(b) (6)
3311/2006-772
JUN 0 7 2006

(b) (6)
OBUR
PO Box 368
Sterling, Alaska 99672

Dea(b) (6)

This is in reply to your correspondence dated May 19, 2006, to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), concerning the production of a device you refer to as a Basic AK47 Semiautomatic Tool And Reciprocating Device ("B.A.S.T.A.R.D."). Your correspondence includes a drawing, diagrams, and a written description of this device.

Your letter describes the B.A.S.T.A.R.D. as an accessory that is designed and intended to accelerate the rate of fire on AK-47 type semiautomatic firearms. The device depicted consists of a receiver housing assembly which can be installed around an AK-47 type firearm receiver. This housing permits the entire firearm (receiver and all its firing components) to recoil a short distance within the device, when fired. As the firearm moves rearward in the B.A.S.T.A.R.D., an "accelerator" spring located forward of the firearm receiver is compressed. Energy from this accelerator spring subsequently drives the firearm forward into its normal firing position.

Also, you note that the shooter is responsible for holding the trigger finger in a fixed position after firing an initial shot, so that after the firearm receiver recoils rearward and then is driven forward by the accelerator spring, the trigger again makes contact with the shooter's stationary finger. This action trips the firearm's trigger and begins the firing cycle once more.

Acting on behalf of ATF, our Branch has previously examined devices which are designed to accelerate the rate of fire of a semiautomatic firearm. Certain devices which allow the shooter's trigger finger to remain in contact with the firearm trigger have been classified by FTB as "machineguns." For this reason, your current design could be classified as a machinegun.

Please note that, absent an actual submission of the B.A.S.T.A.R.D., this letter cannot be construed as a formal classification.

Since FTB has not had the opportunity to examine the B.A.S.T.A.R.D., we advise you to submit a sample for classification. Upon completion of our examination, FTB will provide you with a letter of evaluation, along with the returned sample.

(b) (6)

However, we caution that if the submitted sample is found to be a "machinegun" as defined in Federal law, it cannot be returned.

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

Sincerely yours,

Sterling Nixon
Chief, Firearms Technology Branch

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25401
www.atf.gov

903050 (b) (6)
3311/2007-041

JAN 2 4 2007

(b) (6)
OBUR
P.O. Box 368
Sterling, Alaska 99672

Dear (b) (6)

This is in reply to your follow-up correspondence dated October 11, and November 29, 2006, 2006, to the Firearms Technology Branch (FTB), ATF, regarding our classification of your previously submitted device that you designated the *Basic AK47 Semiautomatic Tool And Reciprocating Device* ("B.A.S.T.A.R.D."). Based on our evaluation and our review of applicable provisions of Federal law, FTB concluded that the B.A.S.T.A.R.D, being a combination of parts designed and intended for use in converting a weapon into a machinegun, is a "machinegun" (see FTB# 2006-824).

Your latest correspondence expresses your disagreement with our findings and requests a reclassification and subsequent return of your device.

We regret to inform you that we are unable to comply with your request, since a recent ATF ruling (2006-2), which pertains to devices such as yours, confirms their classification as "machineguns."

This ruling, the complete text of which is enclosed for your reference, states in part:

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has been asked by several members of the firearms industry to classify devices that are exclusively designed to increase the rate of fire of a semiautomatic firearm. These devices, when attached to a firearm, result in the firearm discharging more than one shot with a single function of the trigger. ATF has been asked whether these devices fall within the definition of machinegun under the National Firearms Act (NFA) and Gun Control Act of 1968 (GCA). As explained herein, these devices, once activated by a single pull of the trigger, initiate an automatic firing cycle which continues until either the finger is released or the ammunition supply is exhausted. Accordingly, these devices are properly classified as a part "*designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun*" and therefore machineguns under the NFA and GCA.

(b) (6)

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

Sincerely yours,

Sterling Nixon
Chief, Firearms Technology Branch

Enclosure

18 U.S.C. 922(o): Transfer or possession of machinegun
26 U.S.C. 5845(b): Definition of machinegun
18 U.S.C. 921(a)(23): Definition of machinegun

The definition of machinegun in the National Firearms Act and the Gun Control Act includes a part or parts that are designed and intended for use in converting a weapon into a machinegun. This language includes a device that, when activated by a single pull of the trigger, initiates an automatic firing cycle that continues until the finger is released or the ammunition supply is exhausted.

ATF Rul. 2006-2

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has been asked by several members of the firearms industry to classify devices that are exclusively designed to increase the rate of fire of a semiautomatic firearm. These devices, when attached to a firearm, result in the firearm discharging more than one shot with a single function of the trigger. ATF has been asked whether these devices fall within the definition of machinegun under the National Firearms Act (NFA) and Gun Control Act of 1968 (GCA). As explained herein, these devices, once activated by a single pull of the trigger, initiate an automatic firing cycle which continues until either the finger is released or the ammunition supply is exhausted. Accordingly, these devices are properly classified as a part "*designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a machinegun*" and therefore machineguns under the NFA and GCA.

The National Firearms Act (NFA), 26 U.S.C. Chapter 53, defines the term "firearm" to include a machinegun. Section 5845(b) of the NFA 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 Gun Control Act of 1968 (GCA), 18 U.S.C. Chapter 44, defines machinegun identically to the NFA. 18 U.S.C. 921(a)(23). Pursuant to 18 U.S.C. 922(o), machineguns manufactured on or after May 19, 1986, may only be

transferred to or possessed by Federal, State, and local government agencies for official use.

ATF has examined several firearms accessory devices that are designed and intended to accelerate the rate of fire for semiautomatic firearms. One such device consists of the following components: two metal blocks; the first block replaces the original manufacturer's V-Block of a Ruger 10/22 rifle and has attached two rods approximately ¼ inch in diameter and approximately 6 inches in length; the second block, approximately 3 inches long, 1 ¾ inches wide, and ¾ inch high, has been machined to allow the two guide rods of the first block to pass through. The second block supports the guide rods and attaches to the stock. Using ¼ inch rods, metal washers, rubber and metal bushings, two collars with set screws, one coiled spring, C-clamps, and a split ring, the two blocks are assembled together with the composite stock. As attached to the firearm, the device permits the entire firearm (receiver and all its firing components) to recoil a short distance within the stock when fired. A shooter pulls the trigger which causes the firearm to discharge. As the firearm moves rearward in the composite stock, the shooter's trigger finger contacts the stock. The trigger mechanically resets, and the device, which has a coiled spring located forward of the firearm receiver, is compressed. Energy from this spring subsequently drives the firearm forward into its normal firing position and, in turn, causes the trigger to contact the shooter's trigger finger. Provided the shooter maintains finger pressure against the stock, the weapon will fire repeatedly until the ammunition is exhausted or the finger is removed. The assembled device is advertised to fire approximately 650 rounds per minute. Live-fire testing of this device demonstrated that a single pull of the trigger initiates an automatic firing cycle which continues until the finger is released or the ammunition supply is exhausted.

As noted above, a part or parts designed and intended to convert a weapon into a machinegun, *i.e.*, a weapon that will shoot automatically more than one shot, without manual reloading, by a single function of the trigger, is a machinegun under the NFA and GCA. ATF has determined that the device constitutes a machinegun under the NFA and GCA. This determination is consistent with the legislative history of the National Firearms Act in which the drafters equated "single function of the trigger" with "single pull of the trigger." *See, e.g., National Firearms Act: Hearings Before the Comm. on Ways and Means, House of Representatives, Second Session on H.R. 9066*, 73rd Cong., at 40 (1934). Accordingly, conversion parts that, when installed in a semiautomatic rifle, result in a weapon that shoots more than one shot, without manual reloading, by a single pull of the trigger, are a machinegun as defined in the National Firearms Act and the Gun Control Act.

Held, a device (consisting of a block replacing the original manufacturer's V-Block of a Ruger 10/22 rifle with two attached rods approximately ¼ inch in diameter and approximately 6 inches in length; a second block, approximately 3 inches long, 1 ¾ inches wide, and ¾ inch high, machined to allow the two guide rods of the first block to pass through; the second block supporting the guide rods and attached to the stock; using ¼ inch rods; metal washers; rubber and metal bushings; two collars with set screws; one coiled spring; C-clamps; a split ring; the two blocks assembled together with the

composite stock) that is designed to attach to a firearm and, when activated by a single pull of the trigger, initiates an automatic firing cycle that continues until either the finger is released or the ammunition supply is exhausted, is a machinegun under the National Firearms Act, 26 U.S.C. 5845(b), and the Gun Control Act, 18 U.S.C. 921(a)(23).

Held further, manufacture and distribution of any device described in this ruling must comply with all provisions of the NFA and the GCA, including 18 U.S.C. 922(o).

To the extent that previous ATF rulings are inconsistent with this determination, they are hereby overruled.

Date approved: December 13, 2006

Michael J. Sullivan
Director

U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25401
www.atf.gov

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P.O. Box 368
Sterling, Alaska 99672

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This is in reply to your follow-up correspondence dated June 12, 2006, to the Firearms Technology Branch (FTB), ATF, accompanying your submission of a device you refer to as a *Basic AK47 Semiautomatic Tool And Reciprocating Device* ("B.A.S.T.A.R.D."). Your correspondence includes written instructions for installing an AK-47 type semiautomatic rifle into the device.

The FTB examination of the submitted item (see Photo Enclosure I) indicates that the B.A.S.T.A.R.D. is an accessory that is designed and intended to accelerate the rate of fire on AK-47 type semiautomatic firearms. The device consists of a receiver housing assembly which can be installed around an AK-47 type firearm receiver. This housing permits the entire firearm (receiver and all its firing components) to recoil a short distance within the device, when fired. As the firearm moves rearward in the B.A.S.T.A.R.D., an "accelerator" spring located forward of the firearm receiver is compressed. Energy from this accelerator spring subsequently drives the firearm forward into its normal firing position.

A semiautomatic AK-type firearm from the FTB National Firearms Collection was installed into the B.A.S.T.A.R.D. for testing purposes (refer to Photo Enclosure II). Live fire testing of the B.A.S.T.A.R.D. confirmed that finger pressure applied to the trigger initiates an automatic firing cycle which continues until the finger is released, the weapon malfunctions, or the ammunition supply is exhausted.

As you are aware, the National Firearms Act (NFA), 26 U.S.C. § 5845(b), defines the term "**machinegun**" as follows:

"*...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.*"

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Based on the evaluation and provisions of Federal law, FTB has concluded that the B.A.S.T.A.R.D, being a combination of parts designed and intended for use in converting a weapon into a machinegun, is a "machinegun" as defined in the above-cited § 5845(b).

In order for our Branch to return this item to you, you must obtain the proper manufacturer's Federal Firearms License from the ATF National Licensing Center, Atlanta, Georgia, and make an appropriate Special Occupational Tax (SOT) payment. Finally, you must submit a "Form 2" (notification of firearms manufactured).

Without the aforementioned documentation and license, FTB cannot return this item, as it is currently considered contraband. Please provide proof of licensure and SOT payment to FTB within 60 days.

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

Sincerely yours,

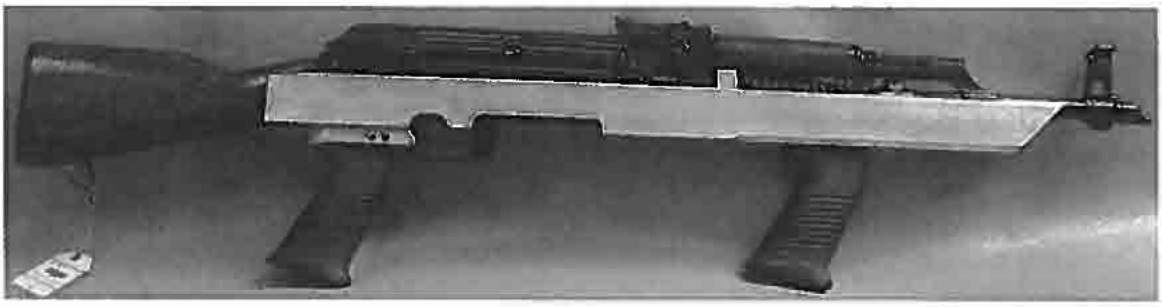
for Sterling Nixon
Chief, Firearms Technology Branch

Enclosures

(b) (6)

Photo Enclosure I

Photo Enclosure II



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U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

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Dear (b) (6)

This refers to your recent correspondence and submission of a physical sample to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), Martinsburg, West Virginia. Specifically, you ask FTISB to evaluate your prototype design and determine its classification under Federal law.

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."

Additionally, the National Firearms Act (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."

You have submitted to FTISB a prototype 3D printed 10/22-style rifle stock. This is a follow-up design from a previous submission (907020:MRC 3311/302558) that FTISB classified as a machinegun.

Your submission consists of the following components:

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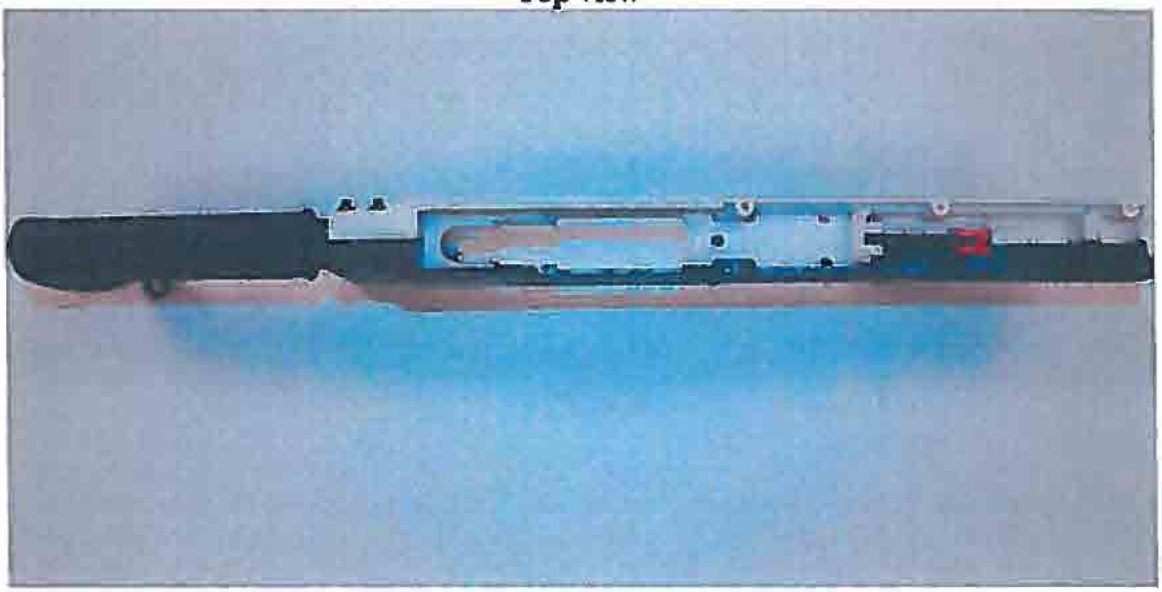
- Rifle stock/Gun support
- Pivot toggle
- Shuttle link
- Shuttle
- Forward actuator

You provided the prototype shown below:

Side view

Top view



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Assembled with Ruger 10/22 barreled action

Your prototype is designed in a manner that for firing requires the shooter (if right handed) to grip the forward pistol style grip with their left hand. The right hand will grip the rearward pistol grip requiring that the shooter place his/her trigger finger on the extension incorporated into the grip. The left forefinger will pull the forward actuator rearward causing the 10/22 barreled action to move forward until the Ruger 10/22 trigger contacts the shooters trigger finger and a projectile is expelled from the firearm barrel.

When a shot is fired, an intermediate amount of pressure is applied to the forward actuator with the left hand forefinger, and the barreled action via the shuttle recoils sufficiently rearward to allow the trigger to mechanically reset. Continued intermediate pressure applied to the forward actuator will then pull the receiver assembly forward until the trigger re-contacts the shooter's stationary firing-hand finger, allowing a subsequent shot to be fired. In this manner, the shooter pulls the firearm forward to fire each shot so that the action of firing is accomplished by a single trigger function. Further, each subsequent shot depends on the shooter applying the appropriate amount of forward pressure to the forward actuator and timing it to contact the trigger-finger on the firing hand.

As stated above, the NFA defines machinegun, in relevant part, as "any weapon which shoots…automatically more than one shot, without manual reloading, by a single function of the trigger." ATF has long held that a "single function of the trigger" is a single "pull" or a single "release" of the trigger. Therefore, a firearm that fires a single projectile upon a pull of the trigger and then fires another single projectile upon the release of that trigger would not be classified as a "machinegun" under Federal law.

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Since your device is incapable of initiating an automatic firing cycle that continues until either the finger is released or the ammunition supply is exhausted, FTISB finds that it is not a machinegun as defined under the NFA, 26 U.S.C. § 5845(b), or the Gun Control Act, 18 U.S.C. § 921(a)(23).

Please be advised that our findings are based on the item as submitted. Any changes to its design features or characteristics will void this classification. Further, we caution that the addition of an accelerator spring or any other non-manual source of energy which allows this device to operate automatically as described will result in the manufacture of a machinegun as defined in the NFA, § 5845(b).

To facilitate the return of your sample, please provide FTB with the appropriate FedEx or similar account information within 60 days of receipt of this letter. If their return is not necessary, please fax FTB at (304) 616-4300 with authorization to destroy them on your behalf.

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

Sincerely yours,

Max M. Kingery
Acting Chief, Firearms Technology Industry Services Branch

303826, SEPT 14, 2015 - Bump Fire Stock – NOT A MACHINEGUN

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