



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

*Firearms Technology Industry Services Branch*

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Martinsburg, WV

www.atf.gov

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This refers to your correspondence, and sample "Pistol Mounted Storage Device" to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), (formerly FTB), in which you ask us to evaluate your "Pistol Mounted Storage Device" (PMSD) and determine if it is regulated by Federal statutes.

The amended Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(7) defines the term "**rifle**" as *"...a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projectile through a rifled bore for each single pull of the trigger"*.

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

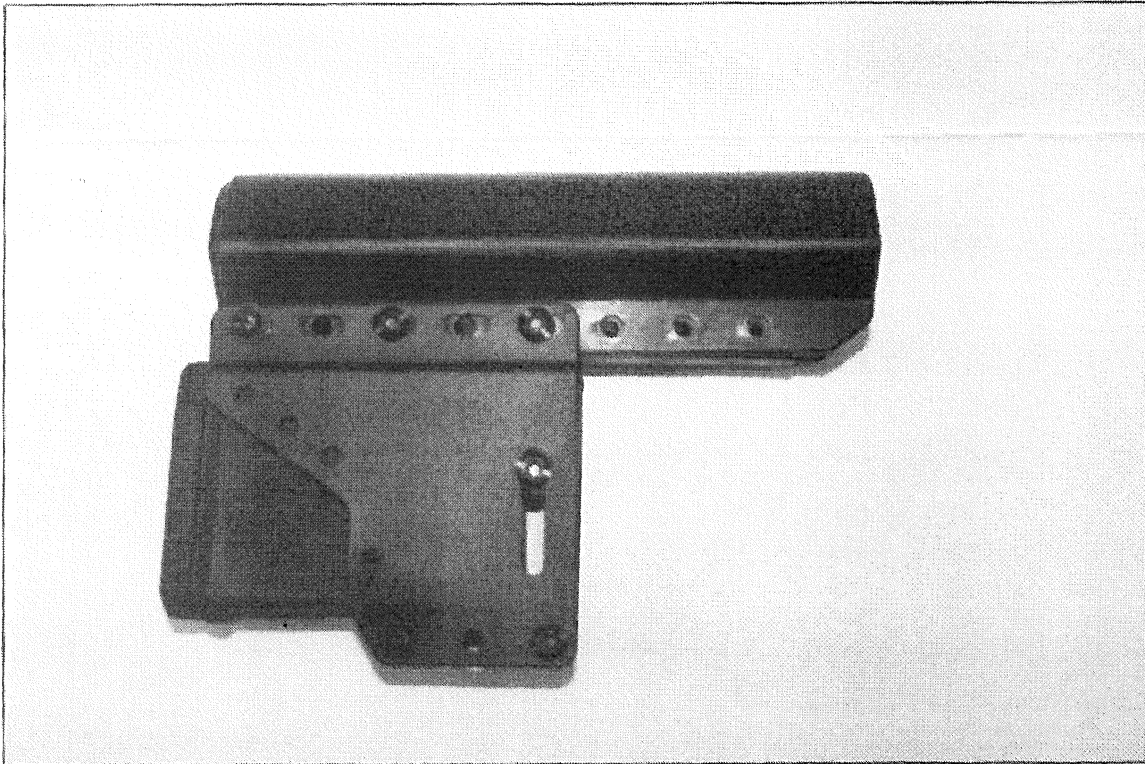
In your correspondence, you state that your company has designed the PMSD to assist law enforcement in carrying an additional magazine when attached to an AR-type pistol.

The PMSD is constructed from a form of Polymer/Plastic and is designed to encompass the receiver extension that is assembled to an AR type receiver. The PMSD is designed in two pieces.

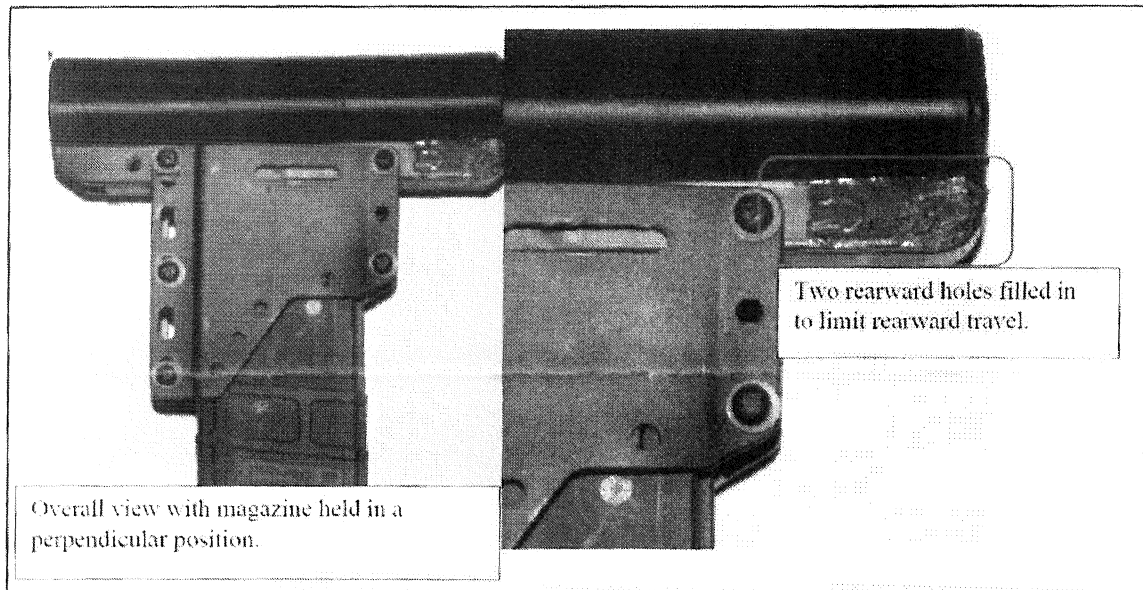
The PMSD incorporates two sub-assemblies; assembly one encompasses the receiver extension and is approximately 6-7/8 inches in length and approximately 1-1/2 inches wide. Assembly one also secures the device to an AR type pistol. Assembly two acts as storage for a magazine.

The two assemblies are held together by three oval head type machine screws. You have designed the PMSD as an accessory and do not intend it to be used as a shoulder stock.

However, we were able to move the magazine storage to the rear of sub-assembly 1 and install the magazine (see attached photo). In this location the magazine is able to be utilized as a shoulder stock.



After a phone conversation with Mr. Vasquez, you have redesigned your submission by removing the two rearward holes to limit travel. Additionally, you have redesigned the magazine storage device to hold the magazine vertical instead of horizontal.



In addition to the modifications you have already made, you will need to **reposition** the holes in the magazine holder so if the end-user turns the magazine holder horizontal, the holes won't correspond with assembly one and allow it to be used as a shoulder stock.

Based on FTISB's examination of your device, FTISB finds that your device is designed to be attached to a pistol and hold an additional magazine. Providing the modifications are made as described above, the PMSD would not be designed to support an AR-15 pistol from the shoulder of a shooter during firing. Consequently, the attachment of your PMSD would not change a pistol's classification to a "SBR."

Please provide our Branch with a FedEx account number or a UPS shipping label addressed to yourself so that we may return your sample. Please be advised that we do not ship via the U.S. Postal Service.

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

Sincerely yours,

Michael R. Curtis  
Chief, Firearms Technology Industry Services Branch

March 1, 2017

Re: Pistol Mounted Solutions, LLC  
Pistol Mounted Storage Device ("PMSD")

Dear

My consulting firm, Rick Vasquez Firearms, LLC, was asked to provide an opinion concerning the classification of Pistol Mounted Solutions, LLC's new model of its PMSD which incorporates certain design changes that only allow for vertical magazine carry and which prevent the PMSD from being mounted flush to or beyond the rear of a typical AR-style pistol buffer tube. As part of my research and analysis, I have reviewed product diagrams and descriptions that you have provided, reviewed previous ATF Firearms Technology Branch rulings, and utilized my extensive experience in firearms technology classification related matters. This experience includes, among other things, over two decades in the United States Marine Corps, work as a firearms instructor, and fifteen years with the Bureau of Alcohol, Tobacco and Firearms, including time as the acting chief of ATF's Firearms Technology Branch – the branch of ATF charged with rendering firearms classification decisions. As a consultant, I have worked with numerous other federal firearm licensees and other industry members with regard to ATF regulatory compliance and related matters, including a number of firearm/accessory manufacturers.

Accordingly, and while my analysis and opinion is set forth in additional detail below, it is my opinion that the new model of PMSD, which only allows for vertical magazine carry and which cannot be mounted flush to or beyond the rear of a typical AR-style pistol buffer tube, does not constitute a shoulder stock. As a result, it is further my opinion that the installation of the PMSD as you have designed it and intend it to be used: 1) would not transform a typical AR-style pistol into a short barreled rifle that would require registration under the National Firearms Act, and 2) is otherwise not regulated by federal statute.

**I. LEGAL DEFINITIONS AND BACKGROUND:**

Under 18 U.S.C. 921(a)(7), the Gun Control Act of 1968 ("GCA") defines the term "rifle" as "...a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and designed or redesigned and made or remade to use the energy of an explosive to fire only a single projective through a rifled bore for each single pull of the trigger." The GCA also defines "short barreled rifle" as "...a rifle having one or more barrels less than sixteen inches in length and any weapon made from a rifle (whether by alteration, modification, or otherwise) if such weapon, as modified, has an overall length of less than twenty-six inches." *See*, 18 U.S.C. 921(a)(8). Thus, the question presently under consideration is whether the new model of the PMSD, which only allows for vertical magazine carry and which cannot be mounted flush to or beyond the rear of a typical AR-style pistol buffer tube, constitutes a shoulder stock such that its installation on an AR-style pistol would result in the creation of a short barreled rifle.

## **II. APPLICATION AND ANALYSIS:**

As a preliminary matter, based on the plain language of the GCA, it has long been ATF's position that firearms accessories that are designed and intended to serve as shoulder stocks when installed on a typical AR-style pistol transform the pistol into a short barreled rifle that requires registration under the National Firearms Act. Here, however, the PMSD is neither designed nor intended to be used as a shoulder stock. Rather, it is specifically designed and intended merely as a firearms accessory that allows the user to carry a spare magazine or other items in a convenient, safe, and secure location.

The PMSD is constructed from a form of polymer/plastic and is designed to encompass the receiver extension that is assembled to a typical AR-style pistol receiver. The PMSD is designed in two pieces, the "buffer sleeve" and the "magazine holder." The buffer sleeve goes over a standard AR-style pistol buffer tube and is approximately 6 7/8 inches long and 1 1/2 inches wide. The magazine holder is exactly what it sounds like, and it attaches to the underside of the buffer sleeve in order to conveniently, safely, and securely hold spare magazines or other items. The buffer sleeve and the magazine holder are held together by two or three oval type machine screws.

There are certain other design features of the PMSD that are of significance for purposes of my opinion. First, the hole patterns on both the buffer sleeve and the magazine holder are designed in such a way that the magazine holder cannot be mounted flush to or beyond the rear of a standard AR-style pistol buffer tube. That is, at its most rearward installable position, there is a forward offset between the rear of the buffer tube and the rear of the magazine holder of at least .51 inches. This is important, because the magazine holder can only hold magazines in a vertical, not horizontal, position. As a result, the only possible point of purchase of the magazine holder and/or stored magazine on a user's shoulder is the rear of the magazine holder itself. Since the magazine holder cannot be installed flush with or beyond the end of the buffer tube, however, it is not possible for the PMSD to be used as a shoulder stock when installed as designed and intended. Second, since a stored magazine can only be inserted vertically instead of horizontally, a stored magazine cannot be utilized in any way as a shoulder stock. Finally, the hole patterns of the buffer sleeve and magazine holder are designed in such a way that if an end user turned the magazine holder horizontally, the hole patterns will not correspond with one another such that the magazine holder can be installed horizontally on the buffer sleeve and used as a shoulder stock.

## **III. CONCLUSION:**

Based on my review of the PMSD's product diagrams and descriptions, my research and analysis of relevant ATF rulings, and my extensive experience in firearms classification matters, it is my opinion that the PMSD is designed and intended to be attached to a pistol and hold a spare magazine or other items, and as a result, the PMSD is not designed or intended to support an AR-style pistol from the shoulder of a user during firing. As a result, it is further my opinion that the attachment of the PMSD would not change a pistol's classification to that of a short barreled rifle.

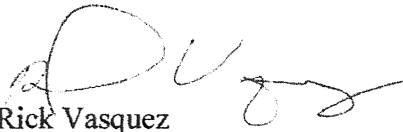
RICK VASQUEZ FIREARMS, LLC

March 1, 2017

Page 3 of 4

Please contact me with any questions or concerns that you may have or should you require any clarification of my opinion. This letter and the opinions contained therein are intended solely for Pistol Mounted Solutions, LLC and are not to be relied upon by any other individual or entity for any purposes.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Rick Vasquez', with a stylized flourish at the end.

Rick Vasquez  
Rick Vasquez Firearms, LLC