



International Firearm Specialist Academy
PO Box 338 Lake Dallas, TX 75065
Email: Info@GunLearn.com

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Anthony Galazan
Standard Manufacturing
New Britain, Connecticut

Dear Mr. Galazan,

This letter addresses your inquiry concerning the ATF-classification of your submitted "SKO Shorty" model of firearm. As submitted, it is built on a frame which is identical (other than markings) to your SKO model shotgun. The SKO Shorty is a semiautomatic, 12 gauge, smooth-bore, manufactured with a barrel length of 18 1/2", an overall length of 29", having two pistol-type grips, and is thus designed to be held and fired with two hands (pictured below).



You asked whether the installation of a shoulder-stock onto the SKO Shorty model would affect the legal-classification of the SKO Shorty, and whether the possible subsequent removal of said shoulder-stock, would affect the legal-classification of the SKO Shorty.

The SKO Shorty as submitted, is classified as an "other firearm" according to the definitions found within Title 18 of the U.S Code, and ATF rulings. This merely means that the firearm is

not a long gun (it does not fulfill the definition of either a rifle, nor of a shotgun), neither is it a handgun (it does not fulfill the definition of a pistol, nor of a revolver).

The classification of “other firearm” is the result of three combined characteristics. Those characteristics are that the firearm 1) has never been designed to be fired from the shoulder, 2) is not designed to be held and fired in one hand, 3) is 26” or more in length overall, and is therefore not considered by ATF to be concealable on the person. In order to maintain this classification, the firearm must maintain all three of these characteristics.

Please note that in order to avoid classification as an “Any Other Weapon” within the purview of the National Firearms Act, the overall length of such an “other firearm” must be maintained at a minimum of 26”. There is no required minimum barrel length for an “other firearm”. As long as this minimum overall length is maintained, the barrel of an “other firearm” may legally be shortened to any length.

However, the installation of a shoulder-stock onto a SKO Shorty, would re-design it as a “shotgun” according to the definition of a shotgun found within Title 18 of the U.S. Code, subsection 921 (A) (5), and Chapter 27 of the Code of Federal Regulations 479.11.

The term “Shotgun” means a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder, and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger

ATF has long held that “once a long gun, always a long gun”, and therefore, once a shoulder-stock has been installed, said SKO Shorty would forever be classified by ATF as a “shotgun*” under federal law. It could never legally be restored to the classification of “other firearm”.

Once reclassified as a shotgun, the shoulder-stock could legally be removed, as long as the shotgun maintains both of the following features; 1) The legally-required 18” barrel, and 2) The 26” overall length. Failure to maintain both minimum measurements, without prior registration with ATF (with or without the shoulder-stock) could result in the prosecution of the maker and/or the possessor, for felony violations of Title 26 of the U.S. Code. It is the responsibility of the purchaser/possessor to adhere to any local, state, and federal laws regarding the modification of the barrel length and the overall length. Therefore, state and local laws should also be researched before modifying any firearm.

It is also important to note that once classified as a shotgun, any future possessors of said firearm would be required to maintain the minimum barrel length and the minimum overall length in order to avoid NFA status. It should be noted that if said shotgun were later transferred to another person without the shoulder-stock attached, that the subsequent possessor(s) should be

made aware that the firearm has been reclassified as a shotgun by the prior installation of a shoulder-stock. Failure to notify a future possessor of such reclassification, could result in the unknowing violation of Title 26 of the U.S Code by a future possessor who then shortens the barrel to less than 18", or shortens the overall length to less than 26".

Said shotgun may, however, be registered with ATF as a short-barreled shotgun, if the possessor chooses to do so. After registration has been approved, the registration would then allow for the legal shortening of the barrel and/or the overall length to a point less than the stated minimum lengths.

Further, we at IFSA strongly recommend that all future production of the SKO "Shorty" model be recorded in your Acquisition/Disposition Record as an "other", and that they bear a marking indicating that model designation, as different from the SKO models which leave your facility as a shotgun.

I trust that this information has clarified the ramifications of the above-described modifications to this model of firearm.

Sincerely,

Daniel O'Kelly
Director
International Firearm Specialist Academy