

U.S. Department of Justice

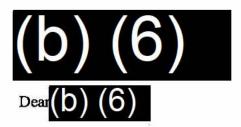
Bureau of Alcohol, Tobacco, Firearms and Explosives

Martinsburg, WV 25405

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OCT 2 8 2014



This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), pertaining to the attachment of an AR-15 type buffer tube and SigTac SB15 pistol stabilizing brace to an AK-type pistol. Specifically, you wanted to verify that a firearm in this configuration is outside the purview of the National Firearms Act (NFA). Your letter was forwarded to ATF's Firearms Technology Industry Services Branch (FTISB), Martinsburg, West Virginia, for reply.

As background, 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....

With respect to the definitions of "handgun" and "pistol" under Federal statutes and implementing regulations, you may be aware that the amended Gun Control Act of 1968, 18 U.S.C. § 921(a)(29), defines "handgun" as, in part, ...a firearm which has a short stock and is designed to be held and fired by the use of a single hand....

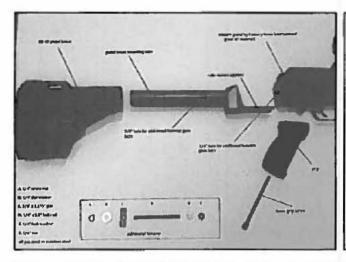
Additionally, 27 CFR § 479.11 defines "pistol" to mean ...a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of, or permanently aligned with, the bore(s); and (b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).

Finally, the National Firearms Act (NFA) defines "firearm" to include ...a rifle having a barrel or barrels of less than 16 inches in length.... (See 26 U.S.C. § 5845(a)(3).)

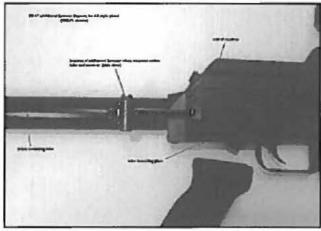


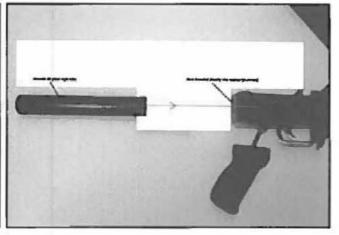
(b) (6)

The firearm configuration as described in your letter is depicted below:









The subject weapon, as described and depicted above, is a "firearm" subject to GCA provisions; however, it is not a "firearm" as defined by the NFA provided the SigTac SB15 pistol stabilizing brace is used as originally designed and NOT used as a shoulder stock.

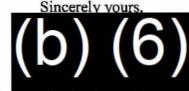
However, should an individual utilize the SigTac SB15 pistol stabilizing brace on the subject weapon as a shoulder stock to fire the weapon from the shoulder, this firearm would then be classified as a "short-barreled rifle" as defined in the NFA, 26 U.S.C. § 5845(a)(3) because the subject brace has then been made or remade, designed or redesigned from its originally intended purpose.

We caution further that this classification pertains only to this type of firearm and its classification under Federal law. We advise you to confirm that installing an AR-15 type buffer tube and SigTac SB15 pistol stabilizing brace on an AK-type pistol does not violate any Pennsylvania State laws or local ordinances.



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



Acting Chief, Firearms Technology Industry Services Branch