



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

903050: (b) (6)
3311/302703

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Dear (b) (6)

This is in reference to your correspondence, with enclosed sample, to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB). In your letter, you asked for a classification of a “forearm brace” (see enclosed photos). Additionally, you inquire as to the formal classification of an AR-type pistol with your “forearm brace” attached.

The FTISB evaluation revealed that the submitted device is constructed of a rubber-type material and incorporates a portion of a modified AR-type shoulder stock designed to attach to an AR-type buffer tube. Further, this item incorporates slots, which you state; are for Velcro straps (not included in submission). As received, the rubber portion of the device is molded to form an upside down “U”.

The FTISB found the following: A shooter would insert his or her forearm into the device while gripping the pistol’s handgrip—then tighten the Velcro straps for additional support and retention. Thus configured, the device provides the shooter with additional support of a firearm while it is held and operated with one hand. As received, our Branch finds that the submitted device is not designed or intended to redesign a weapon to be fired from the shoulder.

Based on our evaluation, our Branch finds that the submitted forearm brace, when attached to a pistol type firearm, does not convert that weapon to be fired from the shoulder and would not alter the classification of a pistol or other firearm. While a firearm so equipped would still be regulated by the Gun Control Act, 18 U.S.C. § 921(a)(3), such a firearm would not be subject to NFA controls.

Regarding the attachment of your proposed device to an AR-type pistol; the attachment of a "forearm brace" type device to the AR-type pistol alone; would not change the classification of the pistol to an SBR. However, if this device, as evaluated by FTISB or modified; is assembled to a pistol and *used* as a shoulder stock; in the designing or redesigning or making or remaking of a weapon designed to be fired from the shoulder ; this assembly would constitute the making of a "rifle" as defined in 18 U.S.C. § 921(a)(7).

Further, if this device, as evaluated by our Branch or modified; is assembled to a pistol and *used* as a shoulder stock, in the designing or redesigning or making or remaking of a weapon designed to be fired from the shoulder, which incorporates a barrel length of less than 16 inches; this assembly would constitute the making of "a rifle having a barrel or barrels of less than 16 inches in length"; an NFA firearm as defined in 26 U.S.C. § 5845(a)(3).

In closing, we should remind you that the information found in correspondence from FTISB is intended only for use by the addressed individual or company with regard to a specific scenario or item described within that correspondence. We advise you to confirm that assembly of an AR-type firearm utilizing the aforementioned firearm accessory does not violate any State laws or local ordinances where you reside.

To facilitate return of your sample, please provide FTISB with the appropriate FedEx account information within 60 days of receipt of this letter.

We thank you for your inquiry and trust the foregoing has been responsive to your evaluation request. Please do not hesitate to contact us if additional information is needed.

Sincerely yours,

(b) (6)

Acting Chief, Firearms Technology Industry Services Branch

Enclosure

Forearm Brace, Submitted by (b) (6)
Burkholder on 9/22/14





