



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

907010: (b) (6)
3311/302494

DEC 15 2014

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Dear (b) (6)

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), submitted for findings regarding the lawfulness of your proposals: As indicated, you want to install what you refer to as a "buffer tube with a longer overall length" onto an AK style pistol to serve as a mount for a forearm brace, such as the SB-47 manufactured by Century Arms.

Further, you wish to modify the tube and install a folding mechanism to what our offices understands to be a modified AR15 type receiver extension/buffer tube, a part that in its original form normally houses a buffer and spring, on an AR15-type pistol onto an AK styled pistol without the resulting firearm being subject to National Firearms Act (NFA) provisions.

For your reference in this matter, 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....*

Also, with respect to the definitions of "handgun" and "pistol" under Federal statutes and regulations, you may be aware that the GCA, 18 U.S.C. § 921(a)(29), defines "handgun" to mean, 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 § 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).

Please note also that the GCA, 18 U.S.C. § 921(a)(7), defines the term “rifle” to include *a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder....*

Finally, the NFA, 26 U.S.C. § 5845(a)(3), defines “firearm” to include *a rifle having a barrel or barrels of less than 16 inches in length....*

Based on our analysis of your project and consideration of the Federal definitions just cited, we should inform you that the installation of a modified AR15 pistol-type receiver extension/buffer tube designed and intended in its original form to house a reciprocating buffer and spring on an AR15-type pistol raises several important issues if that modified part is installed onto a pistol such as an AK type pistol that does not require that part as a functional component.

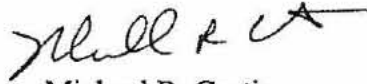
While the attachment of certain stabilizing brace devices to some handguns has been approved by ATF in the past, your intention to utilize a modified version of a functional component part from one design where in its original form serves a legitimate, vital function in the operation of the weapon system onto another functionally different firearm that does not require that part could be interpreted as a change in the function of that part. Further, modifying the length of that part serves little purpose other than to extend a contact surface rearward of the pistols grip on the referenced AK type pistol, a feature commonly associated with butt stocks rather than stabilizing braces.

Arm stabilizing brace devices were originally submitted to FTISB for classification as a product that was designed and intended to assist handicapped shooters to maintain control of a specific type of handgun. We point out that should an individual utilize a pistol stabilizing brace as a shoulder stock to fire the weapon from the shoulder, such a 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.

Finally, while you do reference a combination of products to include “*a forearm brace such as the SB-47*”, a modified AR-15 type buffer tube and a folding mechanism compatible with AR-15 type buffer tubes, our branch would not be able to offer an official classification of your proposed device without examining a functioning prototype.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael R. Curtis", with a stylized flourish at the end.

Michael R. Curtis

Acting Chief, Firearms Technology Industry Services Branch