



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

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3311/302749

**MAR 3 0 2015**

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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 proposal. As indicated, you are inquiring if the installation of what is referred to as an: "adjustable buffer tube forearm brace" onto an "AR-15 pistol" or other related pistol types convert them in a manner that would be classified as a "rifle" and thus a "firearm" regulated by the National Firearms Act (NFA) if the overall length of the pistol does not exceed 26 inches with the adjustable buffer tube forearm brace fully extended?

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....*

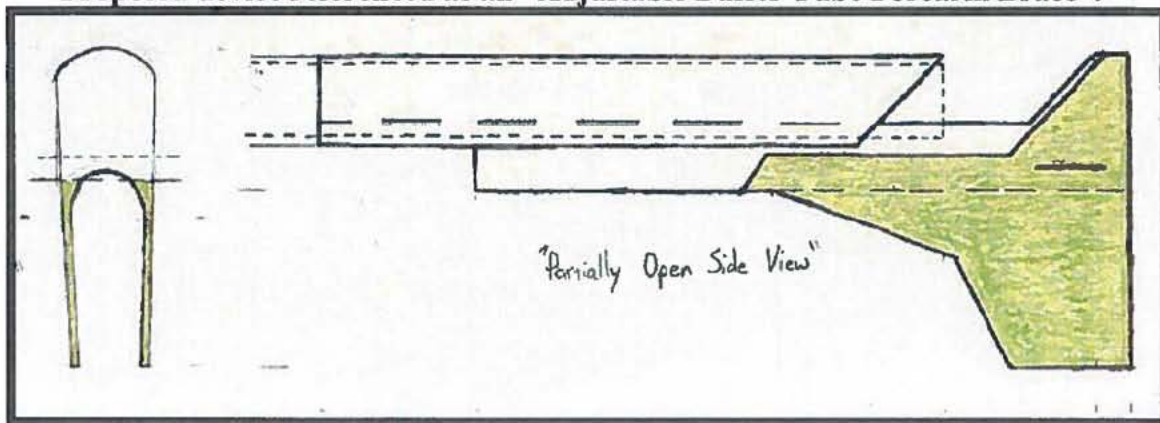
Finally, the NFA, 26 U.S.C. § 5845(a)(3), defines “firearm” to include: *a rifle having a barrel or barrels of less than 16 inches in length....*

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 “adjustable buffer tube forearm brace” onto an AR-15 pistol could potentially change the classification of a “pistol” or “handgun” depending on the specific design characteristics of the device installed onto the pistol and/or the manner in which the combination is utilized.

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 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 pistol’s grip on the referenced AR-15 type pistols, a feature commonly associated with butt stocks/shoulder 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. However, we caution 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.

**Proposed device referenced as an “Adjustable Buffer Tube Forearm Brace”.**



Finally, our branch would not be able to offer an official classification of your proposed device without examining a functioning prototype similar in both design and materials to the device that is intended for installation on AR-15 type pistols.

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Should you wish to submit a sample "Adjustable Buffer Tube Forearm Brace" for evaluation, it may be sent to:

Chief, Firearms Technology Industry Services Branch  
244 Needy Road  
Martinsburg, West Virginia 25405

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

Sincerely yours,

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Acting Chief, Firearms Technology Industry Services Branch