



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

907010 (b) (6)  
3311/302864

MAY 04 2015

(b)(3)-(26 USC 6103), (b) (6)

Dear (b) (6)

This refers to your correspondence and accompanying sample 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 have submitted information pertaining to a product that is intended for use on AR-15 style pistols that you referenced as a prototype (b)(3)-(26 USC 6103)

The device incorporates an aluminum collar with straight "legs" which are affixed to the collar with roll pins and was mounted on an AR-15 pistol type buffer tube installed on an incomplete AR-15 type receiver blank. The legs operate on a hinge principle and can be folded into a vertical position with the bottom portion of the legs contacting each other or opened into (b)(3)-(26 USC 6103)

The following details pertaining to the proposed device were provided:

- The device is constructed of aluminum with (b)(3)-(26 USC 6103)
- The device is a one off prototype, some minor modifications may be made in production runs (ie: hole locations, slot location, etc.)

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....*

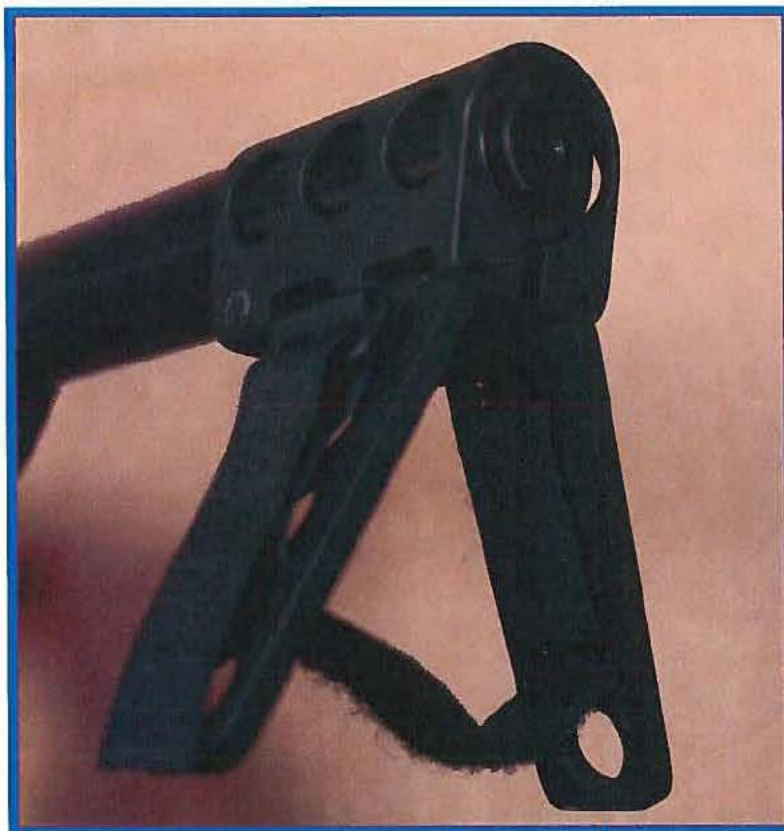
**Photograph of device with “legs” in folded-closed position.**



**Rear view of device in folded-closed position.**

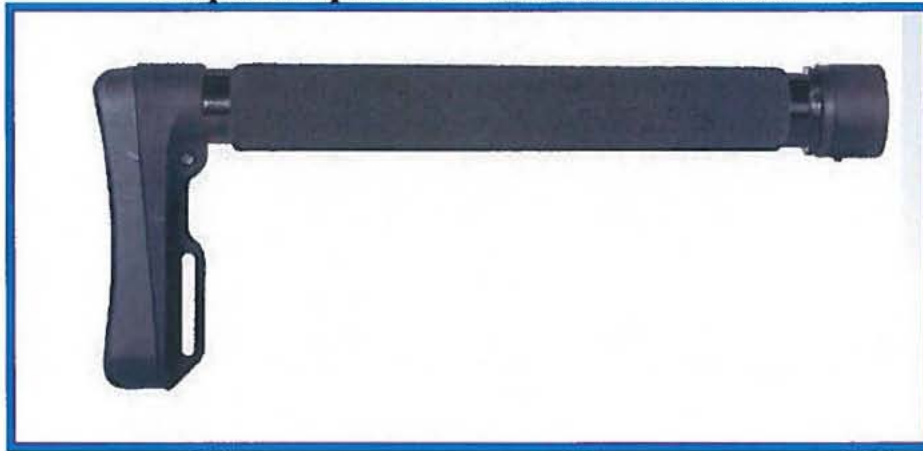


**Rear view of device in open position.**





**Comparative picture of Ace ultra-lite buttstock.**



**Image of "OIP" Rifle provided for comparative purposes.**



**Close up of "OIP" buttstock/shoulder stock assembly.**

(b)(3)-(26 USC 6103)

FTISB finds that the device offers a contact surface similar in nature to buttstocks or shoulder stocks utilized on various AR-15/M-16 rifles when the device is set in its "closed" position. While the attachment of certain stabilizing brace devices to some handguns had been approved by ATF in the past, these devices were shaped differently and manufactured from softer, contoured materials rather than rigid aluminum. Finally, the approved devices generally were not configurable to a position or setting in which the device more closely resembled a buttstock or shoulder stock in form and function, rather than its stated purpose as an arm brace.

Based on our analysis of your sample and consideration of the Federal definitions cited, we should inform you that your "*prototype AR pistol tube forearm brace*" would be classified as a device similar in form and function to a buttstock when installed on a firearm thus reconfiguring the firearm into a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder. Therefore, the installation of the device or possession of the device with a compatible pistol, containing a barrel of less than 16 inches in length, could result in the manufacture of a Short Barreled Rifle (SBR) as defined in § 5845(a)(3).

Please provide our Branch with a FedEx account number or common carrier shipping label within 30 days so that we may return your items.

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

(b) (6) sincerely yours,

(b) (6)

Acting Chief, Firearms Technology Industry Services Branch