



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25401
www.atf.gov

903050 (b) (6)
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(b)(3)-(26 USC 6103), (b) (6)

Dear (b) (6)

This refers to your correspondence to the Firearms Technology Branch (FTB), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), pertaining to the legality of making and using a shooting support with a pistol. You explain that the pistol would be steadied against the shoulder but would not attach to the pistol.

For your information, as defined in the National Firearms Act (NFA), 26 U.S.C. Section 5845(c), the term "rifle" means "a weapon designed or redesigned, made or remade, and intended to be fired from the shoulder and made or remade to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger, and shall include any such weapon which may be readily restored to fire a fixed cartridge."

A rifle having a barrel less than 16 inches in length is a "firearm" subject to NFA provisions. It is unlawful to possess a short-barreled rifle of this type unless the rifle is registered to the owner in accordance with the provisions of the NFA.

In order for anyone to lawfully make and possess a short barreled rifle, i.e., possess a pistol having a barrel less than 16 inches in length with the shoulder stock, the person must first submit an application to make and register the firearm (using ATF Form 1), pay a \$200 "making" tax, and receive approval.

Your letter presents two ideas, amplified with a rough drawing of each, and described in your own words as follows:

1. "I am interested in making a shooting support that would be held against the pistol grip by the shooting hand, allowing [steadying]...against the shoulder. No modifications...be made. The shooting aid would NOT be attached to the pistol, only held against the pistol grip by the shooting hand...the shoulder."

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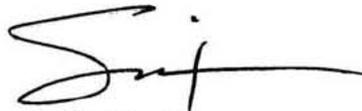
2. "I am interested in making a shooting support that would fit into a socket ON A WRIST BAND and allow [steadying]...against the shoulder. This shooting support would NOT touch the gun; rather, it would fit into a wrist band similar to a strengthened watch band. The other end would seat against the shoulder, allowing the gun to be steadied when shooting."

From the rough drawing, along with the written descriptions of the two ideas you have furnished, it appears that the "shooting supports" you illustrate may be suitable for use in firing the weapon from the shoulder. Since the shooting support is "Held" in place on the back of the pistol grip by hand pressure only and does not have any mechanical attachment to the pistol, the combination of the pistol and support would **not** be subject to NFA registration and tax requirements as long as the support is **not mechanically attached to the pistol**.

Additionally, if the pistol is cradled or held in anyway, then the combination may qualify as a short-barreled rifle and would be subject to NFA registration and tax requirements. Please note that this FTB judgment is based on the information submitted and could change based on any deviations from the proposals you have provided.

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

Sincerely yours,



Sterling Nixon
Chief, Firearms Technology Branch

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