



U.S. Department of Justice

Bureau of Alcohol, Tobacco,  
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

907010: (b) (6)  
3311/302705

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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), requesting clarification pertaining to the use of a Sigtac SB 15 stability brace on a "California legal" DROS AR-15 pistol. Specifically, you ask if the "use" of a stability brace with an AR-15 type pistol would result in the pistol being reclassified as a short barreled rifle (SBR). Further, you request detailed clarification regarding ATF's position on equipping an AR-15 pistol with a stability brace and whether or not that position is consistent with California State law.

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*

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*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....*

While the attachment of certain stabilizing brace devices to some handguns has been approved by ATF in the past, 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.

ATF confirms that if used as designed-to assist shooters in stabilizing a handgun while shooting with a single hand-the device is not considered a shoulder stock and therefore may be attached to a handgun without making a NFA firearm.

Finally, because local statutes can exceed Federal firearms laws in scope, we advise you to confirm with the California Department of Justice that the installation of a Sigtac SB 15 brace onto your “California legal” DROS AR-15 pistol does not violate any State laws or local ordinances where you reside. ATF generally does not offer opinions pertaining to comparisons between Federal law or rulings and State law or local ordinances.

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

Attachment: Open Letter on the Redesign of “Stabilizing Braces”