



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

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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), regarding the legality of modifying an AK-type pistol with regard to the National Firearms Act (NFA). Specifically, you asked if attaching an AR-type "buffer tube" and an "arm brace" would change the classification of an AK-type pistol to an NFA "firearm."

As background, the amended Gun Control Act of 1968, 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).*"

Further, the NFA, 26 U.S.C. § 5845(a), defines the term "firearm" to include "*... (4) a weapon made from a rifle if such weapon as modified has an overall length of less than 26 inches or a barrel or barrels of less than 16 inches in length...*"

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FTISB finds that the installation of an AR-type receiver extension (buffer tube) to an AK-type pistol would not change its classification as a pistol.

FTISB also finds that an approved pistol-stabilizing forearm brace, such as the Sig Stabilizing Brace, attached to an AK-type pistol does not convert that weapon to be fired from the shoulder and would not alter the classification of the subject pistol.

While a pistol so equipped with these items would still be regulated by the Gun Control Act, 18 U.S.C. § 921(a)(3), such a firearm would not be subject to NFA controls.

We trust that the foregoing has been responsive to your request for an evaluation. If we can be of any further assistance, please contact us.

Sincerely yours,

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Chief, Firearms Technology Industry Services Branch