



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, WV 25405

www.atf.gov

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Dear [REDACTED]

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Industry Services Branch (FTISB), in which you ask about the correct way to measure a firearm equipped with a “stabilizing brace” and a folding adaptor.

Consistent with the stated intent of the inventors, and as supported by the objective design features, FTISB has previously determined that “stabilizing braces” may be assembled on firearms as accessories designed to assist with the operation and use of certain pistols or firearms by aiding the shooter in stabilizing the firearm when firing. In contrast to stocks on rifles or shotguns however, such “stabilizing braces” are merely accessories and are not relevant to classification of a “**pistol**” under the statutory definition. That is, a folding stock on a rifle or shotgun is included in overall length measurement because the firearm must be “designed or redesigned, made or remade and intended to be fired from the shoulder” to be so classified. The stock is therefore an essential element in the statutory definition. Conversely, it is inappropriate to include a folding “stabilizing brace” accessory in the overall length measurement of a firearm because, unlike a rifle or shotgun, a stabilizing brace is not an element of either a statutory or regulatory definition of any firearm. Therefore, when a device operating as a stabilizing brace is attached to a firearm via a folding mechanism, **overall length is measured with the brace in the folded position.**


Makers also create an artificial overall length measurement by attaching a folding stabilizing brace. Such a measurement would be problematic because the firearm could avoid classification as an “AOW,” yet retain the concealability and remain fully functional. Measuring a folding (or telescoping) stabilizing brace would therefore undermine the comprehensive statutory and regulatory design of the GCA and NFA. As stated above, this is not the case when measuring rifles or shotguns because the statutory definitions include the stock or shouldering device which therefore must be considered. The measurement of a folding or collapsible stabilizing brace in the overall length of a firearm creates an artificial overall length that would permit a maker to avoid classification as an NFA “**firearm**” without a viable design purpose or legal justification.

Even if stationary however, only standard receiver extensions will be considered in overall length measurements. For example, accessories (extensions) that have superfluous material are not included in the overall length measurement because they are intended to circumvent the law and serve no purpose in the function of the firearm.

Finally, any conflicting information to the guidance provided in this correspondence is hereby invalid and rescinded, if not issued from the Firearms and Ammunition Technology Division, the only ATF Division delegated the authority to provided technical guidance such as this.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael R. Curtis", with a long horizontal flourish extending to the right.

Michael R. Curtis

Chief, Firearms Technology Industry Services Branch