

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Friday, January 13, 2023

Justice Department Announces New Rule to Address Stabilizing Braces, Accessories Used to Convert Pistols into Short-Barreled Rifles

Today, the Department of Justice announced it has submitted to the Federal Register the “Stabilizing Braces” Final Rule, which makes clear that when manufacturers, dealers, and individuals use stabilizing braces to convert pistols into rifles with a barrel of less than 16 inches, commonly referred to as a short-barreled rifles, they must comply with the laws that regulate those rifles, including the National Firearms Act (NFA). In April 2021, at an event with President Biden, the Attorney General [directed](#) the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to address the issue of stabilizing braces.

“Keeping our communities safe from gun violence is among the Department’s highest priorities,” said Attorney General Merrick B. Garland. “Almost a century ago, Congress determined that short-barreled rifles must be subject to heightened requirements. Today’s rule makes clear that firearm manufacturers, dealers, and individuals cannot evade these important public safety protections simply by adding accessories to pistols that transform them into short-barreled rifles.”

“This rule enhances public safety and prevents people from circumventing the laws Congress passed almost a century ago. In the days of Al Capone, Congress said back then that short-barreled rifles and sawed-off shotguns should be subjected to greater legal requirements than most other guns. The reason for that is that short-barreled rifles have the greater capability of long guns, yet are easier to conceal, like a pistol,” said ATF Director Steven Dettelbach. “But certain so-called stabilizing braces are designed to just attach to pistols, essentially converting them into short-barreled rifles to be fired from the shoulder. Therefore, they must be treated in the same way under the statute.”

Since the 1930s, the NFA has imposed requirements on short-barreled rifles because they are more easily concealable than long-barreled rifles but have more destructive power than traditional handguns. Beyond background checks and serial numbers, those heightened requirements include taxation and registration requirements that include background checks for all transfers including private transfers. Often, when pistols are converted to rifles by the use of a stabilizing brace covered by the rule, they have barrels less than 16 inches in length and must comply with the same heightened requirements that apply to short-barreled rifles under the NFA.

The rule goes into effect on the date of publication in the Federal Register. The rule allows for a 120-day period for manufacturers, dealers, and individuals to register tax-free any existing NFA short-barreled rifles covered by the rule. Other options including removing the stabilizing brace to return the firearm to a pistol or surrendering covered short-barreled rifles to ATF. Nothing in this rule bans stabilizing braces or the use of stabilizing braces on pistols.

On [June 7, 2021](#), the Department of Justice issued a notice of proposed rulemaking, and during the 90-day open comment period, the ATF received more than 237,000 comments.

The final rule, as submitted to the Federal Register, can be viewed here: <https://www.atf.gov/rules-and-regulations/factoring-criteria-firearms-attached-stabilizing-braces>

To learn more about the rulemaking process, please see: https://www.federalregister.gov/uploads/2011/01/the_rulemaking_process.pdf