

DEPARTMENT OF JUSTICE

Bureau of Alcohol, Tobacco, Firearms, and Explosives

27 CFR Parts 478 and 479

Docket No. ATF 2021R-08F; AG Order No.

RIN 1140-AA55

Factoring Criteria for Firearms with Attached “Stabilizing Braces”

AGENCY: Bureau of Alcohol, Tobacco, Firearms, and Explosives

Justice.

ACTION: Final rule.

SUMMARY: The Department of Justice (“Department”) is

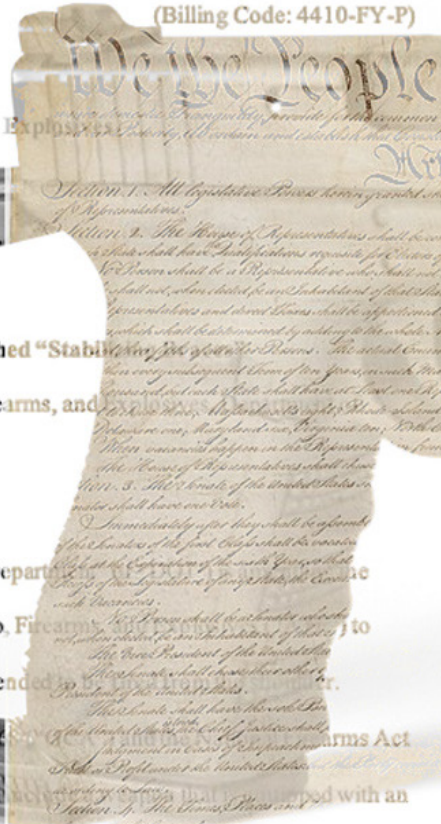
regulations of the Bureau of Alcohol, Tobacco, Firearms, and Explosives

clarify when a rifle is designed, made, and intended to be used

Specifically, under the Gun Control Act of 1968 (“GCA”) and the

of 1934 (“NFA”) the definition of “rifle” shall include

(Billing Code: 4410-FY-P)



Brace Yourself & Your Gun

June 25, 2024

Many foes of Second Amendment rights want to outlaw guns for everybody except military, police, Secret Service, sundry federal agencies, and bodyguards for left-leaning celebrities.

Since this isn't politically feasible given at least intermittent legislative and judicial support for the right to bear arms, anti-gunners often pursue various piecemeal bans. The hope is that these will add up to an overall prohibition. Or at least provide an excuse to go after any particular gun owner for neglecting to comply with some subsidiary prohibition.

The anti-gun forces seemed to have been having some success with an outlawing of “stabilizing braces” on short-

barreled rifles. A voluminous [ATF rule](#) sought to [partially or wholly](#) ban these braces — basically an added pistol grip — even though the same agency had earlier said such braces were okay.

And why wouldn't it be okay to have a pistol brace if it's okay to have a thing that shoots bullets?

Maybe the idea is that if you're in a situation where you have to fight for your life using a gun, and a brace would help, trying to survive is okay, sure, but you shouldn't have *too much* of a chance to survive. A stabilizing brace might give you an unfair edge? I'm guessing.

In mid-June, the Northern District of Texas tossed this ATF gun-brace-ban rule. Which, according to Judge Reed O'Connor's [decision](#) in the case, *Mock v. Garland*, is “arbitrary and capricious.” As *Shooting News Weekly* [puts it](#), “Oof.”

Unlike the similar looking (at least to me) “bump stock,” braces do not change the mechanism of firing. And bump stocks were [overturned](#) by the U.S. Supreme Court about the same time. While stabilizing braces seem here to stay, a decision by the Supreme Court may still be required.

This is Common Sense. I'm Paul Jacob.