

## **MYTHS VS. FACTS: STABILIZING BRACES**

**MYTH:** *“This rule will arbitrarily and instantly create criminals out of law-abiding, peaceable citizens.”*

**FACT:** ATF has provided law-abiding owners of stabilizing braces attached to firearms with a barrel under 16 inches [many options](#) to comply with the rule, including: 1) replacing the short barrel with a barrel 16 inches or longer, 2) permanently removing the brace, 3) registering the firearm as set forth by the National Firearms Act with the \$200 fee normally required for NFA weapons waived if registration occurs before May 31, 2023, 4) forfeiting the firearm, or 5) destroying it.

**MYTH:** *“This rule will have virtually no impact on violent crime but will impose significant burdens on law-abiding gun owners.”*

**FACT:** Assault pistols with stabilizing braces have recently been used to commit horrific shootings in public places, resulting in 10 people killed and 3 injured at a grocery store in Boulder, Colorado; 9 people killed and 27 injured outside a bar in Dayton, Ohio; 5 people killed and 25 injured at Club Q in Colorado Springs, Colorado; and 6 people killed in a church school in Nashville, Tennessee. This rule would improve public safety and appropriately classify firearms with a barrel under 16 inches with attached stabilizing braces that fire with rifle-like accuracy and firepower under the [National Firearms Act](#) (NFA). The NFA was enacted in 1934 to regulate, among other things, short-barreled rifles and shotguns which were deemed to be particularly dangerous to public safety due to their concealability and ability to fire rifle-rounds, a response to the crime-ridden 1930s when citizens and law enforcement were being gunned down at record rates. The NFA imposes an excise tax and registration requirement to possess NFA weapons, requiring that applicants must pass a thorough background check, provide fingerprints and a passport photo, and register their NFA weapon with the ATF. For nearly 90 years, this regulatory system has worked: NFA weapons are rarely used in crime. ATF reports that there were only 12 felony convictions between 2006 and 2014 among lawful NFA weapon owners, and none of those crimes involved the weapon itself. From 2007 to 2017, ATF [recommended only 44 prosecutions per year](#), on average, for crimes involving silencers, which are also regulated under the NFA.

# GIFFORDS

**MYTH:** *“The purpose of stabilizing braces is to make firearms accessible to people with disabilities, such as disabled veterans.”*

**FACT:** Although some pistol braces are the result of legitimate efforts to support people with disabilities and do not fall under the NFA, the ATF’s rule specifically regulates the types of pistol braces that, when used with certain firearms, represent an attempt to design around the NFA’s regulations for short-barreled rifles. Because of the danger short-barreled rifles represent, the gun industry should not be able to market and sell these weapons designed to avoid the NFA.

**MYTH:** *“ATF is acting outside of its authority to declare lawful products as no longer lawful or classify them under an enhanced regulatory scheme.”*

**FACT:** Short-barreled rifles have been regulated under the National Firearms Act for decades due to the danger they present to the public. The NFA does not make products unlawful—it just requires them to be registered. For decades, the gun industry has been asking ATF which products are subject to the NFA because that decision is within ATF’s power to make. The recently finalized rule by ATF sets a clear standard in line with the NFA, and states that stabilizing braces cannot be designed to circumvent the NFA’s provisions regarding short-barreled rifles. Regulating this type of firearm is ATF’s job, as the industry knows. But the gun industry keeps looking for loopholes so it can profit from evading the law. By finalizing this rule, the ATF not only made Americans safer, it also closed a nonsensical loophole in its regulations and set a clear standard so that the gun industry can create products moving forward without evading the law.

---

## ABOUT GIFFORDS

Giffords is a nonprofit organization dedicated to saving lives from gun violence. Led by former Congresswoman Gabrielle Giffords, Giffords shifts culture, changes policies, and challenges injustice, inspiring Americans across the country to fight gun violence.