

# ATF Turns Law-Abiding Gun Owners into Felons

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) has [followed through](#) on their plan to turn millions of lawful gun owners into felons in the name of “public safety” by reclassifying pistols with stabilizing braces as short-barreled rifles, effectively expanding the unconstitutional national gun registry.

Stabilizing braces are devices that can be attached to pistols to aid the user in balancing their arm. Originally created to help people with disabilities, the accessory is now more popular amongst mainstream shooters who use them to adapt pistols into guns that can be shot from the shoulder, which has been legal to do in the past. Now, there’s a big hoop to jump through if you don’t want to be hit with fines and/or jail time.

As the Department of Justice [first proposed](#) on June 7, 2021 and [put into practice](#) on January 13, 2023, those who wish to add stabilizers to their pistols “must comply with the heightened regulations on those dangerous and easily concealable weapons.”

Under the new rules, any pistol modified with such a brace is now considered to be a short-barreled rifle. As the DOJ explained themselves, the National Firearms Act (NFA) has, since the 1930s, “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,” the statement reads. The tax required for anyone making or buying a short-barreled rifle is \$200.

The Biden administration has generously granted all of the impacted manufacturers, dealers, and individuals a 120-day period to comply—by registering the firearm, removing the brace, surrendering the firearm to ATF, or destroying it.

Attorney General Merrick Garland “[directed](#)” the ATF to “address the issue of stabilizing braces” within 60 days at an April 2021 event with President Joe Biden, prompting the swift action taken by the DOJ in announcing the proposed rule the next month.

Biden had also previously selected former Obama advisor Steven Dettelbach to serve as the head of the ATF, who helped the administration reach their goal of passing yet another [gun control](#) law.

While the bureau [claims](#) the new rule won’t impact stabilizing braces “that are objectively designed and intended as a ‘stabilizing brace’ for use by individuals with disabilities, and not for shouldering the weapon as a rifle,” there is no “objective” standard listed for what disabled people are allowed to carry, or what is “intended” as an aid.

## **Borrowing an Unconstitutional Policy From FDR**

The history of tyrannical politicians attempting to force every gun owner to register their weapons with the government is long. In 1934, President Franklin D. Roosevelt considered implementing a ban on fully-automatic firearms, but was faced with pushback from the DOJ, which argued that it would violate the Second Amendment.

To compromise, the administration instead pushed for legislation to require the registration of fully-automatic

firearms, short-barreled rifles, short-barreled shotguns, and firearm sound suppressors. This idea became law in the form of [the National Firearms Act of 1934](#), which is what the current-day DOJ and ATF have used to justify their expansion of the national gun registry for law-abiding citizens.

Roosevelt was set on creating a national firearm registry for every gun, demonstrated by his appointment of Homer Cummings to the position of Attorney General, who helped draft the NFA.

“Show me the man who doesn’t want his gun registered and I will show you a man who shouldn’t have a gun,” Cummings [wrote](#) in 1938, the year he pushed for separate handgun registration legislation.

Fast forward by approximately 50 years, and then-President Ronald Reagan signs the Firearms Owners’ Protection Act, which federally prohibits national gun registries. Though Reagan faltered on the Second Amendment at times ([see: the Mulford Act](#)), this was a good policy that was unfortunately ignored by anti-gun politicians.

## The Implications of Criminalizing Tools

Experts have been warning about the dystopian consequences of criminalizing stabilizing braces, which are used by disabled and able-bodied individuals alike to increase balance and accuracy.

Dr. John Lott, president of the Crime Prevention Research Center, [wrote for Real Clear Politics](#): “Few seem to realize that stabilizing braces for pistols were originally designed to allow wounded and disabled veterans who may have lost the use of part of their hand to hold handguns. They are essentially a strap attached to the gun. Disabled individuals are often viewed as easy targets by criminals, and stabilizers

make it easier to defend themselves.”

He cites Rick Cicero, a disabled veteran who lost his right arm and leg in an explosion while serving in Afghanistan 13 years ago.

“If they take this away, they’re violating their own law because this is designed and employed for people like me,” Cicero told [Spectrum News](#) 9 after the DOJ proposed the rule in 2021.

Cicero, who teaches fellow injured veterans on how to shoot again, added that “the most important thing to me about this brace, this whole aspect, is another avenue of getting injured veterans out of the house.”

According to Dr. Lott, the two instances that Biden cited to garner support for the new ATF policy weren’t even valid examples of braces being used to better commit a crime.

“All this started after President Biden cited a crime in 2021 in Colorado – where a shooter used a pistol stabilizing brace when attacking shoppers in a grocery store – to justify calling for classifying such brace-affixed pistols as machine guns,” Lott wrote. “Ahmed Al Alwi murdered 10 people at close range in a Boulder, Colo. grocery store. A previous shooting in 2019 by Connor Betts, in Dayton, Ohio, also involved a pistol brace. These are the only two cases of their kind and, more importantly, neither of them had any difficulty holding their guns and all their shots were fired at a short distance. There is no evidence that the brace made any difference in their ability to carry out the attacks. And there has been no surge in crime by the disabled or others using these braces.”

This all stems back to the inherent right that Americans have to self-protection through gun ownership. As FEE’s Brett Cooper wrote at the time of the rule proposal, James Madison condemned a governmental structure in which overarching entities can rewrite the law as they see fit.

In [Federalist No. 48](#), the founding father warned that “the accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.”

“This is exactly what is happening today,” Cooper wrote. “This stealth power grab should concern all Americans, even if they are outside the immediately-impacted gun community.”

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