



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226

May 4, 2006

ADDING A VERTICAL FORE GRIP TO A HANDGUN

“Handgun” is defined under Federal law to mean, in part, *a firearm which has a short stock and is designed to be held and fired by the use of a single hand...* Gun Control Act of 1968, 18 U.S.C. § 921(a)(29).

Under an implementing regulation of the National Firearms Act (NFA), 27 C.F.R. § 479.11, “pistol” is defined as:

... a weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of, or permanently aligned with, the bore(s); and (b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).

The NFA further defines the term “any other weapon” (AOW) as:

... any weapon or device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, a pistol or revolver having a barrel with a smooth bore designed or redesigned to fire a fixed shotgun shell, weapons with combination shotgun and rifle barrels 12 inches or more, less than 18 inches in length, from which only a single discharge can be made from either barrel without manual reloading, and shall include any such weapon which may be readily restored to fire. Such term shall not include a pistol or revolver having a rifled bore, or rifled bores, or weapons designed, made, or intended to be fired from the shoulder and not capable of firing fixed ammunition. 26 U.S.C. § 5845(e).

ATF has long held that by installing a vertical fore grip on a handgun, the handgun is no longer designed to be held and fired by the use of a single hand. Therefore, if individuals install a vertical fore grip on a handgun, they are “making” a firearm requiring registration with ATF’s NFA Branch. Making an unregistered “AOW” is punishable by a fine and 10 years’ imprisonment. Additionally, possession of an unregistered “AOW” is also punishable by fine and 10 years’ imprisonment.

To lawfully add a vertical fore grip to a handgun, a person must make an appropriate application on ATF Form 1, “Application to Make and Register a Firearm.” The applicant must submit the

completed form, along with a fingerprint card bearing the applicant's fingerprints; a photograph; and \$200.00. The application will be reviewed by the NFA Branch. If the applicant is not prohibited from possessing a firearm under Federal, State, or local law, and possession of an "AOW" is not prohibited in the applicant's State of residence, the form will be approved. Only then may the person add a vertical fore grip to the designated handgun.

A person may also send the handgun to a person licensed to manufacture NFA weapons. The manufacturer will install the fore grip on the firearm and register the firearm on an ATF Form 2. The manufacturer can then transfer the firearm back to the individual on an ATF Form 4, which results in a \$5.00 transfer tax. If the manufacturer is out of State, the NFA Branch will need a clarification letter submitted with the ATF Form 4 so that the NFA Branch Examiner will know the circumstances of the transfer. Questions can be directed to the NFA Branch or the Firearms Technology Branch.