

PISTOL BRACE COMPLIANCE CHECKLIST

ATF Rule Vacated | 2026 Federal + State Status Guide

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This checklist is for informational purposes only and does not constitute legal advice. Verify current law with a qualified firearms attorney before making decisions about your specific firearm.

Federal status at a glance:

The 2023 ATF pistol brace rule is vacated and unenforceable. The DOJ dropped its appeal July 17, 2025. ATF is formally repealing the rule (comment deadline: August 4, 2026). Braced pistols are federally classified as standard pistols again. State laws apply independently.

SECTION 1: CONFIRM YOUR FEDERAL STATUS

I understand the 2023 ATF pistol brace rule has been vacated and is no longer enforceable.

Vacated June 13, 2024 by N.D. Texas. DOJ dropped appeal July 17, 2025.

I know my braced pistol is federally classified as a standard pistol, not an SBR.

No NFA registration required under the vacated rule.

I understand the underlying National Firearms Act still applies to my build.

A barrel under 16 inches plus overall length under 26 inches with a shoulder stock is still an SBR under the original NFA, independent of the brace rule.

I have confirmed my braced pistol is not configured as a shoulder-fired rifle.

ATF retains case-by-case authority under the underlying NFA for builds that clearly appear designed to be fired from the shoulder.

I am aware the formal repeal rulemaking (ATF No. 2025R-11P) has a public comment deadline of August 4, 2026.

Submit comments at Regulations.gov, docket ATF-2026-0335. Participation is optional but available.

SECTION 2: AMNESTY REGISTRATION STATUS

Answer this question first: Did you file ATF Form 1 to register your braced pistol as an SBR during the 120-day amnesty window (January 31 to May 31, 2023)?

If NO:

No, I did not file during the amnesty period.

Skip to Section 3. Your federal compliance question is answered by the vacatur.

If YES:

WARNING: Amnesty registrants are in a distinct legal position. The items below are not a substitute for attorney consultation.

Yes, I filed and my Form 1 was APPROVED. I understand my firearm is currently in the NFA registry as a registered SBR.

The vacatur does not cancel an approved Form 1. Your firearm remains a registered NFA item.

I have not reconfigured, transferred, or treated my registered firearm as a pistol without consulting an attorney.

Do not change the configuration or transfer this firearm without legal guidance on the de-registration process.

I have consulted or scheduled a consultation with a qualified firearms attorney about my Form 1 status.

The de-registration process following the vacatur is still being clarified. This is the one situation that requires an attorney, not a checklist.

Yes, I filed but my Form 1 was PENDING or DENIED. I understand the process may be resolved differently.

Contact ATF NFA Division or consult an attorney to confirm your specific status.

SECTION 3: VERIFY YOUR STATE LAW

Federal vacatur does not override state law. Complete every item below for your state of residence and any state you carry through.

I have checked whether my state has its own assault weapon, feature restriction, or SBR law that applies to my braced pistol.

States with independent restrictions include CA, CT, NY, NJ, MD, MA, HI, WA, DE, IL. This list is not exhaustive. Verify your state statute directly.

I know whether my state defines 'short-barreled rifle' or 'assault weapon' in a way that covers my specific configuration.

State definitions vary. Some use barrel length, some use feature lists, some use overall length. Know which test your state applies.

I am aware of California's January 1, 2026 accessory restrictions on pistol grips, adjustable stocks, and flash hiders.

California residents: check current DOJ guidance before buying, shipping, or reconfiguring.

I have confirmed my carry or transport route does not cross a state line into a jurisdiction where my configuration may be restricted.

State law applies to possession, not just residency. A lawful configuration in your home state may be unlawful to transport through an adjacent state.

I know where to find my state's current firearms statute and check for updates.

Sources: Your state AG office, state legislature website, or a local firearms attorney. HandgunLaw.us is a useful starting reference but is not a substitute for the primary statute.

SECTION 4: PAPERWORK AND DOCUMENTATION

I have a copy of the Mock v. Bondi joint dismissal (July 17, 2025) saved for reference.

CourtListener and Justia both host the opinion. Save a PDF copy with your compliance documents.

I have a copy of Judge O'Connor's June 13, 2024 vacatur order from the N.D. Texas.

This is the primary court document establishing the rule is void. Available at Justia.

If I am an amnesty registrant, I have my approved Form 1 stored securely.

Store in a fireproof, locked location. Do not carry the original. Keep a photocopy accessible.

I have a record of all firearms training courses attended, including dates and instructors.

Training documentation is a legal asset in any post-incident proceeding. Photograph certificates. Keep a running log.

All compliance documents are stored in a fireproof, waterproof location.

A UL-classified fireproof safe rated for at least 30 minutes at 1,550 degrees F is the minimum standard for home document storage.

I have noted the August 4, 2026 comment deadline for ATF No. 2025R-11P and decided whether to participate.

Participation is optional. Comments are submitted at Regulations.gov under docket ATF-2026-0335.

SECTION 5: WHEN TO CALL A FIREARMS ATTORNEY

This checklist covers the common situations. These four require a qualified firearms attorney, not a checklist.

My Form 1 was approved during the 2023 amnesty and I want to reconfigure, sell, or transfer the firearm.

Do not act without attorney guidance. The de-registration process is still being clarified.

I live in or regularly travel through a state with independent assault weapon or feature restrictions.

State law analysis requires a local attorney familiar with the current statute, not a general reference.

I am unsure whether my specific build configuration qualifies as a pistol or an SBR under the original NFA criteria.

ATF retains case-by-case authority. If you have any doubt, get a written opinion before carrying.

I received any communication from ATF about my registration, application, or firearm after the vacatur.

Do not respond to any ATF communication about a brace-related registration without consulting an attorney first.