

READING LAW WITH LINGUISTICS:
HOW LINGUISTIC THEORY AND DATA INFORM
STATUTORY INTERPRETATION OF ARTIFACT NOUNS

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Abstract: The Supreme Court will soon decide *Garland v. VanDerStok*, a case concerning whether a “gun parts kit” or “ghost gun” is a “firearm” subject to regulation under the 1968 Gun Control Act. These “kits,” firearm parts that with additional finishing or combination become an operable firearm, have been used in several mass shootings. For the textualist Supreme Court the case turns on the statute’s meaning, and the briefs and lower court opinions emphasize traditional tools.

This article proposes that the Court complement familiar interpretive tools like dictionaries with new ones. We apply insights from linguistic theory, report new data from ordinary language usage, and present an original survey study of ordinary Americans. This evidence supports that the gun parts kits identified by the government fit within the meaning of “firearm.” This analysis has important practical implications for *VanDerStok* and the regulation of unassembled and unfinished firearms. The article’s case study in the legal interpretation of artifact nouns also carries broader implications. We develop lessons for statutory interpretation theory and legal philosophy.

¹ Thanks to [acknowledgements to come].

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INTRODUCTION

In 2019, a sixteen-year-old mass shooter in California killed two students and injured several others.² This shooter’s gun had been assembled from a “gun parts kit,” an unassembled collection of firearm parts. A sixteen-year-old is not legally eligible to possess a firearm.³ But the sale of “gun parts kits” has made it increasingly easier to avoid age and other requirements. Gun parts kits are typically unmarked, making them difficult to trace, and they are sold from various online retailers. Internet tutorials demonstrate how to convert parts kits into an AR-15 assault rifle in as little as thirty minutes.⁴ Federal law proscribes requirements, concerning age minimums, licensing, and background checks, for the purchase of “firearms.”⁵ However, the Fifth Circuit recently held that gun parts kits are *not* firearms within the definition of these federal laws.⁶

The Supreme Court will decide the appeal of that decision in its 2024 Term. *Garland v. VanDerStok*⁷ concerns whether The Gun Control Act of 1968 (“GCA”), which allows the government to regulate “firearms,”⁸ includes “gun parts kits” or “ghost guns.”⁹

² ‘Kit Gun’ Was Used in Deadly Saugus High School Shooting, Sheriff Says, NBC LOS ANGELES (Nov. 21, 2019) <https://www.nbclosangeles.com/news/national-international/ghost-kit-gun-saugus-high-school-shooting-weapon-santa-clarita/2226421/>.

³ Federal law requires buyers of handguns to be twenty-one.

⁴ How hard is it to build a gun from a parts kit?, REDDIT, https://www.reddit.com/r/guns/comments/bdadoa/how_hard_is_it_to_build_a_gun_from_a_parts_kit/; How Long to Build AR-15? Adam’s Arms Piston kit, YouTube, <https://www.youtube.com/watch?v=1yN3IFaG1o0>.

⁵ 18 U.S.C. § 921 *et seq.*

⁶ *VanDerStok v. Garland*, 86 F. 4th. 179, 188 (2023).

⁷ *VanDerStok v. Garland*, 86 F.4th 179, 182 (5th Cir. 2023), cert. granted, No. 23-852, 2024 WL 1706014 (U.S. Apr. 22, 2024).

⁸ 18 U.S.C. § 921 *et seq.*

⁹ Specifically, the case concerns “gun parts kits” or “ghost guns,” and certain “frames” or “receivers,” which are readily able to be or designed to be assembled into complete

The Court’s decision will turn on its application of textualism,¹⁰ an interpretive theory that gives statutory text the meaning it would communicate to an ordinary person, an “ordinary speaker”¹¹ or “reasonable reader.”¹² Although the Court’s textualists have some theoretical disagreements,¹³ the Justices are “all textualists”¹⁴ in the sense that the debate will start with the linguistic meaning of the statutory definition, which likely implicates the ordinary meaning of terms like *firearm* and *weapon*.¹⁵

The textualist Court often relies on dictionary definitions and intuitive hypotheticals.¹⁶ This article

frames or receivers, the structure for the primary energized component of a firearm.

¹⁰ See, e.g., Victoria Nourse, *The Paradoxes of a Unified Judicial Philosophy: An Empirical Study of the New Supreme Court, 2020-2022*, 38 CONST. COMMENT. 1 (2023).

¹¹ E.g. Amy Coney Barrett, *Congressional Insiders and Outsiders*, 84 U. CHI. L. REV. 2193, 2194 (2017) (“What matters to the textualist is how the ordinary English speaker—one unacquainted with the peculiarities of the legislative process—would understand the words of a statute”).

¹² John F. Manning, *What Divides Textualists From Purposivists*, 106 COLUM. L. REV. 70, 70 (2006) (textualists should look to evidence of how a “reasonable person” uses words).

¹³ See, e.g., William Eskridge, Brian G. Slocum & Kevin Tobia, *Textualism’s Defining Moment*, 123 COLUM. L. REV. (2023); Tara Leigh Grove, *Which Textualism?* 134 HARV. L. REV. 265 (2020); see also *Pulsifer v. United States*, 601 U.S. ___ (2024); *Bostock v. Clayton County, Georgia*, 140 S. Ct. 1731 (2020); *Atlantic Richfield Co. v. Christian.*, 140 S. Ct. 1335 (2020); *McGirt v. Oklahoma*, 140 S. Ct. 2452 (2020); *HollyFrontier Refining v. Renewable Fuels*, 141 S. Ct. 2172 (2021); *Van Buren v. United States*, 141 S. Ct. 1648 (2021); *Niz-Chavez v. Garland* 141 S. Ct. 1474 (2021); *Wooden v. United States*, 142 S. Ct. 1063 (2022).

¹⁴ Harvard Law School, *The 2015 Scalia Lecture Series: A Dialogue with Justice Elena Kagan on the Reading of Statutes*, YOUTUBE, at 08:29 (Nov. 25, 2015); see generally Kevin Tobia, *We’re Not All Textualists Now*, 78 NYU ANN. SURV. AM. L. 243 (2022).

¹⁵ See ANTONIN SCALIA & BRYAN A. GARNER, *READING LAW: THE INTERPRETATION OF LEGAL TEXTS* (2012); BRIAN G. SLOCUM, *ORDINARY MEANING: A THEORY OF THE MOST FUNDAMENTAL PRINCIPLE OF LEGAL INTERPRETATION* (2015).

¹⁶ See Section I.B. *infra*.

argues that, insofar as the Court analyzes *VanDerStok* through linguistic analysis and appeals to the ordinary reader's understanding of text, the Court should also consider insights from the field of linguistics. In this recommendation, the article builds on past work calling for "triangulating" ordinary meaning,¹⁷ which emphasizes the use of interpretive tools like analysis of naturally occurring language and survey data about how ordinary Americans understand language.¹⁸

Part I of the article provides brief background on (I.A) *VanDerStok* and (I.B) traditional textualist tools like dictionary definitions and intuitive examples. Part II introduces and applies relevant research from linguistics. First (II.A), linguistic theory suggests that the interpretation of artifact nouns (like *weapon*, *firearm*, *frame*, *receiver*, *bicycle*, or *table*) depends critically on context. We explain how context indicates the relevant facets of meaning of these artifact nouns, including facets related to the noun's potential function or manner of creation. Next (II.B), we argue that the statutory context of the GCA strongly emphasizes the functional and creational facets of *firearm* and *frame or receiver* over other facets.

In Part III, our argument is supplemented by two types of new empirical data. First (III.A), we report examples of naturally occurring language, indicating that in ordinary language, people describe firearm parts kits as "weapons" and "firearms." This indicates that, in many contexts, parts kits fit comfortably within the ordinary meaning of "firearm" and "weapon." Next (III.B), we present an original experimental study of ordinary Americans. The survey has two primary implications. First, most (65%) of our sample understood parts kits as firearms, even with no

¹⁷ Lawrence B. Solum, *Triangulating Public Meaning: Corpus Linguistics, Immersion, and the Constitutional Record*, 2017 BYU L. REV. 1621 (2017); Kevin Tobia, Jesse Egbert & Thomas R. Lee, *Triangulating Ordinary Meaning*, GEO. L.J. (2023).

¹⁸ E.g. Kevin Tobia, Brian Slocum & Victoria Nourse, *Statutory Interpretation from the Outside*, 122 COLUM. L. REV. 213 (2022).

further context. Second, when participants had context mirroring the statutory definition (a firearm is “any weapon which will or is designed to or may readily be converted to expel a projectile by means of an explosive”), even more agreed (73%) that parts kits are firearms. Part IV extends our theoretical and empirical arguments to firearm frames and receivers.

Part V elaborates the implications. First (V.A), the article has concrete practical implications for how the Supreme Court should analyze *VanDerStok*. Insofar as the Court seeks to resolve the case through textualism, the Court should not rely on dictionary definitions and arbitrary hypotheticals.¹⁹ Instead, it should look to the rich context provided by the statutory definition, which emphasizes an object’s potential functionality and design as a firearm. The Court should reject a construction of *firearm* that identifies the term with only objects that appear like firearms; this construction ignores highly salient statutory context. The article’s case study also carries broader implications for textualist theory, which we elaborate in Section V.B, and for longstanding legal philosophical debates about text and purpose, which we discuss in Section V.C.

I. VANDERSTOK AND TRADITIONAL TEXTUALIST TOOLS

A. *Background on Garland v. VanDerStok*

The Gun Control Act of 1968 (“GCA”), codified at 18 U.S.C. § 921 *et seq.*, defines *firearm* as:

(A) any weapon (including a starter gun) which will or is designed to or may readily be

¹⁹ *Compare, e.g.*, *Garland v. Cargill*, 602 U.S. __ (2024) at *7 (relying on dictionary definitions to determine whether bump stocks fall within The National Firearms Act of 1934’s definition of a “machinegun”: “any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger.” 26 U.S.C. §5845(b)).

- converted to expel a projectile by the action of an explosive;
- (B) the frame or receiver of any such weapon;
- (C) any firearm muffler or firearm silencer; or
- (D) any destructive device.

Congress delegated authority to administer the GCA to the Attorney General, 18 U.S.C. § 926(a), who delegated that authority to the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”), 28 C.F.R. § 0.130(a). In 2022, the ATF promulgated a rule clarifying the definition.²⁰ The ATF interpreted *firearm* to include “a weapon parts kit that is designed to or may readily be completed, assembled, restored, or otherwise converted to expel a projectile by the action of an explosive”.²¹ The rule also explained that the agency interprets *frame* or *receiver*²² to include certain partially complete, disassembled, or nonfunctional frames and receivers, including a parts kit: “The terms ‘frame’ and ‘receiver’ shall include a partially complete, disassembled, or nonfunctional frame or receiver, including a frame or receiver parts kit, *that is designed to or may readily be completed, assembled, restored, or otherwise converted to function as a frame or receiver*” (emphasis added).²³

²⁰ “Definition of “Frame or Receiver” and Identification of Firearms, 87 Fed. Reg. 24,652, codified at 27 C.F.R. pts. 447, 478, 479 (2022).

²¹ 27 CFR § 478.11.

²² “(1) The term “frame” means the part of a handgun, or variants thereof, that provides housing or a structure for the component (i.e., sear or equivalent) designed to hold back the hammer, striker, bolt, or similar primary energized component prior to initiation of the firing sequence, even if pins or other attachments are required to connect such component (i.e., sear or equivalent) to the housing or structure. (2) The term “receiver” means the part of a rifle, shotgun, or projectile weapon other than a handgun, or variants thereof, that provides housing or a structure for the primary component designed to block or seal the breech prior to initiation of the firing sequence (i.e., bolt, breechblock, or equivalent), even if pins or other attachments are required to connect such component to the housing or structure.”

27 C.F.R. § 478.12(a).

²³ 27 C.F.R § 478.12(c).

VanDerStok et al. challenged the agency’s interpretation in a Texas district court, which held that the ATF exceeded its statutory authority and vacated the final rule nationwide.²⁴ The Fifth Circuit upheld the decision,²⁵ and the Supreme Court granted certiorari. In the October 2024 Term, the Supreme Court will decide two questions:

1. Whether “a weapon parts kit that is designed to or may readily be completed, assembled, restored, or otherwise converted to expel a projectile by the action of an explosive,” 27 C.F.R. 478.11, is a “firearm” regulated by the Act.

2. Whether “a partially complete, disassembled, or nonfunctional frame or receiver” that is “designed to or may readily be completed, assembled, restored, or otherwise converted to function as a frame or receiver,” 27 C.F.R. 478.12(c), is a “frame or receiver” regulated by the Act.

B. Textualism’s Traditional Tools

The questions presented concern statutory interpretation: do the weapons parts kits, frames, and receivers identified by the ATF fall within the statutory definitions of “firearm,” “frame,” and “receiver”? For a textualist Supreme Court, the case turns on the statute’s linguistic meaning, including what it would communicate to an ordinary reader.

The textualist Court often relies on dictionary definitions and intuitive hypotheticals.²⁶ These traditional tools infuse both the *VanDerStok* lower

²⁴ *VanDerStok v. Garland*, N.D. Texas, 2023 WL 4539591.

²⁵ *VanDerStok v. Garland*, 86 F. 4th. 179 (2023), at 188.

²⁶ *See, e.g.*, John Calhoun, *Measuring the Fortress: Explaining Trends in Supreme Court and Circuit Court Dictionary Use*, 124 YALE L.J. 484 (2014).

court opinions²⁷ and Supreme Court briefs.²⁸ They appeal to dictionary definitions of *firearm*, and colorful hypotheticals about ordinary language: When IKEA sells a “table parts kit” that must be assembled by the purchaser into a table, isn’t this parts kit a *table*?²⁹

Definitions and hypotheticals can assist in clarifying how an ordinary speaker of English understands language, but these methods are limited: Dictionary definitions can be cherry-picked.³⁰ The Justice’s “intuitive hypotheticals” can also be easily cherry-picked, and they may not accurately reflect ordinary language: “When Justices—elite lawyers—debate how “ordinary people” talk, there is a serious risk that their renderings will speak with an upper-class, judicially-inflected accent.”³¹

II. INSIGHTS FROM RESEARCH IN LINGUISTICS

This article augments the traditional textualist toolkit with formal linguistic theory and empirical linguistic methods. We show that out of context, nouns such as *firearm* are underdetermined as a matter of their ordinary linguistic meaning. That is, the interpretation of *firearm* depends everywhere

²⁷ VanDerStok v. Garland, 86 F.4th 179, 182 (5th Cir. 2023), cert. granted, No. 23-852, 2024 WL 1706014 (U.S. Apr. 22, 2024).

²⁸ *E.g.*, Merrick B. Garland, Attorney General, et al., Petitioners, v. Jennifer VanDerStok, et al., 2024 WL 515619, at *16.

²⁹ *E.g.*, *Id.* *16 (“If a State placed a tax on the sale of home goods, such as tables, chairs, couches, and bookshelves, IKEA surely could not avoid that tax by claiming that it does not sell any of those items and instead sells “furniture parts kits” that must be assembled by the purchaser. So too with guns: An ordinary speaker of English would recognize that a company in the business of selling kits that can be assembled into firearms in minutes--and that are designed, marketed, and used for that express purpose--is in the business of selling firearms.”).

³⁰ Ellen P. Aprill, *The Law of the Word: Dictionary Shopping in the Supreme Court*, 30 ARIZ. ST. L.J., 275 (1988).

³¹ William N. Eskridge Jr & Victoria F. Nourse, *Textual Gerrymandering: The Eclipse of Republican Government in an Era of Statutory Populism*, 96 NYU L. REV. 1718 (2021).

and at all times on the context in which that term appears. We review empirical evidence which supports this theoretical perspective, which is a mainstream one in linguistics.

Linguistic theory also provides guidance on how this indeterminacy is resolved as a function of context. This allows us to ascertain when a statutory definition, e.g., the definition of *firearm* in the GCA, departs from ordinary meaning, as has been debated among the litigants in *VanDerStok*. We augment this theoretical exercise with two empirical contributions: naturally occurring evidence of ordinary linguistic usage and experimental survey data on ordinary linguistic interpretation.

A. What is the Ordinary Meaning of an Artifact Noun?

To ascertain the ordinary meaning of *firearm*, we look to linguistic theory, which has extensively studied the linguistic category to which *firearm* belongs: artifact nouns (e.g., *firearm*, *weapon*, *table*, and *bicycle*). Artifact nouns “denote[] entities of human invention and/or entities that, through some assimilative procedure, come to serve some human-intended function”.³² These nouns differ in this respect from so-called natural kind-denoting nouns (e.g., *egg*, *dog*, and *water*). Linguists have long recognized that as a matter of literal semantic meaning, an artifact noun can be characterized by basic attributes which pertain to members of the category denoted by the noun. A relevant, widely cited analytical framework is developed by Pustejovsky (1991), who associates words of the English lexicon with a semantic structure representing the essential facets³³ (in Pustejovsky

³² Brandon Waldon, Cleo Condoravdi, Beth Levin & Judith Degen, *On the Context Dependence of Artifact Noun Interpretation*, 27 PROC. SINN UND BEDEUTUNG 674 (2023).

³³ James Pustejovsky, *The Generative Lexicon* 17 COMPUTATIONAL LINGUISTICS 409 (1991). See also JAMES PUSTEJOVSKY, *THE GENERATIVE LEXICON* (1995). We borrow the “facet” terminology from D. A. Cruse, *On Polylexy*, 14 DICTIONARIES: J. DICTIONARY SOC. NORTH AM., 88 (1992).

1991, ‘Qualia roles’) of artifact noun meaning (adapted from Pustejovsky 1991: 426-427):

1. The **Constitutive** facet: the relationship between an object and its constituents, or proper parts;
2. The **Formal** facet: that which distinguishes the object in the larger domain;
3. The **Potential** (‘telic’) facet: the potential of an object to fulfill some function or purpose
4. The **Design** (‘agentive’) facet: factors involved in the origin or ‘bringing about’ of an object.

In a given context, only select facets of nominal meaning may be relevant for the purposes of linguistic interpretation. For example, sentence (1) below is underspecified as to the action that Noel undertakes. On one interpretation, (1) implies that Noel initiated the process of reading a novel; on another interpretation, (1) implies that Noel initiated the writing of a novel:

(1) Noel began a novel.

Linguistic theory illuminates the source of this indeterminacy. On the ‘begin-to-read’ interpretation, the relevant facet of the noun *novel* is its ‘Potential’ facet: here, the *novel* realizes its potential to fulfill its intended function (i.e., to be read). On the ‘begin-to-write’ interpretation, the relevant facet is the ‘Design’ facet, i.e., the property of being brought into existence through writing. Context is crucial for identifying the relevant facet(s) and hence the intended meaning of the sentence. Out of context, (1) does not have a stable interpretation.³⁴

³⁴ This is not a *word sense* ambiguity. It is not the case that there are two general meanings of “began”, one of which is ‘started-to-write’ and the other of which is ‘started-to-read’; nor is it the case that “novel” has two distinct meanings, ‘prose-literature-in-the-process-of-being-written’ and

According to one naïve hypothesis of linguistic meaning, contexts which center an artifact noun's Potential facet are ones in which members of the category realize their intended function. On this hypothesis, the set of *vehicles* in such a context consists exclusively of objects which are (currently) engaged in the action of transporting people or things. Clearly, this hypothesis is untenable: it predicts that parked cars can never belong to the set of *vehicles* (or even *cars*). A more plausible hypothesis states that category membership in such contexts is determined by functional potential which may or may not be realized in context:³⁵ the parked car is a *car/vehicle* in part because it is ready to be used for transportation (once one turns the ignition key and starts driving). The Potential facet attends to potential capabilities, rather than exhibited behaviors.

The line between 'capable' and 'incapable' vis-à-vis function is vague and heavily dependent on context and the artifact noun under consideration. The government's 'bicycle' hypothetical supports this point:

A bicycle is still a bicycle even if it lacks pedals, a chain, or some other component needed to render it complete or **allow it to function**. So too if the bicycle is shipped with plastic guards attached to the gears or brakes that must be removed **before operation**, or with a seat tube that the user must cut to length before installing. No one would deny that a company selling and shipping products in any of those conditions was engaged in selling 'bicycles'".³⁶

'prose-literature-in-the-process-of-being-read'. Rather, the indeterminacy lies in the meaning facet of the concept of "novel" that is being elaborated in relation to the verb. We return to this point about word senses in Section II.B.

³⁵ See, e.g., Lynn Nichols, *Lexical semantic constraints on noun roots and noun borrowability*, 32 *STUD. LANG.* 682 (2008); Scott Grimm & Beth Levin, *Artifacts: Reference, Countability, and Categorization*, 47 *PROC. NORTH EAST LING. SOC'Y* 55 (2017).

³⁶ Government stay application, page 22.

This hypothetical considers objects which, with some manipulation, can fulfill the canonical intended purpose of bicycles. The relevant context is one in which “a company [is] selling and shipping products” to buyers who fully expect to put in some elbow grease before they can ride the thing they’ve purchased. Form and constitution – including the physical shape of the object, and the relative position of constituent parts in physical space – are secondary considerations: what is important is that the buyer receives a product which is capable of being ridden, given an appropriate amount of effort. If the company ships a hunk of aluminum and other raw materials sufficient to produce a bicycle, the buyer can justifiably pursue a refund on the grounds he did not receive a *bicycle*. Of course, this is a clear case on a continuum of possibilities: there is no crisp line between ‘appropriate’ and ‘inappropriate’ effort.

In sum, this theoretical perspective takes the ordinary meaning of *weapon*, *firearm*, and *table* to be inherently underspecified. There is no complete interpretation of these artifact nouns without context. In some contexts, a “firearm” must be completed; in others, “firearm” or “gun” may have an interpretation that includes incomplete members. Moreover, context is crucial to determine both a) whether, in context, an artifact noun refers to entities which share common functional properties; and b) how to characterize that common functional ‘core.’ Below, we apply this linguistic framework to analyze how statutory context resolves the interpretation of *firearm* in the GCA.

B. The Role of Context in the Interpretation of “Firearm”

For the Supreme Court of textualists, *VanDerStok* turns on the meaning of *firearm* in the GCA. This section addresses this linguistic question in light of the context of the statute, which has been

emphasized by textualists from Scalia³⁷ to Barrett.³⁸ We restrict our attention to a contested subpart of the statutory definition, §921(a)(3)(A) [henceforth (A)], the part of the statutory definition from which the ATF derives its authority to regulate firearm parts kits. Below, we argue that (A) clearly extends beyond the narrowest category of completed, operable weapons. We then argue that (A) does so in a manner consistent with the ordinary meaning of *firearm*.

i. Analysis of the GCA Definition

When a statute “includes an explicit definition,” the Court “‘must follow that definition,’ even if it varies from a term’s ordinary meaning.”³⁹ While the meaning of *firearm* in the GCA may be informed by contemplating the ordinary meaning of that term, it is crucial to attend to the statutory context to discern the contextual meaning that *firearm* has within the Act. We might not call a firearm silencer or a bomb kit a *firearm* in ordinary language. But the statutory definition of *firearm* explicitly includes a wide range of objects, from firearm frames and receivers,⁴⁰ to any combination of parts designed and intended for use in assembling a firearm silencer,⁴¹ to bombs and bomb-making kits.⁴²

In *VanDerStok*, a locus of disagreement is part (A) of the GCA definition, which defines *firearm* as “any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive.” The Respondents in the case argue that the only “actual”

³⁷ “In textual interpretation, context is everything.” ANTONIN SCALIA, *A MATTER OF INTERPRETATION: FEDERAL COURTS AND THE LAW* (Princeton 1997) (Amy Gutmann, ed).

³⁸ *Biden v. Nebraska*, 600 U.S. 477 (2023) (Barrett, J., concurring) (“To strip a word from its context is to strip that word of its meaning.”).

³⁹ *Digital Realty Tr., Inc. v. Somers*, 138 S. Ct. 767, 776, (2018) (cited in *VanDerStok v. Garland*, N.D. Texas, 2023 WL 4539591.).

⁴⁰ 18 U.S.C. § 921(a)(3)(B).

⁴¹ 18 U.S.C. § 921(a)(3)(C)); see also 18 USC § 921(a)(25)

⁴² 18 U.S.C. § 921(a)(4)(A)); 18 U.S.C. § 921(a)(4)(B)).

firearms are completed ones, and that the statute only covers such firearms: “It covers only an actual firearm... it does not cover mere parts or kits of parts that might be manufactured into one”.⁴³

The plain language of (A) undermines the Respondents’ analysis. (A) communicates three relevant categories of *firearms*, coordinated with disjunctive “or”:

1. “any weapon ... which will ... expel a projectile by the action of an explosive”;
2. “any weapon ... which is designed to ... expel a projectile by the action of an explosive”; and
3. “any weapon ... which may readily be converted to expel a projectile by the action of an explosive.”

To read (A) to include completed, assembled, currently functional firearms gives effect to the first disjunct (1). But to read (A) to include *only* such entities renders (2) and (3) superfluous, and “courts should avoid treating any statutory language as surplusage.”⁴⁴

The broader statutory context raises further surplusage considerations. §921(a)(3)(B) [henceforth (B)] extends the definition of *firearm* to include “the frame or receiver of any *such weapon*” (emphasis added), where “such weapon” is anaphoric to “weapon” as it appears in (A). Assume, for the sake of argument, that (A) includes only completed, assembled, currently functional firearms – firearms which necessarily have both a frame and a receiver. On this reading, (B) includes only the frames and receivers of “such weapon[s]”, i.e., fully-assembled firearms with a frame and receiver. This reading renders (B) superfluous: the frames and receivers of “such weapon[s]” are already contemplated by (A). Thus, to give effect to (B), we must construe (A) to cover more than completed, assembled, and currently functional firearms.

⁴³ Brief of Respondents Defense Distributed et al., On Petition for a Writ of Certiorari, at 10 (March 9, 2024).

⁴⁴ *Whole Woman's Health v. Jackson*, 142 S. Ct. 522 (2021) (*Kallinen v. Houston*, 462 S.W.3d 25, 28 (Tex. 2015)).

Thus, the statutory context of (A) emphasizes that *firearm* extends to weapons beyond fully completed, functional firearms. The text clearly communicates that *firearm* includes some weapons beyond those that “will expel” a project by the action of an explosive; it also includes (2) weapons designed to or that (3) may readily be converted to do so.

Though we expect *firearm*’s statutory definition to take precedence over its ordinary meaning in *VanDerStok*, the latter notion nevertheless features prominently in that case: does (A) embellish the ordinary meaning of *firearm*, or does it explicate an interpretation consistent with that term’s ordinary meaning? Building upon the theoretical linguistic framework introduced in Section I.A, we turn to that question below.

ii. A Linguistic Perspective on the Statutory Definition

The litigants in *VanDerStok* no doubt recognize the primacy of the statutory definition of *firearm* for the purposes of the GCA (and that Act’s implementation by the ATF). However, *VanDerStok* claims that (A) is “an expansion of the ordinary usage” of *firearm* because it covers weapons “that may readily be converted” to expel projectiles.⁴⁵ The Government disagrees, claiming that (A) explicates the term’s ordinary meaning rather than embellishing it.

This dispute over ordinary meaning is not inconsequential. First, as discussed in Section II.D, the Government’s ‘ordinary meaning’ analysis of *firearm* is important for its analysis of the phrase *frame or receiver* as it appears in (B). (Our analysis of *firearm*’s ordinary meaning will similarly inform our own analysis of *frame or receiver*). Another reason to consider this question is that while statutory definitions take priority by default, “[s]ometimes a definition itself contains a term that is not clear.”⁴⁶ In such cases, “the usual criteria of

⁴⁵ *VanDerStok* response in opposition to stay, page 13.

⁴⁶ SCALIA & GARNER, *supra* note 15, at 228.

interpretation... are brought to bear,”⁴⁷ and “[f]ar and away the most important of those is the contextual factor of the word actually being defined”.⁴⁸ In other words, judges should look to a term’s *ordinary meaning in context* when specialized statutory definitions are unclear. More broadly, “the meaning of the definition is almost always closely related to the ordinary meaning of the word being defined.”⁴⁹

As far as (A) is concerned, there is no conflict between the ordinary meaning of *firearm* and its statutory definition. Rather, (A) contains ample linguistic context to resolve an indeterminacy inherent to the noun’s ordinary meaning. (A) resolves this indeterminacy by identifying the relevant facets of meaning for the purposes of interpretation: there is a clear and specific elaboration that *firearm*’s Design facet (“designed to”) and Potential facet (“may readily be converted to”) are essential.

As discussed in II.A, the Potential facet encodes a notion of potential capability that is inherently vague and context-dependent. (A) faithfully reflects this inherently vague dimension of artifact noun meaning: the definition explicitly identifies objects which “may *readily be converted* to expel a projectile by the action of an explosive” (emphasis added). With “converted,” we see Congress contemplating scenarios in which the user must perform a non-trivial action to get the object to perform its intended function, “to expel a projectile by the action of an explosive.” Nevertheless, the line between *readily converted* and its negation is inherently fuzzy. In this regard, the definition takes pains not to narrow the reach of the term “firearm” relative to its ordinary meaning: that is, it explicates a property of artifact noun interpretation which constitutes part of the implicit linguistic knowledge of any competent ordinary speaker.

Finally, (A) covers “any *weapon*” which exhibits the aforementioned design and potential

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.*

characteristics. Thus, to determine whether (A) is faithful to the ordinary meaning of *firearm*, we must understand the contribution of mentioning “weapon” in the definition. Because *weapon* is not defined elsewhere in the statute, we consider its ordinary meaning.

The relationship between *firearm* and *weapon* is well-characterized in both linguistic and psychological research, which draws a distinction between ‘basic-level’ categories, the most typical names we assign to everyday things (e.g., those categories denoted by *tree*, *book*, *table*); and superordinate-level categories, which reside at a higher level of abstraction (e.g., *organism* and *furniture*). Superordinate terms group together categories denoted by basic-level terms: for example, the superordinate category *mammal* groups together the categories denoted by *dog* and *cat*.

Firearm and *weapon* stand in exactly this sort of basic-superordinate relationship. (A) grounds the definition of *firearm* in its superordinate category, just as the category denoted by *firearm* constitutes part of the category denoted by *weapon* as a matter of ordinary linguistic meaning.

Like basic-level artifact nouns, superordinates tend to identify entities that have common potential-related properties; however, there may be few (if any) common perceptual attributes that characterize a superordinate category.⁵⁰ For example, the superordinate noun *vehicle* identifies entities of many shapes, sizes, and descriptions; what makes something a *vehicle* is the potential to transport people or things.

As a matter of ordinary meaning, *weapon* contemplates entities with common functional potential without regard for physical form or constitution. Moreover, like *firearm*, *weapon* may denote entities that are far from operable. Thus, *weapon* harmonizes with the rest of (A), which explicitly emphasizes the role of potential while

⁵⁰ See, e.g., Eleanor Rosch et al., *Basic Objects in Natural Categories*, 8 COG. PSYCH. 382 (1976); Barbara Tversky & Kathleen Hemenway, *Objects, Parts, and Categories*, 113 J. EXP. PSYCHOL. 169 (1984).

downplaying the relevance of physical characteristics.

In sum, there are multiple sources of linguistic evidence within (A) which point to the relevance of the Design and Potential facets of *firearm* while de-emphasizing considerations of physical form and/or constitution. This interpretation is routinely available for artifact nouns, and the Government offers compelling evidence which supports this generalization: for example, “[e]very speaker of English would recognize that a tax on sales of ‘bookshelves’ applies to IKEA when it sells boxes of parts and the tools and instructions for assembling them into bookshelves.”⁵¹

Thus, from a linguistic perspective, Congress’ definition of *firearm* (A) is best understood not as an instruction to disregard or embellish the noun’s ordinary meaning but as an attempt to provide sufficient context to resolve an indeterminacy that is inherent to its ordinary meaning. Because the resolution depends on context, we expect that some contexts may suggest a different resolution. For example, when we call a child’s toy gun his “gun,” the relevant facets are the formal and constitutive facets: the object has certain physical properties which make it a suitable object for make-believe play. (A) is not such a context: the language of the definition points to an interpretation which centers the object’s functional capabilities and the circumstances of its creation.

Notably, the Government and Respondents *VanDerStok* appear to dispute whether the ATF’s interpretation of the GCA departs from the ordinary meaning of ‘firearm’:

“[A] covered firearm parts kit qualifies as a firearm **as a matter of ordinary usage**... An **ordinary speaker of English** would recognize that a company in the business of selling kits that can be assembled into firearms in minutes -- and that are designed, marketed, and used for that express purpose -- is in the business of selling firearms.”⁵²

⁵¹ Government stay application, page 4.

⁵² Government stay application, pages 17-18.

“The district court correctly held that [the ATF]... extend[s] the definitions of “firearm” and “frame or receiver” in federal law **beyond any reasonable understanding of those terms.**”⁵³

As mentioned above, we expect the statutory definition of *firearm* to be privileged over considerations of ‘ordinary usage’ or ‘reasonable’, ‘commonsense’ understanding. Nevertheless, the above passages suggest that some parties believe the Court’s eventual decision should also cohere with ‘commonsense’ linguistic intuition. The analysis presented in this section helps clarify this issue: to the extent that the ATF’s regulatory authority over firearm parts kits is grounded in (A), its authority is also grounded in the ordinary meaning of *firearm*. Conversely, should it be found that (A) does not provide the ATF with such authority, then the ATF’s reading may well “contradict” the ordinary meaning of *firearm*. In the next section, we present linguistic data which speaks in favor of the ATF’s interpretation of (A), and which provides further evidence that this interpretation coheres with ordinary meaning considerations.

III. NEW EMPIRICAL DATA ON THE ORDINARY MEANING OF “FIREARM”

Having established that (A) clearly contemplates entities beyond a restricted set of fully-assembled, ready-to-shoot firearms, and having established that this text is consistent with the ordinary meaning of *firearm*, we turn to the question of whether *firearm* as it appears in the GCA extends to “a weapon parts kit that is designed to or may readily be completed, assembled, restored, or otherwise converted to expel a projectile by the action of an explosive,” as the ATF’s definition of *firearm* contends.

To answer this question, we consider two sources of evidence: naturally occurring linguistic data, which demonstrates that ordinary speakers can

⁵³ VanDerStok response in opposition to stay, page 1.

feliculously refer to a parts kit as a *firearm*, *weapon*, *gun*, *rifle* and/or *AR*, and experimental survey data, which demonstrates that ordinary speakers interpret *firearm* to include parts kits in the context of definitions akin to (A).

A. New Data on Ordinary Language Use

In assessing whether firearm parts kits fall within the ordinary meaning of *firearm* and *weapon*, actual linguistic usage is instructive. The Court regularly considers hypothetical linguistic examples to assess the ordinary meaning of statutes, particularly in criminal contexts.⁵⁴ Members of the Court have also recommended considering patterns of actual language use through corpus linguistics.⁵⁵

Ordinary usage shows that firearm parts kits fall within the ordinary meaning of both *firearm* and *weapon* in many contexts—especially contexts similar to Section 921. Below, we present several clear examples from online product advertisements and reviews, with the relevant term bolded for emphasis. (A more extensive set of examples appears in the Appendix.)

First, grammatical evidence links the label “firearm” to a parts kit:

- “Introducing the AR-40 4.5" MOD1 Billet Upper Receiver Pistol Build Kit, a powerful and compact **firearm** designed to deliver outstanding performance in the dynamic world of pistol builds.”⁵⁶
- “Tiger Rock AR-15 Enhanced Flat Dark Earth Rifle Kit with a 10" Handguard, a precision-engineered **firearm** designed for optimal performance and durability.”⁵⁷

⁵⁴ See, e.g., *Pulsifer v. United States*, 601 U.S. 124, 138-141 (2024); *Lockhart v. United States*, 577 U.S. 347, 357 (2016).

⁵⁵ See, e.g., *Facebook Inc. v. Duguid*, 592 U.S. 395, 411-412 (2021) (Alito, J., concurring).

⁵⁶ <https://a1armory.com/ar-40-4-5-billet-mod1-upper-receiver-pistol-build-kit/>.

⁵⁷ <https://a1armory.com/tiger-rock-ar-15-flat-dark-earth-enhanced-rifle-kit-w-10-handguard/>.

- “Tiger Rock AR-15 Enhanced Robins Egg Blue Pistol Kit - a compact and powerful **firearm** designed for performance and style.”⁵⁸
- “Discover the iconic 16” Burnt Bronze Rifle Kit 5.56 from House Keymod, a stylish and versatile **firearm** made in the USA.”⁵⁹
- “Invest in excellence with the Tiger Rock AR-15 Burnt Bronze 5” Complete Pistol Kit – a versatile, reliable, and aesthetically pleasing **firearm** that stands out in both performance and style.”⁶⁰

The construction used here (“the ... Kit, a powerful and compact firearm”), with a comma or hyphen separating the full product name and a descriptive phrase, conveys that the speaker believes that the kit *is* a firearm.⁶¹

Second, many advertisements name the kit and then immediately refer to a “weapon” or “rifle.” For example:

- “Looking for a little more firepower in your life? Say hello to the 16” Flat Dark Earth Rifle Kit 5.56 with 12” Keymod. This powerful **rifle** comes equipped with an M4 Feed Ramp, a 1×7 barrel twist, and a 1/2×28

⁵⁸ *Tiger Rock AR-15 Robins Egg Blue 7” Pistol Build Kit*, A1Armory, <https://a1armory.com/tiger-rock-ar-15-robins-egg-blue-7-pistol-build-kit/>.

⁵⁹ *16” Burnt Bronze Rifle Kit 5.56 with 12” House Keymod*, Daytona Tactical, <https://daytonatactical.com/products/16-burnt-bronze-rifle-kit-5-56-with-12-house-keymod/>.

⁶⁰ *Tiger Rock AR-15 Burnt Bronze 5” Complete Pistol Kit*, A1Armory, <https://a1armory.com/tiger-rock-ar-15-burnt-bronze-5-complete-pistol-kit/>

⁶¹ Specifically, this is an illustration of an “ascriptive [noun phrase] supplement.” See Huddleston & Pullum, *The Cambridge Grammar of the English Language* 1357 (2022) (the first part of example [19iib], “Kim Jones, a quite outstanding student, won a scholarship to MIT,” is equivalent in meaning to [19ib], “Kim Jones was a quite outstanding student.”).

thread, making it perfect for taking down even the most tough targets.”⁶²

Others refer to parts kits themselves as weapons:

- “When you need the best AR-15 rifle available, look no further than this Blue Titanium 16” Rifle Kit 5.56 12” House M-LOK. Designed and manufactured with an obsessive attention to detail, this rugged and dependable **weapon** is perfect for the professional gun owner or enthusiast.”⁶³
- “Outstanding! A great value and a great **weapon!** Assembles pretty easy, I would recommend it for anyone who is interested in making their first build.”⁶⁴

Customer reviews also tightly tether references to the unassembled firearm parts kits and a “gun” or “rifle”⁶⁵:

- “Since I bought this kit I have bought several more AR’s. This one by far is still my go to range **rifle** as it nails at 200 yards.”⁶⁶

⁶² 16" Flat Dark Earth Rifle Kit 5.56 with 12" Keymod with Lower, Daytona Tactical, <https://daytonatactical.com/products/flat-dark-earth-fde-rifle-kit-magpul-lower-furniture-upper-assembled-with-fde-80-lower/>.

⁶³ 16" Blue Titanium Rifle Kit 5.56 with 12" House M-lok, Daytona Tactical, <https://daytonatactical.com/products/16-blue-titanium-rifle-kit-5-56-with-12-house-m-lok/>.

⁶⁴ PSA AR-15 RIFLE KIT 5.56 16" NITRIDE 1:7 MID-LGTH 13.5" LTWT M-LOK MOE W/ MBUS SIGHTS, Palmetto State Armory, <https://palmettostatearmory.com/psa-16-5-56-nato-1-7-mid-length-nitride-13-5-lightweight-m-lok-moe-ept-rifle-kit-516446780.html>.

⁶⁵ If speakers made a sharp categorization distinction between kits and assembled firearms, they might be expected to signal the difference more explicitly: instead of “Great inexpensive rifle,” perhaps, “This inexpensive kit builds a great rifle”—but of course, this sounds unnecessarily explicit when one understands what the kit is.

⁶⁶ PSA AR-15 RIFLE KIT 5.56 16" NITRIDE 1:7 MID-LGTH 13.5" LTWT M-LOK MOE W/ MBUS SIGHTS, Palmetto State Armory, <https://palmettostatearmory.com/psa-16-5-56-nato-1-7-mid-length-nitride-13-5-lightweight-m-lok-moe-ept-rifle-kit-516446780.html>.

- “The kit came in as advertised. Great inexpensive rifle.”⁶⁷
- “Purchased this rifle. The assembly was a learning experience since this was my first build[.]”⁶⁸

What is purchased is an uncompleted firearm kit, not a completed firearm—so it cannot be the case that “rifle” in these sentences refers *only* to completed firearms. Rather, the writers’ use of the demonstrative word “this” to modify “rifle,” near references to the kit, shows that the customers refer to both the kit and the firearm assembled from the kit as one holistic product.⁶⁹

⁶⁷ *AR-15 Rifle Kit 15" M-Lok Barreled Upper with NIB BCG*, <https://daytonatactical.com/products/ar-15-rifle-kit-15-m-lok-barreled-upper-with-nib-bcg/>.

⁶⁸ *AR-15 5.56/.223 16" M4 TACTICAL RIFLE KIT / 15" MLOK / LE STOCK*, <https://moriartiarmaments.com/ar-15-6.5-grendel/5.56-nato-.223-rem/ar-15-5.56.223-16-m4-tactical-rifle-kit-with-15-mlok-super-slim-handguard-rk15-fk15-nl?sort=rating&order=DESC>.

⁶⁹ Respondent VanDerStok (Opp. 24) attempts to analogize a weapon parts kit to a “pinewood derby car kit that comes with wheels, nails to affix them, and a block of wood that must be carved and sanded before it becomes a car.” VanDerStok notes, “No one would call such a kit a car.” *Id.* Yet, some do. See, e.g., https://www.amazon.com/Woodland-Scenics-Pine-Derby-Basic/product-reviews/B000BR4VVG/ref=cm_cr_arp_d_viewopt_kywd (“This car is easy to work with and great for Scouts. The kids can help when putting the car together.”). This usage is not surprising, as these pinewood derby kits are designed to be complete cars. If the block of wood were sold separately (not as part of a kit designed to become a car), one would not expect customers to describe that wood block as a car. But the Court does not need to decide the status of pinewood derby cars. With respect to weapon part kits, the linguistic usage data is clear: Americans regularly treat the weapon parts kit and the completed firearm as the same thing, and the Court should assume Congress did as well. See Amy Coney Barrett, *Congressional Insiders and Outsiders*, 84 U. CHI. L. REV. 2193, 2209 (2017) (“If, moreover, a legislative command is directed to the citizenry, it is both sensible and fair for the courts to interpret the command as its recipients would.”).

The preceding examples offer ample evidence that sellers and consumers readily deploy “firearm” and similar nouns to refer to a product over its lifespan, or to the product that is purchased (as a kit). These examples demonstrate that ordinary speakers do not confine “firearm” to just completed weapons or those extremely close to operability as a matter of ordinary meaning.

B. New Data from A Survey Experiment

Supreme Court justices have also recognized the usefulness of survey data to textualist analysis.⁷⁰ Survey data are a useful complement to traditional textualist sources of linguistic evidence, especially insofar as the Court seeks to understand how “the ordinary English speaker... would understand the words of the statute”, or how the “reasonable person” uses words. In an experiment, we observe that ordinary speakers readily construe *firearm* to include parts kits. This observed consensus among ordinary speakers is particularly strong in contexts akin to (A), which clearly centers *firearm*’s design and potential facets.

Methods

Participants: We recruited 1250 participants from Prolific, a widely-used online crowdsourcing platform. We recruited a U.S.-based sample, with a minimum 99% approval rating, 50% men and 50% women, and 50% Republican-identified, 50% Democrat-identified, <1% Independent, Other or No Preference. We preregistered three comprehension check questions and one CAPTCHA (to screen out bots). There were 988 participants who completed all checks correctly and were included in the analysis (50% male, 49% female, 1% non-binary; 49% Republican, 47% Democrat, 3% Independent, <1% Other or No Preference). Participants were paid \$1.00, and median completion time was 3 minutes

⁷⁰ *Pulsifer v. United States*, 601 U.S. __ (2024) (Gorsuch, J., dissenting) (joined by Sotomayor, J., and Jackson, J.).

and 53 seconds, for a median compensation rate of \$15.44/hour.⁷¹

Materials: Experiment trials are schematized in Figure 1. Participants were asked to read a short passage which described a disagreement between two entities. The locus of the disagreement was the interpretation of some artifact noun, which was defined within the context of a law (in “legal”-domain trials) or a company rule (in “ordinary”-domain trials).

In all trials, the definition specified that members of the relevant nominal category are also members of a corresponding superordinate category. (E.g., for X to meet the definition of *firearm*, X must also be a *weapon*). However, these definitions were further elaborated in ways that varied across experimental conditions. In trials featuring a “restricted” definition, the law/rule explicitly contemplated entities with the immediate potential to exhibit a canonical function. In trials featuring a “full” definition, the law/rule additionally contemplated the Design and Potential of such entities. These definitions were designed to closely track the statutory definition of *firearm* in (A), modulo relevant manipulations. There were 12 trial types total: 3 Noun conditions \times 2 Domain conditions [legal or ordinary] \times 2 Definition conditions [restricted or full].

Participants were then asked to provide their judgment as to the permissibility of an [AN] parts kit, where [AN] was the artifact noun defined in the law/rule. Participants were told that these kits can be purchased online, that creating a functional [AN] requires combining the parts, and that most people could combine the parts in one or two hours with the right tools.⁷² Participants provided a binary

⁷¹ Methods, exclusions, and analyses for this study were pre-registered through the Open Science Foundation, available at [removed for anonymous review]. Data and code are available at [removed for anonymous review].

⁷² While the time it takes to convert a particular weapon varies from kit to kit—as is the case with furniture or bicycles, of course—the process generally does not take very long. Companies market the ease and speed with which a

“Yes”/“No” judgment to the following question: “In your view, does the rule's definition of “[AN]” include [AN] parts kits?”

Procedure: Each participant completed one trial of a randomly-assigned type. Before the trial, participants completed two tasks which served as exclusion criteria: an attention task designed to ensure that participants were reading experiment instructions in full; and a simple reasoning problem task. After the trial, participants completed a comprehension task, in which they were asked to recall how the artifact noun of interest was defined in the experimental trial. The two selection options corresponded to the artifact noun’s two associated Definition conditions. This task served as a third exclusion criterion. Data from participants who met at least one criterion were excluded from analysis.

functional firearm can be assembled, many people report being able to do it in less than an hour, and even “unhandy” first-time gun purchasers can assemble them in the equivalent of a day’s work. For most gun kits, the indexes and tabs have been made, the kit can be assembled with common hand tools (or which are included in the kit), and instructions are either included or easy to find online. For comparison, courts have found that a gun restoration process that can be completed in six hours or less falls within the definition of “readily restored.”

Legal

Imagine that a U.S. court is deciding a dispute between two parties

Firearm	Table	Bicycle
about the meaning of the term "firearm" in a law.	about the meaning of the term "table" in a law.	about the meaning of the term "bicycle" in a law.

The law includes a definitions section, which states:
"The term "[**firearm** / **table** / **bicycle**]" means

Restricted Context	<p style="color: #E67E22;">any weapon which will expel a projectile by the action of an explosive."</p> <p style="color: #27AE60;">any piece of furniture which will provide a level surface on which objects can be placed."</p> <p style="color: #00BFC4;">any vehicle which will propel a rider forward through the rider's pedaling."</p>
Full Context	<p style="color: #E67E22;">any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive."</p> <p style="color: #27AE60;">any piece of furniture which will or is designed to or may readily be converted to provide a level surface on which objects can be placed."</p> <p style="color: #00BFC4;">any vehicle which will or is designed to or may readily be converted propel a rider forward through the rider's pedaling."</p>

The disagreement concerns whether [**firearm** / **table** / **bicycle**] *parts kits* are included in the law. These parts kits are packages of [**firearm** / **table** / **bicycle**] parts that a person can order online. To create a functional [**firearm** / **table** / **bicycle**], the buyer must combine the elements of the parts kit. Most people could combine the parts in one or two hours with the right tools.

Question

In your view, does the law's definition of "firearm" include firearm parts kits?	In your view, does the law's definition of "table" include table parts kits?	In your view, does the law's definition of "bicycle" include bicycle parts kits?
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Figure 1a. Experimental materials, legal condition

Ordinary

Imagine that two employees that work for a company have a disagreement

Firearm

about the meaning of the term "firearm" in one of the company's rules.

Table

about the meaning of the term "table" in one of the company's rules.

Bicycle

about the meaning of the term "bicycle" in one of the company's rules.

The rule includes a definitions section, which states:
"The term "[**firearm** / **table** / **bicycle**]" means

Restricted Context

any weapon which will expel a projectile by the action of an explosive."

any piece of furniture which will provide a level surface on which objects can be placed."

any vehicle which will propel a rider forward through the rider's pedaling."

Full Context

any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive."

any piece of furniture which will or is designed to or may readily be converted to provide a level surface on which objects can be placed."

any vehicle which will or is designed to or may readily be converted propel a rider forward through the rider's pedaling."

The disagreement concerns whether [**firearm** / **table** / **bicycle**] *parts kits* are included in the rule. These parts kits are packages of [**firearm** / **table** / **bicycle**] parts that a person can order online. To create a functional [**firearm** / **table** / **bicycle**], the buyer must combine the elements of the parts kit. Most people could combine the parts in one or two hours with the right tools.

Question

In your view, does the rule's definition of "firearm" include firearm parts kits?

In your view, does the rule's definition of "table" include table parts kit?s

In your view, does the rule's definition of "bicycle" include the bicycle parts kits?

Figure 1b. Experimental materials, ordinary condition

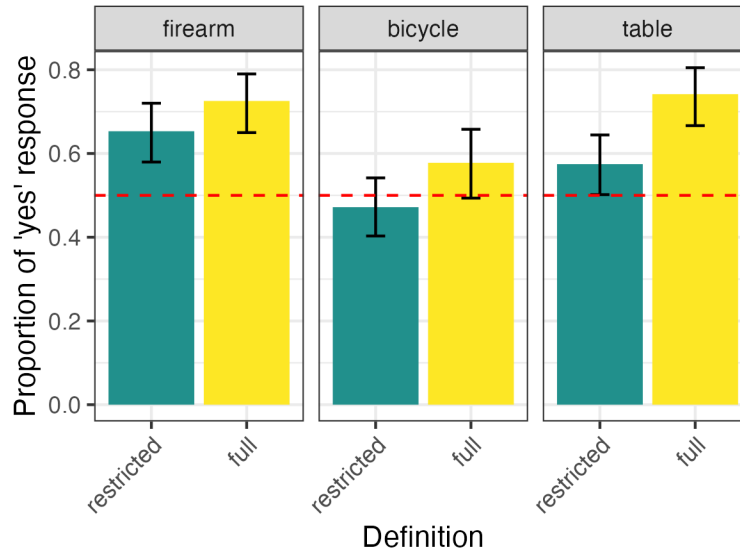


Figure 2. Proportions of ‘yes’ response in Experiment 1. Error bars represent 95% binomial confidence intervals (as computed with the Hmisc function in R).

Results

In total, 262 participants ($\approx 21\%$) met at least one exclusion criterion or exited the study early, leaving data from 988 participants for analysis.⁷³ Figure 2 visualizes participant responses as a function of Definition, faceted by Noun. A majority of participants (69%; 95% CI = [63%, 74%]) considered firearms parts kits to be firearms. This trend held in both the legal context (64%; 95% CI = [56%, 71%]) and the ordinary context (74%; 95% CI = [67%, 80%]), and regardless of whether *firearm* received a restricted definition (65%; 95% CI = [58%, 72%]) or full definition (73%; 95% CI = [65%, 79%]).

⁷³ Our data includes responses from 9 participants who, in a debrief survey, indicated “I am not fluent in English but am fluent in another language or languages.” Excluding such participants from analysis does not qualitatively change any of the findings reported below.

To investigate whether and how participant responses varied as a function of Noun (reference level *firearm*), Domain (reference level “legal”), and Definition (reference level “restricted”), we conducted a binary logistic regression predicting log odds of “Yes” response from fixed effects of these three variables and all possible interactions. None of the interaction terms were significant predictors of the outcome variable, so we dropped these terms from the model and conducted a second regression with only the additive fixed effects of the three variables. Relative to *firearm* trials, the likelihood of “Yes” response was significantly lower on *bicycle* trials ($\beta = -0.7073$, $SE = 0.1637$, $z = -4.319$, $p = 1.56e-05$) but not on *table* trials ($\beta = -0.1626$, $SE = 0.1671$, $z = -0.973$, $p = 0.330611$). Moreover, we found no evidence of an effect of Domain ($\beta = 0.1096$, $SE = 0.1338$, $z = 0.819$, $p = 0.412656$). However, there was evidence of significant positive effect of Definition ($\beta = 0.5136$, $SE = 0.1359$, $z = 3.780$, $p = 0.000157$).

Discussion

Across multiple tested contexts, a majority of ordinary Americans evaluated firearm parts kits as members of the category denoted by *firearm*. Note that this occurred *without* any further language emphasizing the relevance of design or potential function, such as the language of (A) (“designed to” and “may readily be converted to”). We found that when such language was provided, an even greater proportion of participants considered firearm parts kits to be firearms. That is, ordinary readers recognize that a clear statement including weapons that are “designed to” or “may readily be converted to” function as a firearm indicates that parts kits are included.

This result is fully compatible with the theoretical framework presented in Section II.A. Without definitional language that explicitly identifies the relevant facets of artifact noun meaning, ordinary speakers attempt to infer those relevant facets under considerable uncertainty. We predict this uncertainty to be reflected as

population-level variation in interpretive judgments, which is what we observe in the “restricted” condition of the experiment. When the context includes language which explicitly identifies the Design and Potential facets of *firearm*, the uncertainty is resolved.⁷⁴ As predicted, we see greater levels of population-level consensus in the expected direction, with a greater proportion of speakers construing *firearm* to include parts kits.

These results also carry methodological implications. Not all artifact nouns (or artifact noun parts kits) were treated equally: most participants reported that the term *firearm* includes firearm parts kits, but a significantly smaller proportion of participants judged *bicycle* to include bicycle parts kits. In *VanDerStok*, the Government, Respondents, and lower courts have all attempted to elucidate the meaning of *firearm* and *firearm parts kit* by considering ‘analogous’ linguistic expressions. (Recall, e.g., the Government’s “IKEA bookshelf” hypothetical). Our results suggest that there are limits to this approach: it may obscure substantial divergences in how ordinary Americans would interpret the words or phrases under comparison. This cautionary note applies even when making analogies between highly related linguistic expressions. (For example, *bicycle* and *firearm* are both alike in that they are both basic-level artifact terms).

IV. EXTENDING THE ANALYSIS TO “FRAME” AND “RECEIVER”

In addition to disputing the interpretation of *firearm*, the litigants in *VanDerStok* disagree over the interpretation of *frame or receiver* as that phrase appears in (B), the second disjunct of the statutory definition of *firearm* in the GCA. In *VanDerStok*, the Government contends that (B) includes frame or receiver parts kits that are designed to or may

⁷⁴ In a second study, we investigated the relative contribution of Design language and Potential language when it comes to the availability of this more inclusive interpretation. The results of that study are available in the OSF repository.

readily be converted to function as a frame or receiver. However, the respondents in this case claim that “[i]f an item potentially could be made into a frame or receiver but is not a[n assembled] frame or receiver that is insufficient under the Act’s plain text.”⁷⁵ That is, the respondents contend that (B) extends only to fully-assembled, fully-functional frames and receivers.

Like *firearm*, both *frame* and *receiver* are artifact nouns and are thus indeterminate as a matter of their literal meaning. As discussed in Section II.A, context is essential for resolving a linguistic indeterminacy inherent to artifact nouns in general: which facets of nominal meaning are relevant for the purposes of linguistic interpretation? We argued that (A) resolves this indeterminacy as it pertains to *firearm*, by foregrounding the Potential (“expel projectiles...”) and Design (“designed”) facets of the noun’s ordinary linguistic meaning and backgrounding the Formal and Constitutive facets (no mention of size, shape, trigger, etc.). Notably, however, Congress does not similarly elaborate the meaning of *frame or receiver* in (B).

The parties in this case disagree over the significance of that difference. However, neither the Government nor the Respondents offer a fully satisfying account of the omission. We ultimately arrive at the Government’s conclusion regarding the scope of (B), but via different reasoning.

The Respondents – and the lower courts – take the omission of ‘designed to or may readily be converted to’ in (B) to be deliberate, and they conclude on that basis that *frame or receiver* extends only to fully assembled and functional frames and receivers. There is an unresolved tension in this analysis, however: (B) not only omits the “designed” and “readily be converted” language found in (A) but also omits language analogous to (A)’s “will... expel a projectile by the action of an explosive.” (B) could have been written to explicitly identify fully-assembled, fully-functional frames or receivers, e.g., ‘a frame that *will* hold the essential mechanism’ (“will” to express purpose-readiness) of ‘any such

⁷⁵ VanDerStok response in opposition to stay, page 11.

weapon’ defined in (A). The Respondents offer no recipe for determining, where (B) does not restate language from (A), whether this is due to a deliberate exclusion signaling a difference in meaning (as they argue for “designed to or may readily be converted”), or whether the meaning is so obvious in context that including it would have been superfluous (as might be argued for “will expel projectiles”).

The Government, on the other hand, argues 1) the inclusion of (A)’s “designed” and “readily converted” language merely serves to ground the statutory definition of *firearm* in a familiar, ordinary sense of that term;⁷⁶ and 2) in (B), *frame or receiver* is similarly interpreted according to its ordinary meaning, which for the Government “include[s] a partially completed frame or receiver that can readily be made functional.”⁷⁷ There is a similar tension in the Government’s analysis: why would Congress find it necessary to explicate the “ordinary” meaning of *firearm* in (A) but not of *frame or receiver* in (B)? One could imagine an objection to the Government’s argument, couched in the analytical framework explored in this paper: in (A), Congress prioritizes the Potential and Design facets of *firearm* over the formal/constitutive facets. The omission of guidance for *frame or receiver*, so this objection goes, is meaningful: Congress implies those facets do not take precedence over the Formal and Constitutive facets. Therefore, (B) should be

⁷⁶ “Like the district court, respondents emphasize... that Congress used the phrase “designed to or may readily be converted to” in Section 921(a)(3)(A) but did not include a similar phrase in Section 921(a)(3)(B)... [T]here is an obvious explanation for that difference: If Congress had limited the express definition of “firearm” in Section 921(a)(3)(A) to weapons that “will * * * expel a projectile by the action of an explosive,” 18 U.S.C. 921(a)(3)(A) (emphasis added), it would have departed from ordinary meaning by including only functional firearms.” (Government reply in support of stay application, pages 7-8)

⁷⁷ Government stay application, page 4.

read to include only frames and receivers that are fully completed.⁷⁸

How, then, does context resolve the linguistic indeterminacy inherent to *frame or receiver*? To answer this question, we first note that language users routinely leverage contextual information to resolve indeterminacy wherever possible. Recall from Section II.A that verb + artifact noun combinations may leave unspecified the nature of the activity. (4) shows that when multiple indeterminacies are present, there is pressure to resolve them similarly:

- (1) Last week, Noel started a novel, and Liz finished a nonfiction book.

In (4), the nouns *novel* and *nonfiction book* have a possible ‘Potential’-oriented interpretation, giving rise to the interpretation that the relevant subject initiates the action of reading (realizing the object’s

⁷⁸ See, e.g., *VanDerStok v. Garland*, 86 F.4th 179, 189 (5th Cir. 2023), cert. granted, No. 23-852, 2024 WL 1706014 (U.S. Apr. 22, 2024) (“A plain reading of the Final Rule demonstrates ATF’s error. In the GCA’s definition of “firearm,” the first subsection includes flexible language such as “designed to or may readily be converted to expel a projectile by the action of an explosive.”... But the subsection immediately thereafter, which contains the term “frame or receiver,” does not include such flexibility. “[W]hen Congress includes particular language in one section of a statute but omits it in another section of the same Act, it is generally presumed that Congress acts intentionally and purposely in the disparate inclusion or exclusion.” [*Collins v. Yellen*, 141 S. Ct. 1761, 1782,(2021)].... ATF’s assertion that Congress has repeatedly used language such as “designed to” and “readily” in other definitions or statutes only emphasizes the point: Congress explicitly declined to use such language in regard to frames or receivers. Thus, we presume the exclusion of the phrase “designed to or may readily be converted” in the “frame or receiver” subsection to be purposeful, such that ATF cannot add such language where Congress did not intend it to exist. See *Connecticut Nat. Bank v. Germain*, 503 U.S. 249, 253–54, 112 S.Ct. 1146, 117 L.Ed.2d 391 (1992) (“We have stated time and again that courts must presume that a legislature says in a statute what it means and means in a statute what it says there.”)).

intended function). Both nouns also have a possible ‘Design’ interpretation, in which the relevant agent initiates the action of writing (creating) the object. Where available, interpreters tend to apply contextual information broadly to resolve these indeterminacies in a consistent manner. This is demonstrated by (5) and (6), in which the first sentence provides a context clue for how to resolve the indeterminacy in *(start a) novel*. Because of the strong default expectation that similar indeterminacies will be similarly resolved, this context clue may also serve to determine an interpretation of *(finished a) nonfiction book*.

- (2) Noel is a prolific writer. Last week, he started a new novel. A few days later, his friend Liz finished a nonfiction book.
- (3) Noel is an avid reader. Last week, he started a new novel. A few days later, his friend Liz finished a nonfiction book.

(5) and (6) are analogous to the statutory definition of *firearm* in §921(a)(3). In (A), Congress furnishes the reader with the context sufficient to identify the relevant facet of *firearm*’s ordinary meaning for the purposes of the definition. *Frame or receiver* does not receive a similar elaboration in (B), but because *frame or receiver* is indeterminate in the same way that *firearm* is, we can readily account for this omission by appealing to the same principle of interpretive consistency exemplified in (1), (2), and (3).

The remainder of §921(a)(3) bolsters this conclusion. Recall that according to part (C), “any firearm muffler or firearm silencer” is a *firearm* for the purposes of the definition; (D) further extends this definition to include “any destructive device.” Both (C) and (D) ‘bottom out’ in statutory definitions which, like (A), foreground the Potential and Design facets over and above Formal or Constitutive facets:

“The terms “firearm silencer” and “firearm muffler” ... includ[e] **any combination of parts, designed or redesigned, and intended for use in**

assembling or fabricating a firearm silencer or firearm muffler.” (§921(a)(25))

“The term “destructive device” means... (B) any type of weapon... which will, or **which may be readily converted to, expel a projectile** by the action of an explosive or other propellant... and (C) any combination of **parts either designed or intended for use in converting any device into any destructive device...** and from which a **destructive device may be readily assembled.**” (§921(a)(4))

(C) and (D) thus provide further contextual information which helps to resolve the indeterminacy of *frame or receiver* in (B). In sum, neither context nor considerations of ordinary linguistic meaning suggest that *frame or receiver* extends exclusively to fully-assembled frames and receivers in (B).

This analysis contrasts starkly with one presented in the lower court opinions, which apply a familiar heuristic of legal interpretation and achieve the opposite interpretive result. The lower courts’ preferred heuristic – sometimes called the *Presumption of Consistent Usage* canon of statutory construction – states that “[a] word or phrase is presumed to bear the same meaning throughout a text; a material variation in terms suggests a variation in meaning”.⁷⁹ From the *Meaningful Variation* corollary to this canon, we can derive an ‘omitted terms, negative implication’ principle of the kind invoked by the lower courts.

By contrast, the argument developed in this section is evocative of another heuristic, the *Associated-Words Canon* (*noscitur a sociis*), which states that “[a]ssociated words bear on one another’s meaning” (Scalia & Garner pp. 195). Scalia and Garner elaborate: “[w]hen several nouns or verbs or adjectives or adverbs ... are associated in a context suggesting that the words have something in common, they should be assigned a permissible meaning that makes them similar.” (Scalia &

⁷⁹ SCALIA & GARNER *supra* note 15 (emphasis added).

Garner pp. 195). The *Associated Words* and *Consistent Usage (Meaningful Variation)* canons appear to offer contradictory guidance when it comes to the meaning of *frame* or *receiver* in (B). How can we be confident that *Associated Words* takes ‘precedence’ over *Meaningful Variation* in this case?

According to Scalia and Garner, “[t]he associated-words canon has tremendous value in a broad array of cases” (Scalia & Garner 2012, Canon 31); by contrast, “[b]ecause it is so often disregarded, [the Consistent Usage] canon is particularly defeasible by context... [it] can hardly be said to apply across the whole corpus juris” (Scalia & Garner Canon 25). The consistent usage canon “more than most other canons... is not often achieved.” *Id.* Thus, say Scalia and Garner, as a general matter the *Associated Words* canon is more broadly applicable than *Consistent Usage* reasoning.

The specific language and context of §921 further confirms the conclusion recommended by the *Associated Words* canon. There are clear linguistic indications that count against inferring any “meaningful” variation from differences between (A) and (B). Recall that Section 921 defines *firearm* to include:

- (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- (B) the frame or receiver of any such weapon;

The phrase “any such weapon” in (B) refers back to “weapon” as defined in (A). Linguists call this relationship “anaphora.” This is “a relation between two linguistic elements, wherein the interpretation of one (called an anaphor) is partly determined by the interpretation of the other (called an antecedent).”⁸⁰

This clear reference from Congress, using “any such weapon” in (B) to refer back to “weapon” in (A), is essential elaboration of the contextual meaning of “frame” and “receiver.” It indicates a close

⁸⁰ See YAN HUANG, *ANAPHORA: A CROSS-LINGUISTIC APPROACH*, 1 (Oxford University Press 2000).

connection between (A) and (B). As Parts I and II of this brief explain, (A) describes weapons that will, are designed to, or may readily be converted to expel a projectile by means of an explosive. Section B, then, describes frames and receivers of “such weapons” that will, are designed to, or may readily be converted to expel a projectile by means of an explosive.

Anaphora’s contribution to this contextual meaning clarifies why “receiver” in B would not include, for example, the *completed* metal receiver of a toy gun.⁸¹ Literally, such a receiver is a *completed* receiver, but there is no statutory context to indicate that “completion” is the relevant facet of meaning. Overreliance on abstract dictionary definitions could imply the same bizarre conclusion.⁸² But the completed receiver of a toy gun—or the completed receiver of a metal model gun—is not a receiver *in this context*: Those are not receivers of “any such weapon,” as defined in A. The text says nothing about whether the relevant receivers should be restricted to only “completed” ones; to the contrary, it emphasizes that the relevant receivers are ones compatible with the “weapons” described in A.

Recognizing the contextual meaning of B underscores that it includes an “incomplete” 80% receiver that is designed to or could be converted in one hour into the essential firing mechanism of an AR-15. Such receivers are frequently sold as parts of weapons that are “firearms” under A.⁸³ Those (unfinished) receivers are clearly receivers of any such weapon as defined in A.

The presence of the anaphoric construction in (B) (“any such weapon”) – coupled with the linguistic context provided by (A) (elaborating firearm as “any

⁸¹ *E.g.* Magnum Rubber Band Guns, <https://www.rubberbandguns.com/rifles/rifles-military>; MOC 14022 Military Thompson Sub Machine Gun Bricks Toys, <https://www.usablocks.com/products/moc-14022-military-thompson-sub-machine-gun-bricks-toys-usablocks>.

⁸² *See, e.g.*, VanDerStok v. Garland, 188 (5th. Cir.) (relying on dictionary definitions of “frame” and “receiver”).

⁸³ *See, e.g.*, <https://daytonatactical.com/products/titanium-blue-16-ar15-kit-with-15-slim-keymod-with-lower/>.

weapon” that is designed to or may readily be converted to expel a projectile), which contains the antecedent – clarifies why the absence of similar language in (B) does not point to such a restrictive construal of “frame or receiver.” These two linguistic phenomena are sufficient to determine the interpretation of “frame or receiver” in context. For this reason, it would have been superfluous for Congress to add overt ‘designed to or may readily be converted to’ language directly into (B). The absence of such language in (B) is further evidence that the interpretation of “frame or receiver” is resolved by considering the context of (A), which in turn suggests that “frame or receiver” extends beyond fully-completed frames and receivers in context. The textual indications from §921 strongly support applying the associated words canon.

In contrast, there are none of the indications one would look for to support the *Meaningful Variation* canon. That canon carries the most weight when there is clear linguistic evidence that text was written in one place and not the other in order to draw a contrast. That is not the case here. Consider a hypothetical alternative where instead of (B), there was (B’), coupled with (A) as follows:

(A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;

(B’) any frame or receiver of a weapon which will expel a projectile by the action of an explosive

In this hypothetical, the parallel language (“which will expel”) and absence of any connection between the two clauses (i.e. no anaphoric “such”) provide a stronger basis for reading the absence of “is designed to or may readily be converted to” from B’ as deliberate and meaningful. An even stronger candidate for *Meaningful Variation* would cite the same terms in A and B. For example:

(A’) any weapon (including a starter gun), including those with unfinished frames or receivers, which will

or is designed to or may readily be converted to expel a projectile by the action of an explosive;

(B) any frame or receiver of a weapon which will expel a projectile by the action of an explosive.

The actual statutory text, however, is not a good candidate for such a *Meaningful Variation* inference. It does not use two different terms (e.g. land vs. real estate, completed frame v. frame), nor does it include any language that indicates a contrast between (A) and (B). It does the opposite: It explicitly binds the two clauses together (with “any such weapon”) such that they are best read as sharing a context in which both Design and Potential facets of meaning are salient.

This analysis of *frame or receiver* in (B) extends to usages of *frame* and *receiver* in non-legal contexts. Ordinary people refer to incomplete receivers as *receivers*:

- “What additional parts do I need to assemble a complete rifle or pistol using **this receiver**?”⁸⁴

People also regularly refer to unassembled packages that include an “incomplete” 80% receiver as a *firearm* and *rifle*.

- Get ready to rock and roll with the brand new 16" AR-15 Rifle Kit with 15" Slim Keymod and 80% Lower Receiver – Burnt Bronze! Not only does it look great, thanks to its stylish burnt bronze color, but it’s also the perfect **firearm** for any shooter.⁸⁵
- “Introducing the 16" AR-15 Rifle Kit with 15" Slim Keymod with 80% Lower Receiver –

⁸⁴ PIKE ARMS® ELITE22™ 80% RECEIVER WITH EXTENDED PICATINNY RAIL *** MATTE BLACK ***, <https://www.tacticalinc.com/catalog/product/id-8186> (under FAQ).

⁸⁵ 16" AR-15 Rifle Kit with 15" Slim Keymod with 80% Lower Receiver – Burnt Bronze, Daytona Tactical, <https://daytonatactical.com/products/burnt-bronze-16-ar15-kit-with-15-slim-keymod-with-lower/>.

Titanium Blue; the perfect addition to your collection! This **rifle** has many of the features you'd expect from a higher-end model, like a .223/5.56 M4 Feed Ramp and 1:7-barrel twist.”⁸⁶

These examples show, more broadly, that the Design and Potential function of incomplete receivers is often highly contextually relevant: (B) is not ‘exceptional’ in this regard.

V. IMPLICATIONS

The article’s linguistic analyses carry practical implications for *VanDerStok* (V.A). The case study also has broader theoretical implications for legal interpretation (V.B) and legal philosophy (V.C).

A. *Implications for Garland v. VanDerStok*

The linguistic theories and data presented in this article bear directly on how to interpret the terms *firearm*, *frame*, and *receiver* in the GCA. These interpretive questions are at the heart of *VanDerStok*. Our arguments support the claim that the GCA imparts the ATF with regulatory authority over the firearm parts kits and unfinished frames and receivers identified by the government.

Begin with ordinary meaning. The linguistic theory explained here clarifies that artifact nouns (like *firearm*, *weapon*, *frame*, *table*, and *bicycle*) have context-sensitive meanings, which are heavily influenced by the entity’s design and potential function. In many contexts, artifact nouns include members missing parts (a book missing a page is a *book*), members that are unassembled (an IKEA table is a *table*), and members with unfinished parts that can only be completed by applying additional tools (a new and unsharpened pencil is a *pencil*).

⁸⁶ 16" AR-15 Rifle Kit with 15" Slim Keymod with 80% Lower Receiver – Titanium Blue, Daytona Tactical, <https://daytonatactical.com/products/titanium-blue-16-ar15-kit-with-15-slim-keymod-with-lower/>.

This linguistic theory is supported by a survey experiment of a sample of ordinary Americans. The majority of participants evaluated a firearm parts kit as a “firearm” without any further context. Ordinary linguistic usage further supports this finding. In online consumer reviews of weapon parts kits, people regularly refer to such a product as a firearm, weapon, gun, rifle, and AR.

The statutory context further supports this ordinary meaning analysis of *firearm* and *weapon*. Section 921(a)(3)(A) refers to design (“designed to”) and potential function (“may readily be converted to”) as key facets of meaning of the firearm-weapons contemplated by the statute. Our empirical results demonstrate that ordinary readers are sensitive to these contextual cues. When survey participants were presented with this statutory language (a firearm is “any weapon which will or is designed to or may readily be converted to...”), their categorization of weapon parts kits as firearms increased to 73%.

Frame and *receiver* are also artifact nouns, and the same linguistic theory applies: These nouns are context-sensitive and heavily influenced by design and functional potential. An “80% receiver,” which can be converted into a fully functional receiver in a few hours fits comfortably within the ordinary meaning of *receiver*.

Moreover, the statutory context reinforces this conclusion. Section 921(a)(3)(B) defines the “frame” and “receiver” as ones of “any such weapon,” as defined in Section 921(a)(3)(A). In linguistics terminology, this language establishes an anaphoric relation, clarifying that the relevant class of frames and receivers are the ones for the weapons contemplated by Section 921(a)(3)(A).

B. Implications for Statutory Interpretation

The case study presented here also has broader implications for statutory interpretation. We develop three here. First, and most specifically, artifact nouns are often the source of interpretive dispute. The analysis here of *firearm* presents a

roadmap for interrogating the meaning of nouns in other cases. We consider *vessel* as one example, but ‘artifact noun’ is a large and open linguistic class, and dozens of such nouns are litigated each year.

More broadly, the case study here illustrates the limitations of “word sense disambiguation” (“WSD”). WSD is a common approach in current textualist discourse and the foundation of contemporary legal corpus linguistics; but, we argue, this approach has important limitations. Finally, and most broadly, the case study illuminates current interpretive debate about textual clarity and ambiguity.

1. Artifact Nouns

This article has focused primarily on the artifact nouns *firearm* and *weapon*. But litigation implicates the meaning of many other artifact nouns. Since 2010, the Supreme Court has examined the meaning of artifact nouns including *administration*, *certified mail*, *document*, *employee*, *jail*, *money*, *prison*, and *public accommodation*.⁸⁷ Artifact nouns also arise regularly in contract litigation.⁸⁸ And although most examples in this paper concern statutory interpretation, there is also dispute about artifact nouns in common law adjudication.⁸⁹ The analysis here provides a template for linguistic analysis of these terms.

Consider, for example, the meaning of *vessel*. The meaning of this term was the central issue in both *Stewart v. Dutra Construction Co.*, which the Supreme Court decided in 2005,⁹⁰ and *Lozman v. City of Riviera Beach*, which the Supreme Court

⁸⁷ See Kevin Tobia, Brian G. Slocum & Victoria Nourse, *Ordinary Meaning and Ordinary People*, 171 U. PA. L. REV. 365, 445-446 (2023) (documenting terms defined by a dictionary in Supreme Court opinions between 2010 and the present).

⁸⁸ See, e.g., Stephen C. Mouritsen, *Contract Interpretation with Corpus Linguistics*, 94 WASH. L. REV. 1337 (2019) (discussing debate about “sport” and “snorkeling”).

⁸⁹ See, e.g. *Adams v. New Jersey Steamboat Company*, 151 N.Y. 163 (1896) (The case asked whether a sleeping cabin on a steamboat a room or an inn. Note that all of these terms are artifact nouns.).

⁹⁰ 543 U.S. 481.

decided in 2013.⁹¹ The Rules of Construction Act, codified at 1 U.S.C. §1, defines *vessel*:

The word “vessel” includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.⁹²

Begin with *Stewart*. As part of the City of Boston’s “Big Dig” construction project, it employed Dutra Construction Company. Dutra owned and used the “Super Scoop,” a massive floating platform with a clamshell bucket that removes silt from the ocean floor. Dutra hired Willard Stewart to monitor the Super Scoop’s mechanical systems, and Stewart was injured in an accident on the Super Scoop. Stewart sued under the Jones Act, alleging Dutra’s negligence, and under the Longshore and Harbor Workers’ Compensation Act (LHWCA), which allows employees to sue a “vessel” owner for an injury caused by that owner’s negligence. Ultimately, one question reached the Supreme Court: Is the Super Scoop a *vessel*, for the purposes of the LHWCA?

At the time of the accident, the Super Scoop was not moving in the water. So an interpreter might be inclined to think that it is not a vessel—vessels are watercrafts that are “in navigation.”⁹³ But Justice Thomas’s majority came to the opposite conclusion: The stationary Super Scoop is a *vessel*:

A ship long lodged in a drydock or shipyard can again be put to sea, no less than one permanently moored to shore or the ocean floor can be cut loose and made to sail. The question remains in all cases whether the watercraft’s use “as a means of transportation on water” is a practical possibility or merely theoretical one.⁹⁴

Here Thomas’s majority reads 1 U.S.C. § 3’s “capable of being used as a means of transportation on water”

⁹¹ 133 S. Ct. 735 (2013).

⁹² 1 U.S.C. § 3.

⁹³ *Id.*

⁹⁴ *Id.*

not to mean *literally* being used or extremely close to being used, but rather *practically* capable of being used.

This article's discussion of the linguistics of artifact nouns clarifies both why this is consistent with the ordinary meaning of *vessel* and a sensible reading in context. The ordinary meaning of artifact nouns is not necessarily limited to currently operable members. *Firearm* often includes firearms without bullets or magazines; *table* includes unassembled IKEA tables; and so on. Similarly, *vessel* need not be restricted to vessels that are currently transporting entities on water, or even vessels that are extremely close to doing so. Vessels that have a "practical possibility" of transporting on water are also vessels.

The statutory definition of *vessel* underscores this ordinary meaning. Like the definition of firearm in the GCA, the definition of *vessel* includes a disjunction: "The word "vessel" includes every description of watercraft or other artificial contrivance used, *or capable of being used*, as a means of transportation on water." This context underscores that *vessel* extends beyond only watercrafts "used."

As a second "vessel" example, consider *Lozman v. City of Riviera Beach*.⁹⁵ In 2002, Fane Lozman bought a floating, two-story structure that was about fifty-seven feet long. Lozman lived there for three years, until a hurricane struck; then Lozman moved the structure to the Riviera Beach marina and lived there for a year. About two years later, the Riviera Beach city brought an in rem action against the structure. The City argued that Lozman's structure was a *vessel*, and thus that maritime liens attach to the vessel; Lozman argued that his structure was not a vessel.

The district court held that Lozman's floating home is a *vessel* under the Rules of Construction Act. That Act, 1 U.S.C. § 1, defines a *vessel* as including "every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water." This is a broad

⁹⁵ 133 S. Ct. 735 (2013).

definition, which would seemingly include a floating mobile home, capable of moving on water (and thus transporting on water). The Eleventh Circuit agreed, holding that Lozman's structure was a vessel.⁹⁶

However, Supreme Court reversed. Justice Breyer rejected the idea that a vessel is "anything that floats." Instead, Breyer's majority held that a vessel is something that a reasonable observer would consider *designed* for transportation on water; as such, Lozman's floating home was not a vessel. Justice Breyer's opinion highlighted the importance of design to artifact nouns:

Not every floating structure is a "vessel." To state the obvious, a wooden washtub, a plastic dishpan, a swimming platform on pontoons, a large fishing net, a door taken off its hinges, or Pinocchio (when inside the whale) are not "vessels," even if they are "artificial contrivance[s]" capable of floating, moving under tow, and incidentally carrying even a fair-sized item or two when they do so. ... Consequently, in our view a structure does not fall within the scope of this statutory phrase unless a reasonable observer, looking to the home's physical characteristics and activities, would consider it *designed to a practical degree for carrying people or things over water*....

The home has no other feature that might suggest a design to transport over water anything other than its own furnishings and related personal effects. In a word, we can find nothing about the home that could lead a reasonable observer to consider it designed to a practical degree for "transportation on water."⁹⁷

Breyer's opinion also emphasized that actual use would be relevant. Lozman's home was *towed* from location to location, and was rarely (if ever) used for transportation. Breyer writes that "This is far too

⁹⁶ Unnamed Gray, 649 F.3d at 1269.

⁹⁷ 133 S. Ct. 735 (2013) (Emphasis added).

little actual “use” to bring the floating home within the terms of the statute,” implicitly acknowledging that more robust actual use could bring the home within the meaning.

This article’s analysis of artifact nouns illuminates the discussion in these two cases. In *Stewart*, the Court held that the Super Scoop *is* a vessel; the term also includes vessels that have a practical possibility of transporting on water. In linguistic terms, this is to emphasize the Potential (telic) facet. In *Lozman*, the court held that Lozman’s floating home is *not* a vessel: The term does not apply to all floating structures; though it does apply to those that are designed to transport. This emphasizes the Design (agentive) facet.

This linguistic analysis also clarifies the source of seeming contradiction between *Stewart* and *Lozman*. If the Super Scoop is a vessel, surely a floating mobile home is? Both can transport people and goods on water, though neither’s primary purpose is to do so. Part of what explains the difference between the opinions is that Thomas emphasizes the potential/telic facet (what can practically operate as a vessel) while Breyer emphasizes the design facet (what is designed to be a vessel).

In these cases, and many others concerning artifact nouns,⁹⁸ a proper understanding of the nature of artifact nouns illuminates legal decision making.

2. Beyond Word Sense Disambiguation

Textualist theory emphasizes word sense, often asking: Does the statutory term express sense A or sense B? Important distinctions, like ordinary versus technical meaning, are framed as ones about competing word senses.⁹⁹ Traditional tools, like dictionaries, are often employed to distinguish between competing word senses. New tools, like corpus linguistics, are also framed in relation to

⁹⁸ See, e.g., Tobia, Slocum & Nourse, *supra* note 92.

⁹⁹ E.g. Frederick Schauer, *Is Law a Technical Language?*, 52 SAN DIEGO L. REV. 501 (2015).

sense differentiation.¹⁰⁰ A broader lesson of this article's analysis is that textualist interpreters should think beyond the word sense disambiguation ("WSD") paradigm.

Some textualists might be tempted to analyze *VanDerStok* as a WSD problem. This analysis would begin by positing two separate senses of *firearm*, a narrower "completed sense" and a broader "completed-or-uncompleted sense." Next it would analyze which of those is the ordinary meaning, or the sense indicated by statutory context. This might involve quantifying which sense is more frequent in ordinary language.¹⁰¹ Such a frequency approach is problematic for many reasons,¹⁰² and it would be unhelpful to conduct a corpus linguistic analysis reporting that most ordinary uses of "firearm" or "weapon" refer to completed or uncompleted entities. The question in *VanDerStok* is about the *in-context* meaning of a statutory definition, not the meanings that *firearm* or *weapon* most often take in literature, or on the internet. Just because the vast majority of uses of "table" refer to completed tables does not imply that an unassembled IKEA table is outside of the ordinary meaning. And even if most uses of "pencil" refer to finished (i.e. sharpened) pencils, this does not imply that an unfinished (i.e. unsharpened) pencil falls outside of the term's ordinary meaning.

This article's analysis further challenges textualism's familiar word sense disambiguation paradigm. A term like *bank* has separate senses:¹⁰³

¹⁰⁰ Thomas R. Lee & Stephen C. Mouritsen, *Judging Ordinary Meaning*, 127 YALE L.J. 788, 799 (2018) ("How is the court to decide which sense is the ordinary one?").

¹⁰¹ See, e.g., *id.* at 859.

¹⁰² See generally Kevin Tobia, *Testing Ordinary Meaning*, HARV. L. REV. (2020). Ordinary understanding often exceeds attested examples of printed language. In print, we tend to refer to airplanes as "airplanes" rather than "vehicles," but this does not imply that ordinary readers understand vehicles to exclude airplanes or that an airplane is not a "vehicle" in a statutory context. *Id.*

¹⁰³ Linguists use the term *polysemy* to refer to this kind of correspondence of a single linguistic form to multiple possible senses. Even when the relevant 'sense' has been identified, a linguistic form is not interpretable (that is, it does not have a 'complete meaning') out of context. It has

(1) land beside a body of water; (2) a financial institution. But there is no basis to assert that an artifact noun like *firearm* has a “completed sense” and an “uncompleted sense.” This distinction (in which contexts does the noun include uncompleted members) applies to many artifact nouns: *firearm*, *weapon*, *table*, *chair*, *house*, *hammer*, etc. A parsimonious explanation of this phenomenon (and the one arrived at by dictionary-makers¹⁰⁴) is that completion simply does not warrant specification as part of the listed senses of these nouns. *Firearm* or *table* does not usually have a distinct “complete” versus “uncompleted” sense listed in a dictionary; instead, as discussed in Section I.A, it has an underspecified sense whose complete meaning depends on context.¹⁰⁵

This one-sense vs. multiple-sense distinction matters for textualist theory.¹⁰⁶ On the two-sense view, the interpretive debate may center on whether Congress has clearly enough replaced the ordinary

long been recognized in linguistic theory that polysemy is distinct from these latter varieties of indeterminacy. Understanding the interpretive ‘division of labor’ between lexical meaning (which describes sense-level generalizations) and context is an active and long-standing area of linguistic research. See, e.g., WILLIAM CROFT & D. ALAN CRUSE, *COGNITIVE LINGUISTICS* (Cambridge University Press 2002).

¹⁰⁴ In other cases, dictionary entries listing multiple numbered senses have been taken as evidence for sense ambiguity. See generally Lee & Mouritsen, *supra* note 91. For a particularly egregious example, see for example, *Health Freedom Defense Fund v. Biden*, No. 21-cv-1693-AEP, 2022 WL 1134138, at *20–22 (M.D. Fla. Apr. 18, 2022). Dictionary entries are, linguistically speaking, far from bulletproof; they are subject to practical limitations and are not written to be legally binding. That said, it is worth noting that VanDerStok has not identified any dictionary that distinguishes completed and uncompleted senses in its entry for “firearm”.

¹⁰⁵ Note that this is not always a problem. In some cases, the underspecification is not practically relevant, and in other cases the underspecification is readily resolved from context.

¹⁰⁶ There is also psycholinguistic debate about the role of senses in mental organization. See, e.g., Sean Trott & Benjamin Bergen, *Word Meaning is both Categorical and Continuous*, 130 *PSYCHOL. REV.* 1239 (2023).

sense of *firearm* with a technical sense. But on the one-sense view of artifact nouns, Congress is not “overriding” ordinary meaning in definitions like the GCA’s; with these artifact nouns context is necessary to specify what is relevant. This is what occurs in part (A) of the statutory definition. This provides a different reason from those mentioned above to reject a corpus linguistic study of the “common” use of “firearm” in ordinary language. On the one-sense view, every example exemplifies the same ordinary meaning of *firearm*, an ordinary meaning that must be further specified by context.

Textualists should not abandon word sense disambiguation, but they should grapple with the existence of other tools. Where current textualism operates with the hammer of word sense disambiguation, everything looks like an ambiguous nail. But not all linguistic indeterminacy is the product of lexical ambiguity. Treating most (or all) of linguistic indeterminacy as lexical ambiguity likely contributes to interpretive overreliance on dictionary definitions. Some definitions, like that of *firearm* or *vessel* or *vehicle*, explain one sense that is context-dependent. The approach advanced in this article illustrates how textualism can make progress in interpreting *one sense* of an artifact noun, in context.

3. Clarity versus Ambiguity

Consider one more illustration of the pernicious implications of overreliance on the WSD paradigm. Textualists often use the word “ambiguity” to refer to *any* linguistic indeterminacy (including, for example, indeterminacy caused by vagueness, polysemy, or under-specification). For textualists, “ambiguity” is the opposite of clarity.

Conflating linguistic ambiguity with textual indeterminacy in this way leads textualists astray. The typical textualist approach to clarity versus “ambiguity” is to draw a line about competing word senses: If the statutory term could express sense A or B, we will treat it as “clear” so long as we’re 90% (or 65% or 55%) certain it expresses A; otherwise, it

is ambiguous between A and B.¹⁰⁷ When faced with a true case of lexical ambiguity (does “bank” mean financial institution or river bank?), this is a sensible paradigm. But when faced with other sources of indeterminacy, this paradigm is less useful.

In contrast, Justice Kavanaugh has proposed a “best reading” standard: Judges should determine whether reading A or B is the better reading.¹⁰⁸ For cases like *VanDerStok*, this paradigm is a better fit. To the question, “are terms like ‘firearm,’ ‘weapon,’ and ‘frame’ ambiguous between two senses in the GCA?,” there is an easy answer: *No*. The relevant question is about the contours of the sense of these terms that the GCA expresses: Does the statutory context indicate that the formal, potential functionality, and/or intentional facets are most relevant? In Justice Kavanaugh’s terms, the linguistic question is one that should call attention to elaborating the “best reading” of an entirely unambiguous sense of *firearm*, *weapon*, *frame*, and *receiver*.

This distinction has implications for the rule of lenity and the degree of indeterminacy required to trigger it.¹⁰⁹ Gorsuch’s trigger is *when traditional interpretive tools yield no clear answer*,¹¹⁰ i.e., when such tools fail to decisively resolve the indeterminacy. Kavanaugh’s trigger is *a grievous ambiguity*,¹¹¹ i.e., an unresolvable indeterminacy for which there is no “best” reading. Understanding the linguistic issue in *VanDerStok* to involve artifact

¹⁰⁷ Brett Kavanaugh, *Fixing Statutory Interpretation*, 129 HARV. L. REV. 2118 (2016).

¹⁰⁸ *Id.*

¹⁰⁹ *See, e.g.*, *Wooden v. U.S.*, 599 U.S. (2022) (Gorsuch, concurring); *id.* (Kavanaugh, concurring).

¹¹⁰ “Where the traditional tools of statutory interpretation yield no clear answer, the judge’s next step isn’t to legislative history or the law’s unexpressed purposes. The next step is to lenity.” *Wooden v. U.S.*, 599 U.S. (2022) (Gorsuch, concurring).

¹¹¹ “If a federal criminal statute is grievously ambiguous, then the statute should be interpreted in the criminal defendant’s favor.... Importantly, the rule of lenity does not apply when a law merely contains some ambiguity or is difficult to decipher.” *Id.* (Kavanaugh, concurring).

nouns clarifies that there is no “grievous ambiguity” in Kavanaugh’s sense: there is rich statutory context that indicates which facets of meaning (i.e. the potential functionality and intended facets) are most relevant.

C. Implications for Legal Philosophy

Although the previous implications are practical legal ones—recommendations for *VanDerStok* and implications for how today’s textualist judges should interpret statutes—the article’s analysis also has broader philosophical import.

Recall the famous debate between philosophers H.L.A. Hart and Lon Fuller.¹¹² Hart argued that a legal rule’s text resolved most legal cases, while Fuller argued that legal decisions always¹¹³ require looking to a legal rule’s purpose. This debate introduced one of the most famous and well-known hypotheticals: Imagine a rule stating that “no vehicles may enter the park.” Hart insisted that this rule gives rise to some debate about edge cases (e.g. a bicycle, or a drone), but the easy cases are resolved by the text alone: The rule prohibits cars and trucks.

Fuller disagreed. What if, asked Fuller, the city council installed as a memorial a non-functioning World War II truck in the park? Fuller thought that this truck would be permitted by the rule. More importantly, Fuller thought that what explains this judgement is the rule’s *purpose*. This debate in the Harvard Law Review spawned decades of legal philosophical debate about the role of text and purpose in interpretation.

In recent years, empirical legal scholars have turned attention to this hypothetical. Experimental jurisprudence studies have examined ordinary

¹¹² H.L.A. Hart, *Positivism and the Separation of Law and Morals*, 71 HARV. L. REV. 593 (1958); Lon Fuller, *Positivism and Fidelity to Law: A Reply to Professor Hart*, 71 HARV. L. REV. 630 (1958).

¹¹³ See, e.g., Fred Schauer, *A Critical Guide to Vehicles in the Park*, 83 N.Y.U. L. REV. 1109, 1111 (“Fuller meant to insist that it was never possible to determine whether a rule applied without understanding the purpose that the rule was supposed to serve.”).

people’s judgments about the “no vehicles” rule. For example, one study confirms that there are easy and hard cases: The vast majority of laypeople, law students, and judges agree that a car is a vehicle; but all populations are divided about other entities (like canoes).¹¹⁴ Interestingly, the rate of disagreement is similar among populations; judges are just as divided as laypeople over whether a canoe is a vehicle.¹¹⁵

One might conclude from this result that it is hopeless to achieve interpretive determinacy—at least in hard cases. Or, as advocates of critical legal studies would propose, it is hopeless to achieve true interpretive determinacy in *any* case.

A different takeaway is that there are limits to relying exclusively on individual words in interpretation. Interpreting “no vehicles may enter the park” requires consideration of more than just the word “vehicle.” In fact, empirical studies demonstrate this effect. Laypeople evaluate what is a vehicle under the rule “no vehicles in the park” differently from their evaluation of what is simply a “vehicle.”¹¹⁶ Moreover, changing the background context affects people’s understanding of the category boundaries of artifact nouns like *vehicle* in a rule “no vehicles in the town square.”¹¹⁷

This article’s case study in artifact nouns enriches this second, contextual interpretation. The meaning of artifact nouns is context dependent, influenced by the object’s functional potential and design. For rules that regulate conduct, these facets—functional potential and design—are often closely connected with the purpose of the rule. For example, imagine “no vehicles may enter the park” is passed for the purpose of keeping the park safe. Can a bicycle enter the park? A bicycle may not be considered a *vehicle* in all contexts; however, its design and functional potential characteristics are

¹¹⁴ Tobia, *supra* note 95.

¹¹⁵ *Id.*

¹¹⁶ *Id.*

¹¹⁷ Brandon Waldon, Cleo Condoravdi, Beth Levin & Judith Degen, *On the Context Dependence of Artifact Noun Interpretation*, 27 SINN UND BEDEUTUNG (2023).

such that it can move so quickly as to injure someone. In our hypothetical example, context—in particular, policymaker objectives—identifies these dimensions as the relevant facets of *vehicle*, which in turn may suggest a particular interpretive result, namely that the “no vehicles” rule prohibits bicycles.

Other theoretical frameworks may suggest similar interpretive outcomes. Hart himself suggested that purposes play a role outside of the core of settled meaning, in the penumbra.¹¹⁸ And Eskridge proposes that “[t]ext and purpose are like the two blades of a scissors; neither does the job without the operation of the other.”¹¹⁹ Recent work in cognitive science concludes that laypeople consider both a rule’s text and purpose when evaluating rule violation.¹²⁰

This article’s theory is subtly, but importantly, different from these other views. Our point is not that purpose informs people’s understanding of a rule,¹²¹ or that purpose can override text in cases of conflict. Our point is that there is a more fundamental problem with the “text versus purpose” dichotomy.

This “text versus purpose” dichotomy is at the heart of many discussions of the Hart-Fuller debate. Consider, for example, legal philosopher Fred Schauer on the WWII Truck:

¹¹⁸ See Hart, *supra* note 112, at 614 (suggesting that for questions “in the penumbra”, judges look to the “aims, purpose, and policies” of the law).

¹¹⁹ WILLIAM N. ESKRIDGE, JR. INTERPRETING THE LAW: A PRIMER ON HOW TO READ STATUTES AND THE CONSTITUTION 13 (noting that the “scissors metaphor is inspired by L. L. Fuller, *American Legal Realism*, 76 PROC. AM. PHIL. SOC’Y 191, 223-23 (1936) (suggesting that Law and Society are like two blades of a scissors)).

¹²⁰ Noel Struchiner, Ivar R. Hannikainen & Guilherme da F.C.F. de Almeida, *An Experimental Guide to Vehicles in the Park*, 15 JUDG. & DEC. MAKING (2020).

¹²¹ See *id.*; see also Kevin Tobia, Brian Slocum & Victoria Nourse, *Progressive Textualism*, 110 GEO. L.J. 1437, 1488-1492 (summarizing recent studies on purpose’s contribution to ordinary understanding of rules).

The war memorial made out of a functioning military truck really *was a vehicle*... It was Fuller's point that language could not... ever be sufficient to produce a core or clear case, because in at least some instances the clear application of clear language would nonetheless produce an absurd result. Only by *always* considering the purpose behind the rule, Fuller believed, could we make sense of legal rules and indeed of law itself.¹²²

This is one of many examples illustrating the traditional understanding of the debate about vehicles in the park: First, we begin with some clear cases of vehicles (e.g. trucks). Both Hart and Fuller endorse this conclusion. Hart thinks that for these clear or easy cases, text alone resolves interpretation. Fuller disagrees, claiming that we always need to consider purpose, even for some "easy" cases, such as the example of a truck.

Our aim is to question the central text versus purpose dichotomy, for at least some cases. For example, we reject the assumption that a truck is *simply* within the core of the meaning of vehicle. On Schauer's account above, this is a starting point that both Hart and Fuller share.

To elaborate our account, recall our hypothetical law with the text "no vehicles may enter the park," passed for the purpose of keeping the park safe. Now imagine that a commemorative, non-functional truck is installed in the park. One way to analyze this case is to posit a conflict between text and purpose:

Text: The rule is violated because any truck is a vehicle.

Purpose: The rule is not violated because this truck does not threaten the safety of people in the park.

Did the truck violate the rule by entering the park? The traditional understanding of the "Hart-Fuller" debate would see the answer "yes" as evidence of

¹²² FREDERICK SCHAUER, THINKING LIKE A LAWYER 156 (2009).

purposivism. A truck is simply a vehicle, as the quotation from Schauer above illustrates. What leads us to say that *this* truck is prohibited is a desire to override the clear linguistic meaning with consideration of purpose (or consequences).

This article's theory of artifact nouns suggests a new and different interpretation. If the WWII truck is prohibited by the rule, it is not necessarily because people elevate the rule's purpose over its clear text (a text that includes all trucks). Instead, we suggest, the meaning of *vehicle* (i.e. the "text") is always specified by context. And the stated purpose of the rule is relevant context in understanding what *vehicle* means. In other words, people may be construing *vehicle* to exclude this non-functional truck because they understand the *in-context meaning* of vehicle to make relevant a vehicle's functionality—not because the rule's purpose overrides the common truck-inclusive meaning of vehicle.

Similarly, if bicycles are prohibited by the "no vehicles" rule in our hypothetical, it is not necessarily because the rule's purpose fills in gaps left open by its 'core' textual meaning, nor because considerations of purpose are weighed against the rule's plain text. These explanations presuppose that the text of the rule is sufficient to determine a linguistic interpretation, one which may be augmented or overridden by purposive considerations. But out of context, there is no complete interpretation of *vehicle* in "rules about vehicles" and hence no interpretation of such rules.¹²³ In our "no vehicles" hypothetical, text and purpose must jointly conspire to produce an interpretation: that is, purposive considerations resolve an indeterminacy in *vehicle* which is not

¹²³ Of course, someone asked, "Is a car a vehicle," with no other context, can provide an answer. And there is systematicity in such answers. More people will agree that a car is a vehicle than a baby stroller, even though both are (and are not) be vehicles in certain more specified contexts. *See, e.g. id.* However, there are multiple explanations available for this pattern, including that people respond to this question by endorsing their estimate of the most frequent contextual resolution of the indeterminate term *vehicle*.

otherwise resolvable in the provided context. This suggests that, at least insofar as artifact nouns are concerned, the ‘text/purpose dichotomy’ assumed by previous accounts offers an incomplete, and perhaps even misleading, starting point for theorizing about legal interpretation of artifact nouns.

Finally, we note a second important way in which ‘text’ and ‘purpose’ are complementary (rather than oppositional) notions when it comes to artifact noun interpretation. With artifact nouns, context can indicate the relevance of design (i.e. an object’s intended purpose) and functional potential (i.e. its possible purpose). These facts of meaning are relevant to the textual or linguistic analysis of artifact nouns. In this sense, purposive considerations are at the heart of artifact nouns meaning.

In concluding, let us return briefly to Hart and Fuller.¹²⁴ Hart claimed that for some cases (“easy” cases, in a core of settled meaning), no recourse to consideration of morals or purpose is necessary. Fuller claimed that purposive reasoning is needed in all cases. Although Hart and Fuller debated “legal interpretation” generally, their extended discussion concerned vehicles in the park; we limit our conclusions to that case and the class of interpretive problems centered on artifact nouns.

At first our theory might seem to provide new support for Fuller. We have argued that artifact nouns like *vehicle* are necessarily context-dependent. In other words, there is no “core of settled meaning” for the term *vehicle*. We always need to consider context to determine the term’s meaning.

However, our theory ultimately supports a view closer to Hart’s. In some cases in which it appears that purpose trumps text, what really occurs is that the (linguistic) context indicates the relevance of an artifact noun’s design or potential function. People may agree that a commemorative, non-functioning truck does not violate the rule “no vehicles may enter the park,” passed for the purpose of reducing park emissions. But this is not necessarily a

¹²⁴ Hart *supra* note.112; Fuller *supra* note 112.

demonstration of lay purposivism, in which people elevate a rule's purpose over its text. Instead, our theory posits, this is a demonstration of laypeople's sophisticated attention to context. That non-functioning truck is simply not within the contextual meaning of *vehicle*.

CONCLUSION

Extending a scholarly tradition at the intersection of law and linguistics,¹²⁵ this article employed linguistic theory and empirical methods to answer a question about the GCA's meaning—the question at the center of next term's *Garland v. VanDerStok*. The Supreme Court's decision will impact the regulation and accessibility of firearms across the country.

When it comes to artifact nouns, like *weapon*, *firearm*, *frame*, and *receiver*, context determines an interpretation by identifying the relevant essential facets of those nouns' ordinary meanings. We showed that this analysis has implications not only for the interpretational disputes in *VanDerStok* but for theories of statutory interpretation more generally.

We supported this theoretical analysis with new empirical data which demonstrates that ordinary Americans use and comprehend artifact nouns in a way that is both flexible and systematic. This article documents over one-hundred examples people describing weapon parts kits as “firearm,” “weapon,” “rifle,” and similar terms. It also presents an original survey experiment, supporting the same interpretation. These empirical findings support the broader analytical framework explored in this article.

The article has concrete practical implications for the Supreme Court's analysis of *VanDerStok*, a case which has profound implications for the regulation of “ghost guns” or “gun parts kits,” which have been involved in several mass shootings. The article's extended case study also has implications for

¹²⁵ See, e.g., LAWRENCE SOLAN, *THE LANGUAGE OF JUDGES* (University of Chicago Press 1993).

statutory interpretation practice, clarifying the interpretation of artifact nouns in many other cases, and theory; for example, the results illustrate how textualists should supplement the common “word sense disambiguation” paradigm. Finally, the results have broader implications for legal philosophy, providing a deeper explanation for a resolution between textualists and purposivists.

**APPENDIX: PLAUSIBLE REFERENCES TO A PARTS KIT
AS “FIREARM,” “WEAPON,” “RIFLE,” ETC. ON
CONSUMER WEBSITES**

#	Quoted sentence	URL
1	“For years Parts of AK 47 rifles have been imported as demilled AK47 Parts kits. They have been a fun and exciting way to enjoy Firearms”	Link
2	“This rifle is a great buy” [quoted in reviews]	Link
3	“do you want a pretty rifle, or an accurate, dependable, works every time don't care how it looks rifle? i LOVE my Maadi [an AK-47], especially since she stopped off in Croatia on the way to me, and i've been to the former yugoslavia.... so, connection... (i say Maadi, but really it was a Maadi shipped to Croatia, then cut up and i bought it as a parts kit, so really it's garage-made)”	Link
4	“If it's a bare receiver, it's not (currently) a firearm in MA.”	Link
5	The M+M M10X Defense Rifle Parts Kit in 7.62x39 is a testament to innovation and quality, delivering a firearm that excels in both form and function.	Link
6	It was easy to build and it shoots like a dream.	Link
7	Wonderful machine, easy to assemble. This was my first ar15 and I will definitely be building more! I say build don't buy! This rifle is very accurate and reliable for the very low price! I have	Link

	already upgraded a few things and will continue to do so. Shipping was fast. 100% recommended	
8	Functions great went to Together great love this new firearm would definitely purchase another one	Link
9	By mocking it up the fit and feel of the lower and upper is amazing! Looks great as well and will be a great addition to my armament. Can't wait to fire it!	Link
10	I love this gun. One of many that I have purchased. I installed an adjustable gas block, and it shoots so nice.	Link
11	Amazing time building this gun. Couldnt be more straight forward [image of fully assembled firearm was also attached to review]	Link
12	Perfect!! Last time I had a rifle like this was Nam . I'm 69 and got it for protection and to hand over to my son-in-law ! Will probably get another once the cookie jar has something other than cookies. Thank you all	Link
13	AR 15 rifle build kits offer firearm enthusiasts a comprehensive solution for assembling their own customized rifles. These AR Style kits provide all the necessary components to construct a fully functional firearm. Whether you're a seasoned shooter or a beginner, our kits provide everything you need to create a reliable and customized rifle. Explore our selection and start	Link

	building your perfect AR-15 rifle today.	
14	If it's a pistol you're after, you've come to the right place. We stock single shot, revolver, and semi-auto handgun parts kits that range from antique to the latest in conceal carry firearms.	Link
15	5.56 WBP headspaced kit: Just got mine built. Easy build, no issues with the parts kit at all. Mine was new parts, no markings on the trunnion, just WPB and the Polish eagle on the rear sight block. Everything pressed together smooth, no binding. Put 300 rounds through the gun first trip out to proof the build. Rounds feed good, ejection was consistent 20' away in the same spot. Well worth the money, half the cost of a factory built gun.	Link
16	1928 Thompson Parts Kit Many more kits on the way, expected in June / July '24. Sign up to be alerted when they're back! A classic firearm from the roaring '20s that is renowned across the globe. These saw service with police and military units since their inception and can still be found on the battlefields in Ukraine today! These kits come with a stripped buttstock, a newly manufactured foreend grip, a new .45 ACP finned barrel, and one 20-round magazine.	Link
17	Portuguese FMP HK21 Parts Kits	Link

	<p>Highly sought after HK21 parts kits are here! These are Portuguese manufactured HK21 parts kits produced by FMP under license from HK during the late 1960s and 70s. Widely used during the Colonial Wars in various countries across Africa, such as Angola and Mozambique. The HK21 is considered one of the very best modern general purpose machine guns and is often overlooked in favor of its more common counterparts, such as the PKM and MAG58/M240. These are fresh to the market and will not be around long.</p>	
18	<p>These MG-42/59 kits are the finest in availability, past present and future with countless hours invested in demilling the weapons by an expert team from halfway around the world. Disassembled down to the receiver, even the rivets holding the inner rails were removed to ultimately avoid unnecessary destruction when torch cutting the receiver per ATF specs. Speaking of rails, you will find absolutely zero witness marks because as the title says, these are N.O.S and never used.</p> <p>The popularity and respect for these weapons by the U.A can be seen in photos/media and It has quickly become a symbol of NATO fighting power. These are not replaceable, ALL available units from Italy were sold to Ukraine. We have elected to show photos of the weapons in current use to highlight that there will be no 2nd</p>	link

	opportunity to purchase these. It's as good as it gets.	
19	I'm honestly impressed. For the price point, you can't beat this rifle. . .	Link
20	Well I picked up this kit since everything else is sold out and figured it isn't a huge loss if the gun's a ****, well it isn't, at \$650 this rifle shoots literally as good as a Smith Wesson and has the same setup with a 15" rail, I love this thing, went together easy and the trigger feels smooth, zero problems with feeding and eating any ammo tried steel case and it ran just fine, very pleased with 80-Lower rifle and it actually shipped quick with the right parts!!!! which is something no one else seems to be capable of doing today	Link
21	Introducing the Tiger Rock AR-15 Robins Egg Blue 5" Complete Pistol Kit – where style meets precision in a compact and powerful package. This exceptional firearm combines cutting-edge design with top-notch performance, making it a standout choice for enthusiasts and professionals alike.	Link
22	Introducing the AR-40 4.5" MOD1 Billet Upper Receiver Pistol Build Kit, a powerful and compact firearm designed to deliver outstanding performance in the dynamic world of pistol builds.	Link
23	Tiger Rock AR-15 Enhanced Flat Dark Earth Rifle Kit with a 10" Handguard, a precision-	Link

	<p>engineered firearm designed for optimal performance and durability. This rifle kit boasts an array of premium features, all meticulously crafted in the USA, providing you with a reliable and accurate shooting experience.</p> <p>Invest in the Tiger Rock AR-15 Enhanced Flat Dark Earth Rifle Kit for a premium, USA-made firearm that combines performance, durability, and aesthetics for an unparalleled shooting experience.</p>	
24	<p>When I ordered this I didn't think I would get it so quickly, with all of the global supply issues. I had it within a couple of days. The kit came with quality parts, and with the upper completely built it made assembly easy. The gun shoots really well and am happy with the product.</p>	Link
25	<p>Introducing the 16" AR-15 Rifle Kit with 15" Slim Keymod with 80% Lower Receiver – Titanium Blue; the perfect addition to your collection! This rifle has many of the features you'd expect from a higher-end model, like a .223/5.56 M4 Feed Ramp and 1:7-barrel twist.</p>	Link
26	<p>Looking for a little more firepower in your life? Say hello to the 16" Flat Dark Earth Rifle Kit 5.56 with 12" Keymod. This powerful rifle comes equipped with an M4 Feed Ramp, a 1×7 barrel twist, and a 1/2×28 thread, making it perfect for taking down even the</p>	Link

	most tough targets. And with its 4150 Chrome Moly barrel, you can be sure that this rifle means business. Plus, the 12" Slim Flat Dark Earth Keymod handguard provides a sturdy grip while also looking incredibly badass. So if you're ready to take your shooting skills to the next level, grab this rifle kit and get ready to rock.	
27	My friend wants to buy exact same kit and do exactly what I did. It's a sweet little gun. And it shoots a very inexpensive common round	Link
28	Solid rifle but I would change a couple things. Excellent price!	Link
29	Great rifle, great value. I really don't know why it's a blemished rifle. Maybe very minor scratches on the dust cover. Mine shoots very well. No complaints from me.	Link
30	Great working rifle at a great price, not sure why it was called a blem.	Link
31	Awesome rifle...great price...fast shipping!! I am very satisfied!!	Link
32	Great rifle for the price!	Link
33	I love this weapon. Its fun to play with and I believe this rifle will last...solid work PSA dont change anything your doing	Link
34	I have built several of these, and all have been very good, they call them blemished but you have to really look to find a blimish. Never had any kind of trouble they function as they should and no	Link

	problem with holding a good predictable pattern down range. Very good weapon for the money !!	
35	Great price and great weapon. Bore sighted out of the box and round hitting the target. First time shooting with it yesterday. First rifle I ever out [sic] together. Totally worth it. If you are nervous about it, PSA has a video that walks you through the lower receiver assembly. Very easy. Even if you haven't done it for 20+ years 🤔	Link
36	I Bought This Rifle Kit, And Stuffed An Anderson Lower With Kit Parts. I Went Out To Shoot It Yesterday, And It Ran Like A Top. I Put 90 Rounds Through It Right Off. No Problem! I Had Not One Malfunction, Or Anything Wierd Happening. Can't Wait To Save Up For Their 300 Blk Out Kit. If It Works As Good As This Rifle, MY HAT'S OFF TO THEM! Hell Yeah, I Would Recommend Buying This Weapon!	Link
37	I noticed this rifle has no forward assist. Has any owner encountered a problem where a forward assist would've been useful? In my 9 years of service in the USMC I recall hitting the FA with every mag change out of habit, not really paying attention if it ever helped. Any answers will be greatly appreciated. Thanks.	Link
38	Can I put a scope on this gun?	Link
39	Tiger Rock AR-15 Enhanced Robins Egg Blue Pistol Kit - a	Link

	compact and powerful firearm designed for performance and style. Crafted with precision in the USA, this kit combines the reliability of the AR-15 platform with a distinctive Robins Egg Blue finish for a unique and eye-catching look.	
40	AR-15 5.56 NATO 5" Gold Polished BCG Pistol Kit – a precision-engineered firearm designed for optimal performance and aesthetic appeal. Crafted with superior materials and meticulous attention to detail, this pistol kit delivers a seamless fusion of style and functionality, making it a standout choice for enthusiasts and professionals alike.	Link
41	Great gun, great shipping, just a great company to do business with!	Link
42	Got this for the wife, was highly impressed with the quality. I toted one around for 20 years, you'd be hard pressed to find differences between a colt and this firearm, minus the pink color and not stamped .. very tight specs feels remarkably solid.	Link
43	Ordered the kit was less than a week to arrive went together flawlessly looks amazing shoots even better no problems at all. My rifle performs flawless 100+ rounds and counting, thanks Moriarti for giving us a quality rifle at a great price that we can be proud of.. looking forward to my next build, keep up the good work!	Link

44	You cannot beat this rifle for the money. I've built about 15 or so of these and never had a complaint on any of them. Just giving to my family as gifts you know.	Link
45	Excellent weapon. Very easy to assemble. Can't wait to get out and shoot this on the gun range.	Link
46	The weapon went together quickly and easily. I took it to the next SWAT training session and it ran all day with no issues.	Link
47	Outstanding! A great value and a great weapon! Assembles pretty easy, I would recommend it for anyone who is interested in making their first build.	Link
48	The kit was complete and easy to assemble. The components all appear to be high quality. I assembled the rifle in about an hour while taking my time. It shoots great.	Link
49	Easy to assemble and shoots great. Beginners should not shy away from assembling one of these fine weapons. Plenty of content on the Web to assist a newbie, like me.	Link
50	Where do I begin. I'm so excited about my purchase this is my first AR-15 I was literally a handgun guy before this pandemic happened so I figured I should definitely get into rifles. After searching around I decided to build one for my first one. And after going to several websites I decided to buy from dunkin' tactical. Although it took a month	Link

	I am very happy with my purchase. The gun looks great it shoots well.	
51	Get ready to rock and roll with the brand new 16" AR-15 Rifle Kit with 15" Slim Keymod and 80% Lower Receiver – Burnt Bronze! Not only does it look great, thanks to its stylish burnt bronze color, but it's also the perfect firearm for any shooter.	Link
52	The trigger breaks pretty light for stock. Not like other heavy stock triggers. I'm happy with my purchase and I will buy another kit from daytona again. Thanks for my first AR!	Link
53	When I purchased this rifle I wasn't expecting a whole lot, considering how cheap it was. Boy was I surprised. After completing my build took it out back and ran a couple of boxes of ammo thru the gun, I used three different brands. Was very smooth action, nice crisp trigger. The rifle is just a bit on the heavy side at 12 pounds, but that actually helped with the recoil. There was virtually no recoil which was really nice considering the calibre. I had a 1 1/4 inch group at 200 yards. No problems with any aspect of this rifle. Will be recommending this kit to anyone that asks.	Link
54	Looking for a powerful and reliable rifle? Then check out our 16" 308 Rifle Kit! This amazing rifle is perfect for shooting .308 and 7.62x51, with a 1x10 twist and 5/8 x 24 barrel thread. The barrel is	Link

	made of high-quality 4150 nitride-finished steel, and the gas block is a low-profile .75 design. The upper receiver is flat-top, and the bolt carrier group is .308 Phosphate. The charging handle is included, as well as the lower part kit. So don't wait any longer, order your very own 16" 308 Rifle Kit today!	
55	The quality of manufacture on offer here can't be overstated; every single part on this 18" 308 Rifle Kit has been made in the USA for unbeatable reliability. This is your go-to firearm when precision matters most – get yours now!	Link
56	Great first rifle. I didn't want to spend too much money on a first rifle. It looks good for the price. Easy to build as well except those damn pins. No problem shooting steel 223 or 5.56 brass ammo. I love the customization of this rifle. I'll be sure to check out psa for all future purchases	Link
57	I bought this rifle (My second build with Palmetto State Armory) and all I can say is wow! Palmetto State Armory hit it out of the park again! The rifle was shipped within a week and all of the components were perfect!	Link
58	The kit arrived promptly following the change and it was awesome. Great packaging, great selection, great people, and great price. The only thing that could have been better was adding an end cap as an option because I forgot about it. It	Link

	would stiffen up the hand guard a little. I will be back for another AR from this site.	
59	The kit came in as advertised. Great inexpensive rifle.	Link
60	Nice little rifle – went together easy and shoots well. Minor build problem – I could not get the hammer pin past the j spring on the hammer. Research indicated that this was a manufacturers problem. Contacted Daytona Tactical and they immediately shipped me a new hammer. Problem solved. Very satisfied.	Link
61	The 10.5" 7.62×39 Pistol Kit Upper Assembled 10" Keymod NO Lower is here to give you the best shooting experience possible! This firearm is perfect for anyone looking to add some power and extra stability while enjoying a reliable and accurate shot-off. It's made with only the highest quality parts. Like the 4150 Chrome Moly Nitride Finish Processed barrel and 7.62 x 39 Bolt Carrier Group. So you can depend on it every step of the way.	Link
62	Introducing the 18" 308 Rifle Kit with 15" Free Float Keymod Rail – for the professional and recreational shooter alike. Whether you're looking for top-of-the-line performance or simply a reliable shooting companion, this kit is here to deliver.	Link

	<p>Chambered in .308, this rifle is capable of shooting both .308 and 7.62×51 rounds with its 1×10 twist barrel. The barrel itself is made from 4150 Chrome Moly steel with black nitride finish, while the flash hider at the end is an A2. And keeping your barrel safe is a robust 15" Free Float Keymod rail handguard, with a low profile gas block at the base providing accurate fire control.</p>	
63	<p>This was a very nice kit for the price. I have wanted a pistol for a very long time. This was perfect.</p>	Link
64	<p>I have gotten three of these kits two of them with the barrel supplied by arms of America kids went together flawlessly everything fit pretty good minor massaging. Absolutely wonderful firearms</p>	Link
65	<p>Great price and great rifle. Easy to assemble and fun to shoot. If you are looking for a great beginner rifle this is it.</p>	Link
66	<p>This was my first PSA rifle. It's a great rifle. There is a noticeable difference in the fit and finish quality between the PSA freedom line and a BCM but, there is a noticeable difference in price as well. The PSA's performance greatly exceeded my expectations. Because of how well this rifle performed I now own multiple PSA rifles, each of which are outstanding products.</p>	Link
67	<p>Got this about 3 months ago. Not sure how many rounds I've fired</p>	Link

	<p>through it but it has done great. I've heard it didn't like the cheap steel case ammo, so I had to try it myself and it took every type of ammo I fed it. It was easy to put together, but seemed to get a little harder the more I drank but I got er done with no problems. I would certainly recommend this rifle.</p>	
68	<p>Not only does this superior rifle boasts brilliant credentials in terms of engineering excellence – but it also comes complete with a Magpul Moe Carbine Stock – offering great customizability for both beginners and experienced shooters alike! The lower build kit features an incredible Ar-15 Mil-Spec lower parts kit to ensure smooth operation, with added comfort through its Magpul Moe pistol grip and acquired military style straight trigger guard.</p> <p>Be confident in the tremendous strength and reliability of the Magpul Rifle Kit 15” Keymod Assembled NO 80% Lower. When absolute precision meets creative design—you know you have yourself a top-quality rifle collection!</p>	Link
69	<p>Introducing the OD Green 16” Rifle Kit 5.56 15” Slim Keymod with Lower! This sleek, professional kit is perfect for your next adventure. Featuring a .223/5.56 M4 Feed Ramp and a 1 × 7 Twist barrel, you can trust this rifle will get the job done. And with an A2 Flash Hider and .750 Low Profile gas block attached to its OD</p>	Link

	Green M4 Flat-top Upper 7075 T6, your target won't know what hit them. Plus, it includes a Mil-Spec Bolt/Carrier Assy and starts laughing when you pull the trigger – but don't worry – it's just our friendly reminder that this rifle is made in the USA!	
70	Discover the ultimate in firearms with the Blue Titanium 16" Rifle Kit 5.56 12" House M-LOK. This meticulously crafted rifle boasts premium features like a .223 / 5.56 M4 Feed Ramp chamber, Nitride-processed 4150 Chrome Moly barrel, and a 1×7 twist rate for unmatched accuracy.	Link
71	When you need the best AR-15 rifle available, look no further than this Blue Titanium 16" Rifle Kit 5.56 12" House M-LOK. Designed and manufactured with an obsessive attention to detail, this rugged and dependable weapon is perfect for the professional gun owner or enthusiast.	Link
72	The Flat Dark Earth 16" Rifle Kit 5.56 12" House M-LOK is proudly Made in the USA—a showcase of American expertise in quality gun manufacturing that goes above and beyond even exceptional standards. With its impressive professional security features, unbeatable accuracy and reliability, as well as its stunning aesthetics—all wrapped up into one incredible package—this weapon is sure to be your go-to choice for all your shooting needs!	Link

73	<p>Introducing the OD Green 16" Rifle Kit 556 12" House M-LOK, the perfect equivalent to an AR-15 in appearance and performance. With advanced features like a durable 4150 Chrome Moly/Nitride Processed Barrel and A2 Flash Hider adding precision and accuracy to every shot while keeping hot gasses away from your face, this rifle is everything you need for advanced target shooting and hunting. Not only is this rifle engineered for optimal accuracy, but it also looks great too with its striking OD Green finish!</p>	Link
74	<p>Introducing the Purple 16" Rifle Kit 12" House Keymod AR-15 from Daytona Tactical. Get ready to be the envy of the zombie apocalypse with this unique and powerful rifle!</p>	Link
75	<p>Discover the iconic 16" Burnt Bronze Rifle Kit 5.56 from House Keymod, a stylish and versatile firearm made in the USA.</p> <p>Are you in the market for a unique and stylish rifle? Look no further than this iconic sixteen-inch Burnt Bronze rifle kit from House Keymod! Crafted in the USA from durable 7075 T-6 aluminum, this beautiful rifle comes with a .223 / 5.56 M4 feed ramp chamber for firing both .223 and 5.56 rounds and features an impressive twist rate of 1×7. With its 4150 chrome moly/nitride processed barrel and accompanying A2 flash hider, this is one well-rounded piece of weaponry.</p>	Link

76	IMI UZI Rifle Parts kit imported from Israel. These are the real deal Israeli military surplus rifles used by their defense forces.	Link
77	<p>When you need the best AR-15 rifle available, look no further than this Blue Titanium 16" Rifle Kit 5.56 15" House M-LOK. Designed and manufactured with an obsessive attention to detail, this rugged and dependable weapon is perfect for the professional gun owner or enthusiast.</p> <p>Every part of this rifle has been created from only the finest materials, including a .223 / 5.56 M4 Feed Ramp chamber, 4150 Chrome Moly barrel steel that's undergone Nitride processing for added durability and improved accuracy, a 1 × 7 Twist configuration for stability, and a robust A2 Flash Hider.</p>	Link
78	Introducing the 7.5" 5.56 Flat Dark Earth Pistol Kit House Keymod – a unique and professional-grade pistol that has all Made In America components, giving you top-notch craftsmanship and quality. Additionally, it sports a 7 1/2" M4 Feed Ramp Nitride 1×7 barrel and is perfect for those who need an American-made firearm with superior reliability and accuracy	Link
79	Introducing the exceptional Ghost Firearms Elite 16" .300 Blackout Rifle Kit – Blue Titanium Cerakote Finish! Perfect for	Link

	enthusiasts looking for precision and accuracy in their next firearm.	
80	<p>The Anderson A4 CARBINE 5.56 Rifle Kit is the perfect choice for a reliable and powerful rifle. This rifle features an Anderson 16" barrel, chambered in 5.56/.223, and equipped with a front sight base. It also has the iconic clamshell handguards, A2 flash hider and A2 pistol grip.</p> <p>Also, this rifle built on an Anderson's Forged Upper and Lower Receiver, and all parts are installed on-site by the Anderson Assembly Team</p>	Link
81	Great shooting little kit Easily assembled Went together really well shoot great swapped out baffle tube for brace excellent gun good quality affordability was awesome I already ordered my second maybe even a third	Link
82	<p>Sweet set up It's a good starter AR and for the cost and a good platform to build on Joshua H VERIFIED PURCHASER Purchased on May 10, 2018</p>	Link
83	Beautiful rifle, and most of all its accurate. I've put over 1,000 rounds through it without any failure to feed or eject. Next thing I need is a binary trigger and I'll be super happy!	Link
84	It's a great first AR to build. It comes with everything you need except a lower receiver so it can be	Link

	shipped right to your house. The rifle is accurate and I had no jams, failure to feed, or eject after the 20 round break in period.	
85	The take-down and pivot pins are a little sticky, but after working them a few times, they are starting to operate better. The assembly instructions are easy to follow, although the terminology of which pin is which is incorrect. I've not fired this rifle yet, but everything looks well made. The buttstock came with some burrs at the front, which appears to have come from some very rough handling. I can file the burrs down and smooth it some, but I don't understand how that tough plastic was damaged in that manner. No other damage that I've noticed so far.	Link
86	Question: will this gun shoot 223?	Link
87	Excellent everything arrived on time and gun shoots great	Link
88	Fantastic Bang for Your Buck: A Solid Rifle This rifle give you some serious bang for your buck. It is amazingly light, at 4.5-5 pounds. It's really fun to shoot, and the Magpul MBUS sights are definitely well constructed. The Magpul stock is very comfortable; its probably one of my favorite parts of this kit. That is, other than the super light 13.5" hand guard. The hand guard also has a full picatinny rail on the top, so you can add just about any attachment you want later. Overall, I am very happy with my	Link

	<p>purchase, and I would get another one just like it.</p> <p>Alexander H VERIFIED PURCHASER Purchased on Mar 5, 2024</p>	
89	<p>Quick processing and shipping. Smooth firing rifle. Just scored a EOTECH red dot to slap on it.</p>	Link
90	<p>Would definitely buy again Great starter kit. Never touched a rifle until this. Buying a kit was a great way to understand the inner workings.</p> <p>Scott F.</p>	Link
91	<p>Great kit Since I bought this kit I have bought several more AR's. This one by far is still my go to range rifle as it is nails at 200 yards.</p> <p>Scott B VERIFIED PURCHASER</p>	Link
92	<p>Very good gun and did not jam. The gun is amazing for the price, I have zero complaints. I used an aero precision lower, and everything fit perfect.</p> <p>Alexis L</p>	Link
93	<p>Kevin J. Verified Buyer United States Too good of a deal to pass on. Works great! This rifle is a great buy. The price is very fair and it fits together nicely.</p>	Link
94	<p>Got second at a CMP match and I only spent \$400 on my rifle.</p>	Link
95	<p>So far so good! Shoots great, this was the first 4 rounds out of the</p>	Link

	gun during sight in. Mild recoil and functioned flawlessly	
96	Good quality , very accurate rifle	Link
97	The weapon is a \$500 weapon and if there is any expectations that this AR is of the same quality as a 'high-end' AR-15 is reaching. For a \$500 weapon I am very pleased with it and in fact I ordered a second TacFire AR-15 5.56 Complete Upper receiver w/Pistol Lower Parts Kit that will be delivered in a couple days. I expect this second order will be as satisfactory as the first.	Link
98	Always wanted a 20 inch ar and finally got one at a sweet deal havent shot it yet but it's ready for the range this weekend.	Link
99	Love this rifle, just been waiting 3 years for a 516447015. Been wanting to build one of those.	Link
100	I love this rifle. This was my first assembly but it won't be my last. I used an Anderson lower. It runs flawlessly.	Link
101	Very nice rifle for the money. This is the second kit I have gotten from Palmetto with no complaints. Planning on buying another.	Link
102	Shoots great and parts fit well. I really like this rifle. Only issue i had was a slightly canted front sight which required the rear sight to be adjusted all the way to the left to get on paper.	Link

103	This is one of my favorite AR15's. This kit was easy to assemble. I added a carry handle. Pretty good accuracy out of the box.	Link
104	Great rifle and for the money can't get a better deal, shoot a great and everyone should buy one	Link
105	This was my fourth AR15 build and my second Del-ton kit. Del-ton makes great rifles and this was no exception.	Link
106	Invest in excellence with the Tiger Rock AR-15 Burnt Bronze 5" Complete Pistol Kit – a versatile, reliable, and aesthetically pleasing firearm that stands out in both performance and style. Upgrade your shooting experience today with this exceptional AR-15 pistol kit.	Link
107	Awesome rifle kit! Once it was built I took it to the range and it ran with no problems! I love it! Would recommend it to anyone interested in a good quality budget rifle!	Link
108	CBC AR rifle kits present you with an opportunity to acquire an AR rifle at a discounted price by enabling you to take on the assembly process yourself. We provide a versatile selection of AR rifle kits in multiple platforms and configurations ranging from AR-15 to AR-10 and AR-9 options.	Link
109	Affordable AR-15: Palmetto State Armory Freedom Rifle Kit	Link

	Times have certainly changed, and nothing showcases that change quite like the Palmetto State Armory Freedom Rifle Kit. . . . What purpose does a gun like the budget PSA Freedom Rifle serve? It's a great shooter.	
110	Purchased this kit last year about this time, everything looked great, the parts fit my Aero receiver without any issue and the rifle has not had a single malfunction. Accuracy is just the same as my factory S&W, Bushmaster and DSA, I will recommend this to anyone who is looking to get a good rifle on a budget.	Link
111	This rifle feels extremely solid. The over all weight and feel/function and balance even with an optic set and light, is phenomenal. I will be building another one as my parts come in. Aside from the mods I personally install for ambi functions, PSA is making quality tools that we can all get on board with. 300 BLK coming soon and I'll be using the PSA 15TH ANNIVERSARY SPREADING FREEDOM lower frame. I will add that upper reciever/lower reciever interface are clean, tight and rattle free.	Link
112	awesome gun . me and my son love it . good quality for a good price.	Link
113	Absolutely a great rifle!!! No issues at all.	Link
114	Great gun for the money. No issues at 500 rounds.	Link

115	Great gun for a starter. Of course it doesn't have the chrome lined barrel or bolt carrier at this price. Shoots great and goes boom every time. No FTF, FTE, etc.	Link
116	Love it, paired on my 80%. Great gun two of my friends bought it as well	Link
117	Excellent AR at a really good price. Fast shipping too.	Link
118	This was my first AR build. The kit came with color coded bags of all the parts needed.	Link
119	100% complete and fully functional!	Link
120	My new rifle is exactly what I wanted . Small, compact , ready to rock and roll.	Link
121	Purchased this rifle. The assembly was a learning experience since this was my first build. Parts were good quality and it shoots great. Ready for another build.	Link
122	Great weapon made from quality materials. Highly recommend Moriarti for anyone needing a quality weapon at an affordable price and its American made!	Link
123	Excellent rifle for the money. The quality of the components are surprising for the cash outlay. One of the best deals in the industry!	Link
124	Good quality solid gun.	Link
125	It's a perfect gun if you're not looking to spend an arm and a leg on one. The upgrades are endless.	Link

	Fast shipping and everything was packaged nicely. Will be buying from them again.	
126	Awesome firearm. Accurate enough for me	Link
127	Great gun for the price. Bought some pop up sights and red dot scope to compliment gun. Will purchase from this company again.	Link
128	Great rifle. Had to adjust for target ammo. Shot hunting loads good.	Link
129	This is a smooth and accurately shooting gun. I have several Durkin builds, and have recommened to others. This one, however, has one major downfall...the magazine. You will need to invest in a 7.62×39 AR mag. If yo do not, it will jam, not feed, or load rounds sideways. I purchased several ASC mags, and it fixed the problem. Plus the banana clip looks bad-ass.	Link
130	nice compact truck gun. fires flawlessly. fire blast is not any worst than the 7.5in 5.56 ar kit I also bought from durkin as well. fast delivery and it fits in a backpack!! I'm in love!!	Link
131	I love my new rifle.	Link
132	This is my rifle, there are many like it but this one is mine!	Link
133	havnt fired the gun yet but it went together easily and looks very nice	Link

134	Purchased the shockwave upper and it is a great little gun!	Link
135	This was my first build, the rifle went together without much difficulty and operated without malfunction from the first test firing.	Link
136	Love this set up absolutely great gun	Link
137	This kit comes with everything you need to get on the range besides a lower receiver. It is a great option if you are in the market for a new rifle but would also like to learn a little bit about the inner parts and components.	Link