

The Trump Administration is about to allow worldwide online access to data files that enable 3D printing of untraceable, undetectable guns.

- In 2012, Cody Wilson created a non-profit called “Defense Distributed,” and less than one year later, published files for free download online that would enable an average citizen to manufacture a firearm and numerous other gun parts with the assistance of a 3D printer. Approximately 6 months later, the U.S. State Department contacted Wilson and informed him that his company may have violated export regulations.
- In 2015, Wilson and Defense Distributed filed suit against the State Department for blocking his online distribution of data files. The government argued that these blueprints were regulated under export regulations that are specifically crafted to protect national security, foreign policy, and anti-terrorism interests. Wilson, however, argued that the government had breached both his First and Second Amendment rights by asking him to remove the blueprints, and believes his right to share “especially speech concerning fundamental constitutional rights” is protected.
- As late as April of this year, the State department emphasized that the release of 3D blueprints would directly threaten the United States’ national security, and put its citizens at risk of grave danger should these plans fall into the hands of those seeking to hurt Americans. Despite making these impassioned pleas to the court, the government suddenly reversed course and reached a settlement in this case.
- While this litigation was pending, Brady filed what’s known as an amicus curiae (or literally “friend of the court”) brief, arguing that the government acted within its authority to require Defense Distributed to obtain an export license in order to publish files that would be available world-wide, and emphasizing that the Second Amendment in no way protects the manufacture and export of firearms.
- Apparently as part of the settlement, the Trump Administration released a proposed change to the regulation of U.S. firearms exports that would essentially transfer oversight from the State Department to the Commerce Department. This would shift oversight from the department whose purpose is to protect American citizens abroad and promote regional stability to the department whose purpose is to increase American exports (Brady filed comments in opposition to this new rule). The government did not previously disclose that this change was part of the settlement with Defense Distributed.

- 3D printing of firearms would allow anyone - at home or abroad - to manufacture their own firearms without a criminal background check, and completely outside the current licensed dealer system. The federal loophole that enables individuals to purchase guns in private transactions without a background check (accounting for 1 in 5 gun sales today) is already far too large. Disseminating blueprints for 3D printed guns would radically increase the availability of firearms to dangerous individuals like felons, terrorists, domestic violence abusers or fugitives to easily bypass a system that attempts to prevent them from buying or owning guns and ammunition.
- 3D printed guns are also uniquely dangerous due to their absence of a serial number, which law enforcement uses to track guns used in crimes.
- Additionally, these firearms can be entirely printed in plastic, enabling them to go undetected by metal detectors in otherwise secure and sensitive areas like government buildings or airports.
- Regardless of these risks and the fact that the government had won important arguments at both the trial court and on appeal, Trump's State Department announced a settlement with Defense Distributed, which would allow them to post these blueprints online on or before August 1.
- In response, Brady, along with other prominent gun violence prevention organizations, Everytown for Gun Safety and Giffords Law Center to Prevent Gun Violence, [filed a joint letter](#) with the court. Our coalition, represented by the firm Blank Rome, will be [filing legal action](#) in the coming days.

The Related Emerging Threat of Untraceable "Ghost Guns"

- The decision to allow online distribution of 3D gun blueprints highlights a related problem: the [growing problem](#) of "ghost guns," which also undermines the federal background check system and other laws that govern the manufacture and sale of guns.
- "Ghost guns" are firearms without serial numbers that enable gun owners to bypass purchasing and manufacturing restrictions because they are sold in pieces that an individual must assemble themselves. They are built using partial receivers, which can be purchased without background checks and then manually completed.
- Similar to 3D printed guns, when "ghost guns" are used to commit crimes, they are very difficult for law enforcement to trace due to their lack of serial number.
- "Ghost guns" are already popular among prohibited purchasers including domestic abusers and other violent criminals, who are otherwise unable to pass federal and state background

checks. This problem ultimately allows lethal weapons to come into the possession of dangerous people.

- Only California has passed legislation regulating ghost guns, but ghost guns still play an increasingly large role in firearm-related crime across the United States. The State Department's decision regarding 3D printed guns will intensify the ghost gun problem by enabling prohibited purchasers and others to more easily manually complete partial receivers.
- Ghost guns have been used to commit many violent crimes in recent years, including five murders in Northern California in November 2017 and the massacre at Santa Monica College in June 2013.