

Bill Nelson

115TH CONGRESS
2D SESSION

S. _____

To amend chapter 44 of title 18, United States Code, to prohibit the publication of 3D printer plans for the printing of firearms, and for other purposes.

IN THE SENATE OF THE UNITED STATES

for himself and Mr. Schumer, Mrs. Feinstein,

Mr. NELSON introduced the following bill; which was read twice and referred to the Committee on _____

Mr. Blumenthal
Mr. Markey
Mr. Menendez
Mr. Van Hollen
Mr. Brown
Ms. Klobuchar
Ms. Murray
Mr. Murphy
Mr. Reed
Mr. Booker
Mr. Schatz
Mr. Casey
Ms. Hirono
Mr. Kaine
Ms. Harris
Ms. Gillibrand
Mr. Leahy
Mr. Carper
Ms. Smith

A BILL

To amend chapter 44 of title 18, United States Code, to prohibit the publication of 3D printer plans for the printing of firearms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "3D Printed Gun Safety
5 Act of 2018".

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Three dimensional, or "3D" printing, in-
9 volves the programming of a 3D printing machine

1 with a computer file that provides the schematics for
2 the item to be printed.

3 (2) Recent technological developments have al-
4 lowed for the 3D printing of firearms and firearm
5 parts, including parts made out of plastic, by unli-
6 censed individuals in possession of relatively inexpen-
7 sive 3D printers.

8 (3) Because 3D printing allows individuals to
9 make their own firearms out of plastic, they may be
10 able to evade detection by metal detectors at security
11 checkpoints, increasing the risk that a firearm will
12 be used to perpetrate violence on an airplane or
13 other area where people congregate.

14 (4) The availability of online schematics for the
15 3D printing of firearms and firearm parts increases
16 the risk that dangerous people, including felons, do-
17 mestic abusers, and other people prohibited from
18 possessing firearms under Federal law, will obtain a
19 firearm through 3D printing.

20 (5) On June 7, 2013, an assailant used a gun
21 he had constructed by himself to kill his father,
22 brother, and 3 other people at Santa Monica College
23 in California. The person had failed a background
24 check when he tried to purchase a gun from a li-
25 censed gun dealer. The gun he used was made from

1 an unfinished AR-15-style receiver, similar to a re-
2 ceiver that can now be made with a 3D printer.

3 (6) Firearms tracing is a powerful investigative
4 tool. When law enforcement agencies recover fire-
5 arms that have been used in crimes, the agencies
6 work with the Bureau of Alcohol, Tobacco, Fire-
7 arms, and Explosives to trace these firearms to their
8 first retail purchaser. The agencies can use that in-
9 formation to investigate and solve the crimes. In
10 2017 alone, the Bureau of Alcohol, Tobacco, Fire-
11 arms, and Explosives conducted 408,000 traces.

12 (7) Firearms tracing depends on the ability to
13 identify firearms based on their serial number. Tra-
14 ditionally, when a firearm is manufactured domesti-
15 cally or imported from abroad, it is engraved with
16 a serial number and markings that identify the man-
17 ufacturer or importer, make, model, and caliber, and
18 are unique to the firearm. Firearms made by unli-
19 censed individuals with 3D printers, however, do not
20 contain genuine serial numbers.

21 (8) Criminals seek firearms without serial num-
22 bers because they cannot be traced. In July 2018,
23 the Los Angeles Police Department completed a 6-
24 month-long investigation that resulted in the seizure
25 of 45 firearms, some of which had been assembled

1 without serial numbers in order to be untraceable. If
2 the schematics for 3D printing firearms and firearm
3 parts are available online, people intending to com-
4 mit gun crimes may create similarly untraceable
5 firearms in order to avoid accountability for these
6 crimes.

7 (9) Interstate gun trafficking, including the
8 trafficking of untraceable firearms, interferes with
9 lawful commerce in firearms and significantly con-
10 tributes to gun crime. Of the 211,384 firearms
11 traced by the Bureau of Alcohol, Tobacco, Firearms,
12 and Explosives in 2016, 60,936 of those firearms
13 were originally sold by a licensed firearms dealer in
14 a state other than the state where they were recov-
15 ered. These guns made up 28.8 percent of all fire-
16 arm recoveries in 2016.

17 (10) The proliferation of 3D-printed firearms
18 threatens to undermine the entire Federal firearms
19 regulatory scheme and to endanger public safety and
20 national security. By making illegal the publication
21 of certain computer code that can be used automati-
22 cally to program 3D printers and create firearms—
23 the only means of combating this unique threat —Con-
24 gress seeks not to regulate the rights of computer
25 programmers under the First Amendment to the

1 Constitution of the United States, but rather to curb
2 the pernicious effects of untraceable—and poten-
3 tially undetectable—firearms.

4 **SEC. 3. PROHIBITION.**

5 Section 922 of title 18, United States Code, is
6 amended by adding at the end the following:

7 “(aa) It shall be unlawful for any person to inten-
8 tionally publish, over the Internet or by means of the
9 World Wide Web, digital instructions in the form of Com-
10 puter Aided Design files or other code that can automati-
11 cally program a 3-dimensional printer or similar device to
12 produce a firearm or complete a firearm from an unfin-
13 ished frame or receiver.”.