



THE UNTRACEABLE FIREARMS ACT OF 2020

Background:

Ghost guns – often constructed from gun-making kits purchased online or completed using 3D-printing technology – are not legally required, under existing federal law, to have a serial number or any other form of identification or registration, nor are they subject to licensing and background check requirements. That is what renders them untraceable.

The purchase and sale of these kits and, for example, 3D-printer blueprints, allow anyone, including convicted felons, domestic abusers, and terrorists, among other “prohibited persons” to get their hands on a firearm—legally—even if it means they have to build it themselves. When anyone can make a gun in their home with no background check, no serial number, and no requirement that the firearm be detectable, no public space is safe.

Problem:

In addition to the problems inherent in built-it-yourself untraceable firearms, the public health and economic crises caused by COVID-19 have spurred an increase in the demand for and sale of ghost guns. *Vice News* reported in March that “Americans have flocked to gun stores across the country to stock up on ammo and firearms” amid fears over COVID-19 and economic concerns.¹ Business is reportedly “booming for the [do-it-yourself] ‘ghost gun’ industry.”² On May 10, *60 Minutes* ran a segment on ghost guns, highlighting that “[a]s the coronavirus pandemic sweeps the country, panic and fear have caused a run on . . . guns,” including ghost guns.³

The public health and economic challenges that we face due to COVID-19 are great, and as we continue to make massive investments to meet this historic crisis, we must also respond to the related and mounting threat to public safety posed by rising sales of ghost guns.

Proposal:

The Untraceable Firearms Act, by amending the statutory definition of “firearm” and adding a statutory definition for “frame or receiver,” would subject gun-kit manufacturers, distributors, sellers, and buyers to the exact same federal regulations that govern the manufacture, distribution, sale, and purchase of completed firearms, including licensing, serialization, and background check requirements. In doing so, this legislation would close the loopholes that have allowed prohibited persons to obtain firearms while, at the same time, ensuring that these firearms are, in fact, serialized and therefore traceable. It would also prohibit the manufacture, sale, possession, transfer, purchase, or receipt of these untraceable firearms. This bill further prohibits firearms that can be easily modified to pass through security screening undetected.

Original Cosponsors: Senators Casey, Feinstein, Gillibrand, Harris, Hirono, Klobuchar, Markey, Menendez, Murphy, Reed, Schumer, Van Hollen, Warren, and Whitehouse.

Supporting Groups: Everytown for Gun Safety, Giffords, Newtown Action Alliance

¹ Tess Owen, *People Are Panic-Buying Untraceable ‘Ghost Guns’ Online in the Coronavirus Pandemic*, VICE NEWS (March 27, 2020), https://www.vice.com/en_us/article/g5x9q3/people-are-panic-buying-untraceable-ghost-guns-online-in-the-coronavirus-pandemic.

² *Id.*

³ Bill Whitaker, *Ghost Guns: The Build-It-Yourself Firearms That Skirt Most Federal Gun Laws and Are Virtually Untraceable*, 60 MINUTES (May 10, 2020), <https://www.cbsnews.com/news/ghost-guns-untraceable-weapons-criminal-cases-60-minutes-2020-05-10/>.