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This emergency rule bans the most common approaches to serialization, such as serial numbers engraved directly on the frame of the firearm or permanently etched into the barrel. In fact, many states and countries ban the engraving of serial numbers on firearms, and many jurisdictions prohibit the marking of a firearm's barrel in any way. A serial number is a unique number assigned to a firearm. Federal law defines a serial number to be a number assigned to a firearm by its manufacturer and engraved on a component part of that firearm. State law defines a serial number as a number assigned to a firearm by its manufacturer and permanently engraved, molded, or otherwise fixed on its frame or receiver. In this emergency rule, we clarify that certain ghost guns manufactured in a kit, such as unserialized build, buy, and fire a firearm directly, are regulated as a firearm under the Gun Control Act. This means they must be marked and tracked as firearms, and must follow the same requirements for possession, acquisition, in-store purchase, transportation, storage, and possession and use as other firearms. Specifically, these ghost guns must have a serial number engraved on a component that frames or receives the firearm, and must be sold by licensed sellers. These emergency rules are intended to protect the public safety of all Americans, including those who are at risk for SARS-CoV-2 infection, by making it harder for people to acquire unserialized, unregulated ghost guns. In addition, these rules provide new tools to law enforcement and public health officials to identify persons who violate federal firearms laws, knowing they are operating in a gray area that could be exploited by violent criminals. This rule also allows ATF to investigate any individual who may be engaging in the commercial business of manufacturing, selling, or selling parts to ghost guns, even if the gun itself does not comply with federal firearms law. It also allows ATF to require gun dealers to run background checks before sale.

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the final rule will help turn some ghost guns already in circulation into serialized firearms. through this rule, the justice department is requiring federally licensed dealers and gunsmiths taking any unserialized firearm into inventory to serialize that weapon. for example, if an individual builds a firearm at home and then sells it to a pawn broker or another federally licensed dealer, that dealer must put a serial number on the weapon before selling it to a customer. this requirement will apply regardless of how the firearm was made, meaning it includes ghost guns made from individual parts, kits, or by 3d-printers. the final rule also requires that when a federally licensed dealer makes a firearm available for sale, it must include the firearm's manufacturer's serial number, the name and address of the manufacturer, and a description of the firearm's features in a conspicuous place on the firearm. the final rule will also require that dealers who sell any of these firearms to a consumer maintain all these documents for at least one year after the sale. while it is not illegal under the gca to print and make a gun in one's home, there is a catch: because the undetectable firearms act makes illegal any firearm that cannot be detected by a metal detector, every firearm must contain some amount of metal. but most 3d-printed guns are made of plastic. this means that a plastic 3d-printed firearm must have a metal plate inserted into the printed body. such a requirement is difficult to enforce, however, because these firearms bear no serial number and are not registered unless required by state law. the opportunities to inspect these firearms and enforce the metal rule are practically nil. 5ec8ef588b

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