Written by <u>Joe Wolverton, II, J.D.</u> on November 27, 2012



Wiki Weapon: Texas Co. May Offer Plans for Printing Guns at Home

A "little piece of paper" is all that prevents the printing of firearms at home using 3D printers.

That was the comment made by Cody Wilson, co-founder of a company that will soon offer customers plans for printing the plastic guns in the privacy of their own homes.

Texas-based <u>Defense Distributed</u> has already finished three downloadable designs of plastic guns that can be printed using the new 3D technology. The company calls the new technologically tooled guns the "Wiki Weapon."



According to <u>a report published by *Business Insider*</u>, the company has "applied for nonprofit status and describes itself as "organized for charitable and literary purposes."

Reportedly, the homemade weapons will be constructed of plastic resin applied in layers until a fully functioning firearm is formed.

<u>The Guardian (U.K.) quotes Wilson</u> saying that his company is "sitting on the logistics, time, resources and money" necessary to begin offering the historic product. The only obstacle remaining is the federal firearm license (FFL) required of all gun manufacturers in the United States.

Alexander Hotz of *The Guardian* writes that Defense Distributed expects to receive the government green light very soon:

Barring an unexpected issue, Wilson expects the license will be granted within the next two or three weeks. Initially, the group planned to create prototypes without a license, but after the media discovered the Wiki Weapon, the group has been under increased scrutiny and several <u>problems</u> have threatened to derail the project.

Business Insider recounts the hard row hoed by Wilson and company:

Back in September, Indiegogo, a fundraising website, froze the group's Wiki Weapon project and forced them to return the nearly \$2,000 raised to the donors. But that didn't stop them from taking contributions.

The group secured the funding it needed by taking donations through Bitcoins, a digital currency. But it <u>hit another snafu in October</u> when 3D printing company Stratasys took back the 3D printer it had leased to Defense Distributed, citing the group's lack of a license to manufacture firearms.

An <u>earlier article penned by Hotz</u> lays out the legal issues attached to mass manufacture of weapons at home by those who don't possess the proper federal permission:

According to Dave Kopel, the research director of the <u>Independence Institute</u>, it is <u>legal</u> to create

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pistols, revolvers and rifles at home, although some states are stricter than others. As long as an inventor isn't selling, sharing or trading the weapon, under federal law, a license isn't necessary. Homemade creations also don't need to be registered with the US Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and are legal for use by the individual who created the weapon.

But there are some exceptions to what can be printed legally. Military-grade weapons like machine guns, rocket launchers, sawed-off shotguns and explosives, as well as concealed firearms (like guns within phones or pens) need prior ATF approval before a manufacturer can create them. Federal law also requires "any other weapon, other than a pistol or revolver, from which a shot is discharged by an explosive if such weapon is capable of being concealed on the person" to be subject to ATF review. Since a potential Wiki Weapon would likely be "any other weapon", the ATF would probably have to approve a prototype, and the bureau has said as much.

Either way, if a fully functional plastic Wiki Weapon is printed, it may be illegal upon creation thanks to an obscure law from the late 1980s. In 1988, Congress passed the Undetectable Firearms Act after the Glock company provoked controversy by selling firearms made with plastic polymers. The technique, which was revolutionary at the time but is common in the industry today, alarmed many gun control advocates who were concerned that plastic guns wouldn't register in airport x-ray machines.

Cody, a second-year law student at the University of Texas, is not the type to be dissuaded by government red tape, however. In a publicity photo taken by Wilson himself, the revolutionary law student-cum-gun-maker holds a rifle in one hand an copy of Frederic Bastiat's *The Law* in the other. In what is undoubtedly a shot at federal overreaching, Wilson named his AK-47 the "Individual Mandate."

When asked whether he was troubled by the possibility of his plans getting into the hands of children or criminals, Wilson responded in true libertarian style, "People say you're going to allow people to hurt people, well that's one of the sad realities of liberty. People abuse freedom. But that's no excuse to not have these rights or to feel good about someone taking them away from you."

Wilson's explanation sounds substantially similar to these words written by <u>James Madison</u> regarding the relationship between political parties and liberty (although they do not address the right to bear arms specifically):

There are two methods of curing the mischiefs of faction: the one, by removing its causes; the other, by controlling its effects.

There are again two methods of removing the causes of faction: the one, by destroying the liberty which is essential to its existence; the other, by giving to every citizen the same opinions, the same passions, and the same interests.

It could never be more truly said than of the first remedy, that it was worse than the disease. Liberty is to faction what air is to fire, an aliment without which it instantly expires. But it could not be less folly to abolish liberty, which is essential to political life, because it nourishes faction, than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.

The second expedient is as impracticable as the first would be unwise. As long as the reason of man continues fallible, and he is at liberty to exercise it, different opinions will be formed. As long as the connection subsists between his reason and his self-love, his opinions and his passions will have a reciprocal influence on each other; and the former will be objects to which the latter will attach

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themselves. The diversity in the faculties of men, from which the rights of property originate, is not less an insuperable obstacle to a uniformity of interests. The protection of these faculties is the first object of government.

From the protection of different and unequal faculties of acquiring property, the possession of different degrees and kinds of property immediately results; and from the influence of these on the sentiments and views of the respective proprietors, ensues a division of the society into different interests and parties.

For Wilson and his cohorts at Defense Distributed, the most historic and important factor in the equation is how government will react to instant access to firearms in the hands of citizens they want to control.

Along with numerous liberty-minded quotes from Thomas Jefferson, H.L. Mencken, and Patrick Henry, in its "Manifesto" Defense Distributed writes:

This project could very well change the way we think about gun control and consumption. How do governments behave if they must one day operate on the assumption that any and every citizen has near instant access to a firearm through the internet? Let's find out.

As the price of 3-D printers decreases and the availability of plans for firearms such as the Wiki Weapon increases, the debate over the Second Amendment will be shot into the 21st century.



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