

Trump's Gun Control Policy

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Introduction

Donald Trump's federal firearms policy has changed across his two presidential administrations and cannot be described accurately as a single consistent "gun control" program. During his first term, the administration adopted the 2018 federal bump-stock rule after the Las Vegas mass shooting and publicly discussed measures such as stronger background checks, school-safety initiatives, and age restrictions after the Parkland shooting. During his second administration, beginning in 2025, the federal direction shifted toward reviewing and reducing firearms regulations viewed by the administration as inconsistent with the Second Amendment. Executive Order 14206, signed on February 7, 2025, instructed the Attorney General to examine federal orders, regulations, guidance, plans, international agreements, and other actions for possible ongoing infringements of Second Amendment rights and to propose a plan of action (The White House, 2025). By 2026, DOJ and ATF were implementing regulatory changes under that review. The record is therefore best understood chronologically and institutionally, distinguishing presidential statements, executive directives, agency rules, congressional statutes, and judicial decisions rather than treating all of them as equivalent policy.

The Constitutional and Judicial Framework

Federal firearms policy operates within a constitutional framework that recognizes an individual Second Amendment right while permitting some regulation. In *District of Columbia v. Heller*, the Supreme Court recognized an individual right to possess a firearm for lawful purposes such as self-defense in the home, and *McDonald v. City of Chicago* applied that protection against state and local governments. In *New York State Rifle & Pistol Association v. Bruen*, the Court required regulations covered by the Second Amendment's text to be justified through the nation's historical tradition of firearm regulation. Later, *United States v. Rahimi* upheld application of a federal prohibition to a person subject to a qualifying domestic-violence restraining order, showing that the constitutional right does not make every restriction invalid (United States v. Rahimi, 2024). These decisions shape both federal regulation and litigation over state laws. They also require analysts to distinguish constitutional questions from statutory-authority questions. A rule may fail because an agency lacks authority under a statute even when Congress itself might possess constitutional power to legislate on the subject.

First-Term Regulation and the Bump-Stock Rule

The most prominent first-term federal gun-control action was the 2018 ATF rule classifying certain bump-stock devices as machine guns under existing federal definitions. The rule required affected owners to destroy or surrender the devices, but the Supreme Court later held in *Garland v. Cargill* that ATF had exceeded its statutory authority because a semiautomatic rifle equipped with a nonmechanical bump stock did not satisfy the National Firearms Act definition of a machine gun (*Garland v. Cargill*, 2024). The decision was based on statutory interpretation rather than a holding that Congress is constitutionally forbidden from regulating bump stocks. ATF subsequently removed the bump-stock language from its regulatory definitions effective May 6, 2026, expressly citing the Court's decision (Bureau of Alcohol, Tobacco, Firearms and Explosives [ATF], 2026). This sequence illustrates a basic institutional limit: executive agencies cannot rely on administrative interpretation to create a durable prohibition that exceeds the authority Congress has given them. The episode also shows why a presidential policy objective can be altered years later by judicial review.

Second-Term Review and Regulatory Reform

The second Trump administration has placed substantially greater emphasis on protecting gun ownership and reducing regulatory burdens. Executive Order 14206 initiated the formal review, but the order itself did not automatically repeal every firearm rule; it directed the Attorney General to identify actions for reconsideration and develop an implementation plan (The White House, 2025). On April 29, 2026, DOJ and ATF announced 34 notices of final and proposed rulemaking following that review. The agencies described the package as an effort to modernize regulations, reduce unnecessary burdens on lawful owners and businesses, and focus enforcement on willful violations and criminal actors rather than inadvertent compliance mistakes (U.S. Department of Justice [DOJ], 2026a). Because the package contains both final rules and proposed rules, its components must be evaluated individually. A notice of proposed rulemaking remains subject to public comment and later agency action; it should not be described as completed law merely because it has been announced. The administration's approach is therefore deregulatory in direction but legally dependent on the status and scope of each specific rule.

Rights Restoration, Enforcement, and Public Safety

In August 2026, DOJ finalized a new process through which certain people prohibited from possessing firearms under federal law may apply for restoration of firearm rights, with the Department describing the process as requiring individualized assessment of whether applicants pose a danger to public safety (DOJ, 2026b). This development reflects the administration's broader view that permanent or categorical restrictions should receive renewed scrutiny, but it does not eliminate federal prohibitions or guarantee restoration to every applicant. At the same time, ATF continues to enforce laws involving

trafficking, straw purchasing, prohibited possession, theft, and violent firearm use. The policy question is therefore not simply regulation versus nonregulation. Recordkeeping, dealer compliance, tracing, and interagency cooperation can support investigations of criminal conduct, while overly punitive treatment of harmless paperwork errors can impose costs unrelated to public safety. A neutral assessment should examine whether revised enforcement standards preserve the information and legal tools needed to investigate trafficking and violence while providing fair notice, consistent procedures, and proportional consequences to lawful owners and licensed businesses.

Background Checks, Domestic Violence, and Other Policy Debates

Several major firearms-policy questions remain outside the administration's regulatory-review program or depend heavily on Congress and the states. Federal background checks generally apply to transfers by federally licensed dealers, while state law and federal exceptions shape private transfers. Proposals to expand screening raise competing concerns about access by prohibited purchasers, enforceability, privacy, delay, and burdens on lawful transfers. Domestic-violence restrictions present a different issue because *Rahimi* confirms that temporary disarmament can be constitutional when tied to a qualifying judicial finding of credible threat and appropriate legal process (United States v. Rahimi, 2024). States also use extreme-risk protection orders, safe-storage requirements, licensing rules, and age limits in varied forms, and those measures remain subject to continuing constitutional litigation. School safety adds still another set of questions involving threat assessment, building security, emergency response, student support, secure firearm storage, and proposals to arm trained personnel. These policy areas involve different risks and legal authorities, so evidence from suicide prevention, domestic violence, mass shootings, trafficking, and ordinary self-defense should not be treated as though one intervention addresses all firearm-related harms equally.

Conclusion

Trump's firearms record is best described as a shift from selective first-term regulation and crisis-driven proposals toward a second-term program centered on Second Amendment protection, administrative review, and regulatory rollback. The first administration's bump-stock rule was a significant restriction, but the Supreme Court later invalidated the agency's statutory interpretation in *Cargill*, and ATF removed the affected language in 2026 (Garland v. Cargill, 2024; ATF, 2026). The second administration's Executive Order 14206 led to a broad review, a 2026 package of proposed and final regulatory changes, and a new federal rights-restoration process (The White House, 2025; DOJ, 2026a; DOJ, 2026b). These actions occur within a constitutional environment shaped by *Heller*, *Bruen*, and *Rahimi* and within a federal system where Congress, agencies, courts, states, and local governments all influence firearms policy. Evaluating the record requires separating rhetoric from enacted law and examining each measure for statutory authority, constitutional fit, due process,

administrative clarity, and documented public-safety effects without assuming that either regulation or deregulation produces the same consequences across every category of firearm harm.

References

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