



OFFICE OF THE  
MAYOR  
1350 PENNSYLVANIA AVENUE, NW  
WASHINGTON, DC 20004

**MURIEL BOWSER**  
MAYOR  
SEP 17 2018

The Honorable Phil Mendelson  
Chairman  
Council of the District of Columbia  
1350 Pennsylvania Avenue, NW, Suite 504  
Washington, DC 20004

Dear Chairman Mendelson:

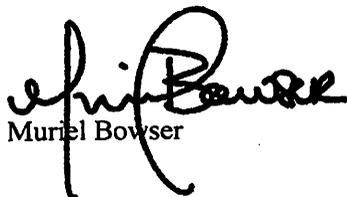
Enclosed for the consideration of the Council of the District of Columbia is the "Ghost Guns Prohibition Emergency Amendment Act of 2018," and the accompanying emergency declaration, temporary, and permanent versions. The bill amends the Firearms Control Regulations Act of 1975 and An act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia. Specifically, the legislation would prohibit the registration and possession of ghost guns in the District of Columbia. Ghost guns are defined as firearms that, after the removal of all parts other than a receiver, cannot be detected by a metal detector.

Earlier this year, the federal government reached a settlement allowing for the uploading of electronic files that enable individuals to make printed ghost guns. Recently, court actions have enjoined ghost gun blueprints from being published online. Blueprints, however, can be obtained by direct purchase through sale and shipment via flash drives.

As part of its common sense gun regulation policy, the District of Columbia prohibits the manufacturing of firearms. However, readily available ghost gun blueprints will allow anyone, regardless of whether they are legally disqualified from possessing a firearm, to create and transport these undetectable firearms into and within the District. Because ghost guns can be made of plastic, they often cannot be detected by metal detectors used at security checkpoints such as those located at the District's schools, museums, sports complexes, and government buildings, which increases their threat to public safety. While unregistered firearms are already illegal, this legislation would give law enforcement the possibility of a charging an additional offense, specific to ghost guns, in view of the unique risks such undetectable, and often home-made, weapons pose.

If you have any questions on this matter, please contact Kevin Donahue, Deputy Mayor for Public Safety and Justice at (202) 286-5028.

Sincerely,

  
Muriel Bowser

  
Chairman Phil Mendelson  
at the request of the Mayor

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A PROPOSED RESOLUTION

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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To declare the existence of an emergency with respect to the need to amend the Firearms Control Act of 1975 and An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia to prohibit the registration and possession of ghost guns.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Ghost Guns Prohibition Emergency Declaration Resolution of 2018”.

Sec. 2 (a) The term “ghost gun” refers to firearms built to avoid detection, missing serial numbers, and able to be manufactured using 3-D printers and other cutting-edge technology. Such guns would be able to be sold without the completion of background and would essentially be untraceable.

(b) Although an ongoing series of court actions have enjoined ghost gun blueprints from being published online, blueprints can be obtained through direct purchase through the sale and shipment via flash drives.

(c) As part of its common sense gun regulation policy, the District of Columbia prohibits the manufacturing of firearms. However, readily available ghost gun blueprints will allow

34 anyone, regardless of whether they are legally disqualified from possessing a firearm, to create  
35 and transport these undetectable firearms into and within the District.

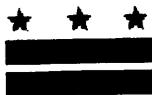
36 (d) Because ghost guns can be made of plastic, they often cannot be detected by metal  
37 detectors used at security checkpoints such as those located at the District's museums, sports  
38 complexes, and government buildings, which greatly increases their threat to public safety.

39 (e) Unless the District prohibits the manufacture, possession, and registration of  
40 undetectable firearms, these weapons could be built or brought into the District, thereby  
41 endangering the lives of residents, workers, and visitors.

42 Sec. 3. The Council of the District of Columbia determined that the circumstances  
43 enumerated in section 2 constitute emergency circumstances making it necessary that the Ghost  
44 Guns Prohibition Emergency Amendment Act of 2018 be adopted after a single reading.

45 Sec. 4. This resolution shall take effect immediately.

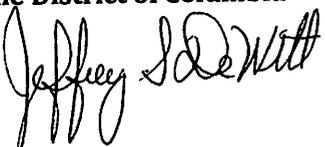
Government of the District of Columbia  
Office of the Chief Financial Officer



Jeffrey S. DeWitt  
Chief Financial Officer

**MEMORANDUM**

**TO:** The Honorable Phil Mendelson  
Chairman, Council of the District of Columbia

**FROM:** Jeffrey S. DeWitt  
Chief Financial Officer 

**DATE:** September 12, 2018

**SUBJECT:** Fiscal Impact Statement – Ghost Guns Prohibition Emergency  
Amendment Act of 2018

**REFERENCE:** Draft Bill as shared with the Office of Revenue Analysis on September  
11, 2018

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**Conclusion**

Funds are sufficient in the fiscal year 2018 budget and the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill.

**Background**

The bill prohibits the District from issuing a firearms registration certificate for ghost guns. The bill defines ghost guns as those that, after the removal of all parts except the receiver,<sup>1</sup> cannot be detected by a metal detector.

The bill also prohibits any individual's possession, sale, transfer, or use of a ghost gun in the District.<sup>2</sup>

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<sup>1</sup> The receiver is the part of the firearm that provides the action or housing for the hammer, bolt or breechblock, and firing mechanism.

<sup>2</sup> The bill provides some limited exemptions for members of the military, law enforcement personnel, or others authorized to carry such weapons through An Act To control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes, approved July 8, 1932 (47 Stat. 650; D.C. Official Code § 22-4514).

The Honorable Phil Mendelson  
FIS: "Ghost Guns Prohibition Emergency Amendment Act of 2018," Draft Bill as shared with the Office of  
Revenue Analysis on September 11, 2018

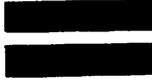
**Financial Plan Impact**

Funds are sufficient in the fiscal year 2018 budget and fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the bill. The District can enforce the ghost gun prohibition with existing enforcement resources.

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL  
KARL A. RACINE



Legal Counsel Division

MEMORANDUM

**TO:** Alana Intrieri  
Executive Director  
Office of Policy and Legislative Support

**FROM:** Janet M. Robins  
Deputy Attorney General  
Legal Counsel Division

**DATE:** September 11, 2018

**SUBJECT:** Legal Sufficiency Review of Draft Legislation "Ghost Guns Prohibition Amendment Act of 2018", Temporary and Emergency Versions, and Accompanying Emergency Declaration Resolution (AE-18-484)

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**This is to Certify that** this Office has reviewed the above-referenced draft legislation and found it to be legally sufficient. If you have any questions in this regard, please do not hesitate to call me at 724-5524.

  
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Janet M. Robins