

City of Philadelphia



Council of the City of Philadelphia Office of the Chief Clerk Room 402, City Hall Philadelphia

(Resolution No. 211025)

RESOLUTION

Urging the Biden Administration and the United States Department of Justice to finalize a proposed rule that would close a regulatory loophole and require “ghost gun” kit makers to include serial numbers in firearm kits and require federally licensed firearms dealers to conduct background checks prior to the sale of these firearm kits.

WHEREAS, “Ghost Guns” are untraceable firearms that are assembled from parts bought online; and

WHEREAS, Individuals can buy kits that contain all or almost all of the parts needed to assemble a gun. These kits come with directions on how to finish the gun or links to online tutorials. Usually, the only tool needed is a drill and a working weapon can be put together in as little as 30 minutes; and

WHEREAS, These “buy, build, shoot” kits may not be considered firearms and are being made and sold without serial numbers and background checks; and

WHEREAS, “Ghost gun” kits have been sold since the 1990s, but there has been a substantial rise in sales since 2016; and

WHEREAS, According to the Justice Department, from 2016 to 2020, U.S. law enforcement officers have recovered more than 23,000 firearms without serial numbers from potential crime scenes; and

WHEREAS, In 2019, Pennsylvania Attorney General Shapiro issued a legal opinion wherein he stated that “ghost guns” must be treated the same as fully-functioning firearms under Pennsylvania law; and

WHEREAS, On December 10, 2020, City Council passed Bill 200593 which added prohibitions on the possession, use, transfer, or manufacture of “ghost guns”; and

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WHEREAS, On May 7, 2021, the Department of Justice proposed a rule that would expand the definition of a firearm and close a loophole that has allowed the sale of unregulated “ghost guns”; and

WHEREAS, This proposed rule would require gun retailers to conduct background checks before selling kits that contain the parts necessary to make a gun; and a gun kit maker would be required to include a serial number for certain parts found within the firearm kit; and

WHEREAS, As of October 4, 2021, 436 “ghost guns” have been recovered in the City of Philadelphia during criminal investigations. This is a significant increase from previous years: in 2019, 99 “ghost guns” were recovered and 250 were recovered in 2020; and

WHEREAS, As of December 11, 2021, 524 Philadelphians have become victims of homicide; and

WHEREAS, U.S. Attorney General Merrick Garland has stated that the U.S. government has an obligation to keep families and neighborhoods safe from gun violence; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Council urges the Biden Administration and the United States Department of Justice to close a regulatory loophole and require “ghost gun” kit makers to include serial numbers in firearm kits and federally licensed firearms dealers to conduct background checks prior to selling these firearm kits.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the sixteenth day of December 2021.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Council President Clarke

Sponsored by: Council President Clarke, Councilmembers Johnson, Jones, Henon, Green, Gilmore Richardson, Bass, Gym, Brooks, Domb, Thomas, Parker, Gauthier and Squilla