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NEWS FOR IMMEDIATE RELEASE

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AG Kaul to U.S. Attorney General Garland: Firearm Regulations Must Include Ghost Guns

MADISON, Wis. — Attorney General Josh Kaul has joined a multi-state coalition in [submitting a comment](#) to the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) that encourages the ATF to finalize regulations that would make clear that ghost guns are firearms under federal law. By finalizing regulations, the ATF would dramatically reduce the availability of untraceable guns and would take a significant step in addressing the current gun violence epidemic. Attorney General Kaul was one of 22 attorneys general to join the comment.

“Ghost guns make our communities less safe. The ghost gun loophole makes it easier for people who are prohibited from possessing a firearm to get one, and it can make it more difficult to solve crimes,” said Attorney General Kaul. “The federal government should move forward with the proposed rule closing that loophole.”

The proposed rule, Definition of ‘Frame or Receiver’ and Identification of Firearms, updates the ATF’s interpretations of “firearm” and “frame or receiver” as used in the Gun Control Act of 1968 to clarify that weapon kits and incomplete weapon parts, both of which can be easily converted into functioning guns, are covered by the Act. The ATF’s current regulations effectively allow people, including people prohibited from owning a gun under federal law, to obtain a weapon without undergoing any background check. As the coalition of Attorneys General explained:

“Certain firearm dealers have capitalized on ... loopholes [in the existing regulations] to market so-called ‘ghost guns’—meaning weapons kits or partially complete receivers that can easily be converted into unserialized, operable weapons—outside the Gun Control Act’s framework. As dealers

highlight in their marketing, these ghost guns are unregulated and can be purchased by anyone.”

The comment explained that, to maintain the integrity of the Gun Control Act, the ATF must revise its regulations so that they encompass modern gun designs. Otherwise, federal regulations cannot accomplish what Congress intended when it passed the Gun Control Act.

“For the Gun Control Act to work as Congress envisioned, the manufacture, transfer, and possession of firearms must all occur within the Act’s strictures. When any of that activity happens beyond the Act’s parameters, the Gun Control Act is ineffectual at ‘keeping guns out of the hands of criminals and others who should not have them, and assisting law enforcement authorities in investigating serious crimes.’ ...The Bureau’s non-enforcement of certain portions of the Gun Control Act has effectively created room for firearm manufacturers to openly defy the statute.”

The group argued that the ATF’s current regulations contribute to violence around the country. The coalition asserted that this failure to accurately regulate firearms has provided an opportunity for gun dealers to sell unregulated, dangerous firearms. The group also argued that this loophole is reflected by growing numbers of shootings in cities across America.

In addition to Pennsylvania, the District of Columbia, and New Jersey, the comment was joined by California, Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Mexico, New York, North Carolina, Oregon, Rhode Island, Vermont, Virginia, and Washington.