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# PAGV

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PROSECUTORS AGAINST GUN VIOLENCE

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May 10, 2022

Greetings.

Prosecutors Against Gun Violence is a non-partisan coalition of prosecutors serving over 60 million Americans in 24 states across the country. Since 2014, we have been at the forefront of the fight against gun violence. We write to you today regarding one of the most serious gun safety problems facing this country: ghost guns.

Mastercard and Visa have previously taken action to promote public safety by ending merchant relationships with extremist and white supremacist organizations and illegal websites such as backpage.com, which facilitated sex trafficking. We ask that you continue to act to protect public safety by ending your merchant relationships with online ghost gun kit sellers, to help stop them from proliferating these dangerous weapons that have played a major role in exacerbating the gun violence epidemic.

On April 11, 2022, President Biden announced a significant step to stem the tide of ghost guns, which are firearms made from components purchased online and built at home, with no serial numbers so that they are not traceable. The U.S. Department of Justice has a new rule which redefines firearms to include ghost gun kits purchased online and requires manufacturers/distributors of these components to become federally licensed, perform background checks prior to sale, and put serial numbers on the parts.

With this new rule, no longer will these weapons be easily acquired or untraceable. The specter of gun violence devastates our communities, but we will not live in fear of these weapons with strong laws preventing irresponsible access to ghost guns.

However, this rule will not take effect until August 2022 at the earliest and could be further delayed if any civil actions are brought. We are asking that you take action now to help keep hundreds if not thousands of ghost guns from being built and used in crimes in the next three months.

In 2021, across America's largest cities hardest hit by gun violence, ghost guns played a major role in exacerbating the gun violence and recoveries of these weapons skyrocketed. Chicago went from 139 ghost guns recovered in 2020 to over 450 in 2021; Philadelphia went from 250 ghost guns recovered in 2020 to 571 in 2021, and Los Angeles went from 813 ghost guns recovered in 2020 to 1,921 in 2021. In New York City in 2019, 48 ghost guns were recovered by NYPD; in 2020, 150 were recovered; in 2021, 263 were recovered; and so far this year, more than 100 have been recovered.

In these and other communities around the country, ghost guns are increasingly being used in violent crimes — including homicides, kidnappings, and car jackings — and our law enforcement agency partners have been raising alarms. The National Police Foundation recently surveyed law enforcement agencies and found rapidly growing rates of ghost gun recoveries — and in several cities, agencies reported that ghost guns are primarily being recovered from individuals who are prohibited from possessing firearms. The untraceable nature of ghost guns makes it challenging for law enforcement to solve the crimes they are used in and bring criminals to justice.

A ghost gun is a do-it-yourself firearm typically built from component parts bought online. These component parts are designed and sold for the sole purpose of evading federal firearms laws. Federal law requires that gun sales from licensed dealers be subject to a criminal background check and that all firearms are marked with a serial number to assist law enforcement if a gun is found at a crime scene. The law says that these requirements apply not only to fully functional firearms but also to their major component parts — the frame of a handgun and the receiver of a rifle — so that sellers cannot easily evade the law by selling guns disassembled.

Recently an expanding market has emerged for nearly complete frames and receivers, specifically designed to evade federal law by requiring the purchaser to drill only a few small holes to make the part operable in a firearm.

The rule announced on April 11, 2022, updates gun regulations to account for changes in technology and regulate these nearly complete firearms and require serial numbers on the unfinished frames and receivers that readily be converted to be operational and that companies that sell these products to follow all the same rules as if these products are fully operational firearms.

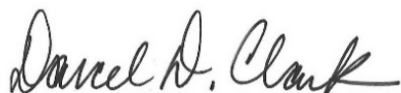
Ghost gun kit sellers have taken no meaningful steps to self-regulate and in fact openly promote that their products can be bought, shipped, and built with no background check and no regulation — all you need is an internet connection and a credit card. As a result, minors, criminals, or other people legally prohibited from buying guns can use Mastercard and Visa cards to purchase gun building kits and build fully functional and untraceable ghost guns. And, as ten states have

restricted or prohibited ghost gun purchases, your cards may also be used to complete sales that violate state law.

The new ATF rule will make significant strides in ending the proliferation of untraceable ghost guns. We urge Mastercard and Visa to act now to help stop these sellers of ghost guns, which remain an urgent and serious threat to public safety. And it is critical that Mastercard and Visa work with law enforcement to ensure that your cards and services aren't used to evade the regulation.

We need your help to protect public safety. We urge you to end your merchant relationships with ghost gun sellers.

Sincerely,



The Honorable Darcel D. Clark, Bronx County District Attorney



The Honorable Joyce Dudley, Santa Barbara County District Attorney  
Co-Chairs, Prosecutors Against Gun Violence

and PAGV Executive Board:

Diana Becton, District Attorney, Contra Costa County, California  
John Choi, County Attorney, Ramsey County, Minnesota  
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