

# United States Senate

WASHINGTON, DC 20510-0609

September 16, 2022

Alfred F. Kelly, Jr.  
Chairman and Chief Executive Officer  
Visa Inc.  
P.O. Box 8999  
San Francisco, CA 94128-8999

Michael Miebach  
Chief Executive Officer  
Mastercard  
2000 Purchase St.  
Purchase, NY 10577

Stephen Squeri  
Chief Executive Officer  
American Express, Inc.  
200 Vesey Street  
New York, New York 10285

Dear Mr. Kelly, Mr. Miebach and Mr. Squeri:

We write to call on you to reverse your decision to comply with new standards made by the International Organization for Standardization (ISO) to create a separate merchant category code for the sale of firearms in America. This decision, which is already being hailed by radical anti-gun activists, is the first step towards backdoor gun control on law abiding Americans. Any change that seeks to impact a United States citizen's ability to legally purchase a firearm belongs with Congress, not payment networks, international standard setting organizations, or the financial institutions that some of you serve.

By bowing to international and activist pressure, you are creating the framework that will allow either yourselves, or the banks that you may serve, to unilaterally decline to process legal gun sales. Due to the nature of the information collected from merchants when processing a transaction, you will have no ability to know what is being purchased; as such, the purported benefits for detecting suspicious purchases falls flat on face value. Given that, it is clear that these changes are being pushed for much more nefarious reasons, and is likely only step one with calls for declining to process gun sales altogether coming in the near future. The gun control advocates that concocted this scheme laid out the "next steps" in a piece in the New York Times<sup>1</sup>.

The ISO is a voluntary organization, they do not have the ability, nor the right, to unilaterally prescribe how business is done in America. To be perfectly clear, your hand is not being forced. Creating a new merchant code for gun transactions is a choice being made by each of your companies. You are choosing the side of gun control advocates over the privacy and Second Amendment rights of millions of law abiding Americans. You are choosing to insert yourselves into this political debate – which should only be fought at the ballot box and in Congress – and in doing so you are making clear that you are more than unbiased network operators seeking to maximize value for your customers and shareholders. You have become antigun activists yourselves, wittingly or not.

Your companies are the facilitators of the vast majority of daily financial transactions in America, and that gives you incredible influence over everyday commerce, and thus every American's very way of life. If you are intent on abusing that influence you will leave Congress no choice but to intercede on behalf of our constituents and all of the law abiding Americans who will not stand by as large banks and the

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<sup>1</sup> <https://www.nytimes.com/2022/09/12/business/dealbook/gun-violence-credit-card-companies-merchant-code.html>

payment networks that serve them do an end run around their constitutional Second Amendment rights to keep and bear arms.

On that note, we request answers to the following questions:

1. What is your understanding of the ISO process and timing of this announcement?
2. What input did you give to the ISO as part of this process?
3. Did you coordinate with any outside entities – politicians, activist organizations, or others – on coming to the decision to comply with the new ISO standard?
4. What financial support, if any, do your companies give to the ISO? Will you be withdrawing this financial support if they continue to act in a political way?
5. As is being reported in the media, how will this information in any way be useful in preventing suspicious gun sales?
6. Please explain in detail all the ways that this change will impact retailers and their customers.
7. What will you do to ensure that the financial privacy of law abiding customers is protected, and those customers will not be harassed by anti-gun groups or overzealous government regulators?
8. Will you commit to never impeding a legal transaction based on public sentiment or political pressure?
9. Will you defend the rights of law-abiding Americans to utilize your company's services, free from discrimination by any employee or subsidiary abusing this new merchant code?

Sincerely,



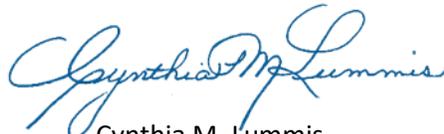
Roger Marshall, M.D.  
United States Senator



Thom Tillis  
United States Senator



John Barrasso  
United States Senator



Cynthia M. Lummis  
United States Senator



Rick Scott  
United States Senator



Ben Sasse  
United States Senator



Marco Rubio  
United States Senator



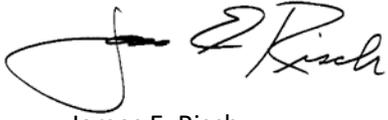
Dan Sullivan  
United States Senator



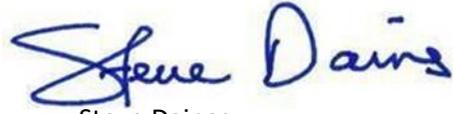
Mike Crapo  
United States Senator



Bill Cassidy, M.D.  
United States Senator



James E. Risch  
United States Senator



Steve Daines  
United States Senator