



Written by [Bob Adelman](#) on September 23, 2022

## Pushback Growing Against Credit-card Companies “Red-flagging” Gun Purchases

Florida’s chief financial officer, Jimmy Patronis, [issued a warning](#) on Wednesday to credit-card companies threatening to track gun purchases with a special code:

It is clear that the actions by these credit card companies are part of a larger effort to curtail God-given constitutional rights of Americans....

The second amendment is foundational to our American way of life. The idea that law-abiding Americans would be put on some kind of corporate watchlist is disturbing. Our rights come from our Creator, not the government, and especially not big corporations.



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Unless Visa, Mastercard, and American Express persuade Patronis that they aren’t implementing the code recommended by the International Organization for Standardization (ISO), he will sue them, and work with the Florida Legislature to prevent them from operating in his state:

If we come to the legislative session and companies like Visa, Mastercard and American Express are generating these reports to create a chilling effect against the purchase of firearms, then I’ll work with the Legislature to pass a law penalizing businesses who are targeting the right to bear arms....

We can also take it a step further by barring these companies from doing any business with the State of Florida. We will send a message out to these large corporations that if you are interested in doing business with Florida, you need to make sure that you’re protecting Floridians right to arm and defend themselves.

Patronis is confident that he is standing on solid constitutional footing. Referring to the recent federal court ruling in [NetChoice v. Paxton](#), he added, “We’ve seen a groundbreaking ruling come out of the Fifth Circuit limiting corporations’ ability to curtail American’s constitutional rights, so we are on solid legal footing to pursue a bill protecting Floridians 2nd Amendment Rights.”

Patronis is the just latest high-profile figure to push back against the threat posed by credit-card companies tracking gun purchases using a special code.

Those companies announced two weeks ago that they were “ready” to implement the special tracking code allegedly to detect suspicious sales and to prevent potential mass shootings. The perfidy was official, as a Mastercard spokesman [said that](#) “it will be implemented by merchants and their banks as



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we continue to support lawful purchases on our network while protecting the privacy and decisions of individual cardholders.”

A spokesman for the National Rifle Association (NRA) disagreed, saying:

The decision to create a firearm-specific code is nothing more than a capitulation to anti-gun politicians and activists bent on eroding the rights of law-abiding Americans, one transaction at a time.

The driving force behind the move by ISO to urge credit card companies to start tracking gun sales was the union-owned Amalgamated Bank, with a majority interest held by Workers United, an SEIU affiliate. Its CEO, Priscilla Sims Brown, said having that data available “could” help reduce violent gun crime:

We could identify and detect where there may be gun sales that are intended for black markets, where we see patterns of gun purchases being made in multiple gun shops.

We could see the patterns of behavior that would indicate to us that there is something not right here.

Shannon Watts, founder of anti-gun Moms Demand Action, affirmed the move to track gun purchases: “These new merchant codes will help banks and financial institutions track suspicious and potentially illegal gun purchases.” She failed to clarify exactly what she meant by “suspicious” or “potentially illegal” gun purchases, or who would make those decisions.

The blatant move to allow credit-card companies to identify and track individuals exercising their constitutional rights didn’t sit well with New York Republican Congresswoman Elise Stefanik, who led 100 of her fellow pro-gun, pro-Second Amendment colleagues to sign a letter of protest against those credit-card companies. She said:

I am adamantly opposed to this attempt to track the information of law-abiding gun owners and am calling out this attempt to infringe on our Constitutional, Second Amendment rights.

As Far Left gun grabbing politicians seek to further erode our Constitution, I’m working to ensure credit card companies are not aiding in their anti-Second Amendment agenda.

I am demanding immediate answers to protect American citizens’ ability to exercise their Constitutional right to bear arms without fear that the Far Left is tracking their information or that this information will be used against them.

In her letter to Alfred Kelly, CEO of Visa, she said:

We write you today with grave concern regarding your implementation of a new firearm specific Merchant Category Code (MCC).

This implementation follows an equally concerning decision by the International Organization for Standardization (ISO) to create this MCC, which is an assault on the Second Amendment rights of law-abiding American citizens.

She called out Amalgamated Bank for its role in pushing the new surveillance tool to generate “red



flags”:

Amalgamated Bank stated its intent to utilize software to flag allegedly suspicious purchases made by Americans exercising their Second Amendment rights and file these red flags with law enforcement.

She also stated that there was no definition of who would be “suspicious” and who would not be, leading to the tracking and registering of every purchaser of a firearm:

There is no accepted, consistent, scientific, or legitimate way to determine from this data what is and what is not a “suspicious” purchase.

A gun control advocate could view any desire to own or obtain a firearm as *per se* suspicious.

Instead, this is a transparent attempt to chill the exercise of constitutionally protected rights and to circumvent existing legal restrictions on the creation of firearm registries by the government.

On Tuesday, two dozen state attorneys general [sent a letter](#) to the CEOs of each of the major credit card companies (American Express, Mastercard, and Visa), raising the issue of the legality of such a move:

We, the undersigned Attorneys General, write to express our concerns about the legality of recent actions you have taken or are considering taking at the behest of the International Organization for Standardization (ISO).

As our respective States’ chief legal officers, we are tasked with protecting the constitutional rights of our citizens, defending our consumers from privacy intrusions and other abuses, and enforcing antitrust laws.

Accordingly, we share our concerns and ask that you take immediate action to comport [do what is right concerning] our consumer protection laws and respect the constitutional rights of all Americans.

If those credit-card companies fail to “comport” and back off, they will face legal action:

Press releases from public officials make clear that the new merchant code was created and adopted in concert with various state actors, which may additionally create the potential for both civil and criminal liability for conspiracy to deprive Americans of their civil rights....

Be advised that we will marshal the full scope of our lawful authority to protect our citizens and consumers from unlawful attempts to undermine their constitutional rights.

Please keep that in mind as you consider whether to proceed with adopting and implementing this Merchant Category Code.

Attorneys general from the following states signed on to the letter: Alabama, Alaska, Arkansas, Arizona, Florida, Georgia, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, New



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Hampshire, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Utah, Virginia, West Virginia, and Wyoming.

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