

# Congress of the United States

Washington, DC 20510

March 9, 2023

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President  
Florida Senate  
404 S. Monroe Street  
Tallahassee, FL 32399-1100

Paul Renner  
Speaker  
Florida House of Representatives  
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Lauren Book  
Democratic Leader  
Florida Senate  
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Democratic Leader  
Florida House of Representatives  
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President Passidomo, Speaker Renner, Leader Book, and Leader Driskell,

We urge you not to advance Florida Senate Bill 214 or Florida House Bill 221 which would destroy important progress made to prevent mass shootings by undermining the ability of law enforcement to prevent gun violence and stop mass shooters, firearm traffickers, and other illegal activity involving firearms.

Since 2009, the United States has suffered 299 mass shootings causing 1,678 deaths.<sup>1</sup> The shooters in at least five major mass shootings between 2007 and 2020 financed their massacres using credit cards.<sup>2</sup> In Orlando, the Pulse nightclub shooter racked up more than \$26,000 in credit card charges on guns and ammunition in the twelve days ahead of his killing spree that killed 49 people and wounded 53.<sup>3</sup> Before he did so, however, the shooter ran several online searches to determine whether his “unusual spending” would be flagged by credit card companies and reported to police.<sup>4</sup> It was not.

Thankfully, on September 9, 2022, the International Organization for Standardization (ISO) approved a new merchant category code (MCC) for stores that sell guns and ammunition. With the code, financial institutions do not have visibility into what was purchased but can see the purchase amounts at stores that sell guns and ammunition.

This new MCC code will allow financial institutions to identify patterns of purchasing behavior that are associated with criminal activity, such as straw purchases and unlawful bulk purchases that could be used in the commission of domestic terrorist acts or gun trafficking schemes.<sup>5</sup> Such coordination between financial institutions and law enforcement has been instrumental in efforts across the federal government to identify and prevent illicit activity. Banks and credit card companies use MCC intelligence to find patterns in consumer purchases to prevent human trafficking.

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<sup>1</sup> Everytown, “Mass Shootings in America,” <https://everytownresearch.org/maps/massshootings-in-america/>

<sup>2</sup> Guns Down America, “Why are Credit Card Companies Empowering Mass Shooters,” <https://www.gunsdownamerica.org/campaigns/credit-cards/>

<sup>3</sup> New York Times, “How Banks Unwittingly Finance Mass Shootings,” Andrew Ross Sorkin, December 24, 2018, <https://www.nytimes.com/interactive/2018/12/24/business/dealbook/mass-shootings-credit-cards.html>

<sup>4</sup> *Id.*

<sup>5</sup> CBS News, “This bank wants to track suspect credit card sales of guns and ammo. Why can't it?,” Jim Axelrod, Clare Hymes, and Michael Kaplan, June 20, 2022, <https://www.cbsnews.com/news/bank-credit-cards-suspect-gun-ammo-sales/>

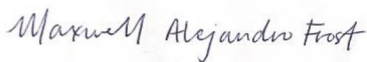
In September, the world's largest financial institutions have agreed to implement the code<sup>67</sup>.

Instead of embracing this advancement that will prevent mass murder, Florida State Senator Danny Burgess and State Representatives John Snyder, Adam Anderson, Jeff Holcomb, and Berny Jacques swiftly took steps to eliminate it. On January 10<sup>th</sup>, 2023, they introduced the "Florida Arms and Ammo Act", to penalize credit card companies for adopting the code. We are deeply concerned that on February 21<sup>st</sup> this legislation advanced and was reported favorably out of the Banking and Insurance Committee, on March 6<sup>th</sup> it progressed through the Commerce and Tourism Committee, and today, March 9<sup>th</sup>, it is scheduled to be heard in the Regulatory Reform and Economic Development Subcommittee.

In Florida, in an average year, 2,849 people die by guns<sup>8</sup>. Already this year, gun violence has taken the lives of at least 123 Floridians<sup>9</sup>. It is unconscionable that these lawmakers are preventing our financial institutions from taking a lawful step that would help turn the tide of gun violence in America. Further, financial institutions have an obligation to identify individuals who are exploiting their systems to commit illegal activity. Lawmakers should not be interfering with this critical business priority.

We strongly urge you to prevent Florida Senate Bill 214 and Florida House Bill 221 from moving any further.

Sincerely,



Maxwell Alejandro Frost  
Member of Congress



Lois Frankel  
Member of Congress



Darren Soto  
Member of Congress



Debbie Wasserman Schultz  
Member of Congress



Frederica S. Wilson  
Member of Congress



Kathy Castor  
Member of Congress



Jared Moskowitz  
Member of Congress



Sheila Cherfilus-McCormick  
Member of Congress

<sup>6</sup> Visa, "Protecting legal commerce," September 13, 2022, <https://usa.visa.com/visa-everywhere/blog/bdp/2022/09/13/protecting-legal-commerce-1663103155809.html>

<sup>7</sup> Maruf, Ramishah. "Credit card companies will adopt new sales code for gun transactions," 2022, September 11. CNN. <https://www.cnn.com/2022/09/11/business/visa-mastercard-american-express-gun-purchase-code/index.html>

<sup>8</sup> CDC, "Underlying Cause of Death, Five-Year Average: 2016-2022."

<sup>9</sup> Gun Violence Archive, "Number of Deaths in 2023," <https://www.gunviolencearchive.org/reports/number-of-gun-deaths>