



August 22, 2022

Mr. Michael Miebach
Chief Executive Officer
Mastercard, Inc.
2000 Purchase Street
Purchase, NY 10577

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

Mr. Miebach and Mr. Squeri:

As elected members of the New York State Legislature, we have taken important steps in recent years to stem the tide of gun violence in our state and nation. **We write to you to urge Mastercard and American Express to join us in this effort by creating a new merchant category code (MCC) for gun and ammunition retail outlets.** This would be a milestone toward allowing the financial system to deter illegal gun trafficking and potentially identify warning signs of planned mass violence.

Nearly 45,000 Americans were killed with guns in 2021, and the country experiences gun violence at rates exceptionally higher than in our peer nations. Since 2009, there have been 279 mass shootings, which have resulted in more than 1,500 gun deaths.¹ The shooters in some of the worst mass shootings in recent memory used credit cards to finance the arsenals with which they perpetrated mass violence.² For example, in a matter of six weeks, the shooter who killed 12 people at an Aurora movie theater charged \$11,000 worth of guns, ammunition, and body armor to a Mastercard.³ Similarly, the killer who massacred 60 people on the Las Vegas strip used credit cards to purchase guns and ammunition totaling nearly \$100,000 in the 12 months before the attack.⁴ The Pulse nightclub shooter racked up \$26,000 in credit card charges on guns and ammunition in less than two weeks preceding the carnage that killed 49 people and wounded 53.⁵ As a precautionary measure, the shooter searched online to learn whether his “unusual spending” pattern could be detected by the credit card companies and flagged for law enforcement.⁶ After being reassured that he need not worry about detection, he completed his arsenal and irrevocably damaged countless families and the Orlando community as a whole.

Reporting from the Wall Street Journal in April 2018 explained how banks and credit card companies could help law enforcement preempt some mass shootings by identifying suspicious gun purchases through the implementation of a new MCC.⁷ Later that year, a Dealbook investigation into the financing

¹ Everytown, Twelve Years of Mass Shootings in the United States, <https://everytownresearch.org/maps/mass-shootings-in-america/>.

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

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

⁴ Id.

⁵ Id.

⁶ Id.

⁷ AnnaMaria Andriotis, Telis Demos, Emily Glazer, “Banks, Credit-Card Companies Explore Ways to Monitor Gun Purchases.” The Wall Street Journal. April 30, 2018, <https://www.wsj.com/articles/banks-card-companies-explore-ways-to-monitor-gun-purchases-152508060>.

of mass shootings reached the same conclusion.⁸ But four years later, the status quo has not changed, and mass shootings have continued and accelerated.

MCCs are four-digit codes maintained by the International Organization for Standardization (ISO), which classify merchants by the nature of their businesses.⁹ Financial institutions and payment networks, including MasterCard and American Express, use the ISO standard to assign MCCs to merchants in order to determine interchange rates, assess transaction risks, and generally categorize payments.¹⁰ **The creation of a new MCC for gun and ammunition retail stores would be the first step towards facilitating the collection of valuable financial data that could help law enforcement in countering the financing of terrorism efforts.** A new MCC code could make it easier for financial institutions to monitor certain types of suspicious activities including straw purchases and unlawful bulk purchases that could be used in the commission of domestic terrorist acts or gun trafficking schemes.¹¹ Such coordination between financial institutions and law enforcement has been instrumental in efforts across the Federal government to identify and prevent illicit activity.

Despite the significant public safety gains that creating a new MCC for gun and ammunition sellers—and your companies’ ability to promote public safety by voting for one—recent reports indicate that “domestic and international credit card companies, including...Mastercard and American Express, pushed back on an application to create a merchant category code for firearm and ammunition sellers.” This opposition to a reasonable measure with the potential to save lives is unacceptable. Should Mastercard and American Express wish to continue profiting by supporting commerce in firearms and ammunition, your companies have a responsibility to do what you have been asked to do since at least 2018. **We strongly encourage you to use your powers within the Registration and Maintenance Management Group (RMMG) to allow for the creation of a new MCC for gun and ammunition sellers, allowing for the collection of valuable data that can help save lives.**

Thank you for your consideration.

Sincerely,



Zellnor Y. Myrie
New York State Senator
Senate District 20



Chantel Jackson, LMSW
New York State Assembly Member
Assembly District 79

⁸ Andrew Ross Sorkin, “How Banks Unwittingly Finance Mass Shootings,” The New York Times/ DealBook, December 24, 2018, <https://www.nytimes.com/interactive/2018/12/24/business/dealbook/mass-shootings-credit-cards.html>.

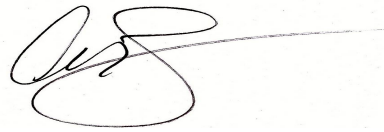
⁹ Investopedia, “Merchant Category Codes (MCC),” updated on March 23, 2021, <https://www.investopedia.com/terms/m/merchant-category-codes-mcc.asp>.

¹⁰ International Standards Organization, ISO 18245:2003 Retail financial services - Merchant Category Codes, <https://www.iso.org/standard/33365.html>.

¹¹ CBS News, “This bank wants to track suspect credit card sales of guns and ammo. Why can't it?,” June 20, 2022, <https://www.cbsnews.com/news/bank-credit-cards-suspect-gun-ammo-sales/>.



Senate Deputy Leader Michael Gianaris
Senate District 12



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New York State Assembly Member
Assembly District 71



Andrew Gounardes
New York State Senator
Senate District 22



Dr. Anna R. Kelles
New York State Assembly Member
Assembly District 125



Robert Jackson
New York State Senator
Senate District 31



Robert C. Carroll
New York State Assembly Member
Assembly District 44



Gustavo Rivera
New York State Senator
Senate District 33



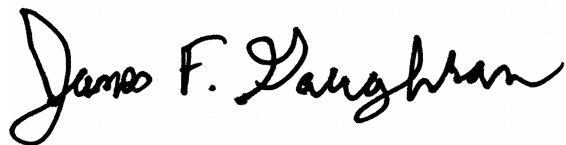
David I. Weprin
New York State Assembly Member
Assembly District 24



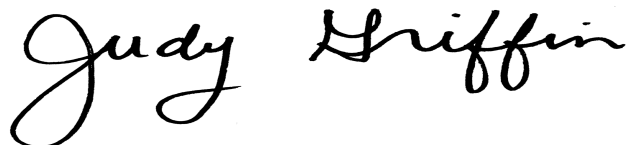
Cordell Cleare
New York State Senator
Senate District 30



Jeffrey Dinowitz
New York State Assembly Member
Assembly District 81



James Gaughran
New York State Senator
Senate District 5



Judy Griffin
New York State Assembly
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Luis Sepulveda
New York State Senator
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Edward Gibbs
New York State Assembly
Assembly District 68



Anna Kaplan
New York State Senator
Senate District 7



Jonathan Jacobson
New York State Assembly
Assembly District 104



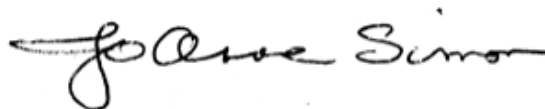
Timothy Kennedy
New York State Senator
Senate District 63



Jessica González-Rojas
New York State Assembly
Assembly District 34



Shelley Mayer
New York State Senator
Senate District 37



Jo Anne Simon
New York State Assembly
Assembly District 52



Brad Hoylman
New York State Senator
Senate District 27



Kenny Burgos
New York State Assembly
Assembly District 85



Jabari Brisport
New York State Senator
Senate District 25



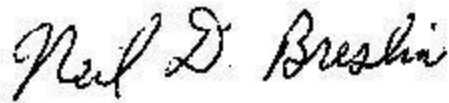
Linda B. Rosenthal
New York State Assembly
Assembly District 67



Elijah Reichlin-Melnick
New York State Senator
Senate District 38




Maritza Davila
New York State Assembly
Assembly District 53



Neil Breslin
New York State Senator
Senate District 44



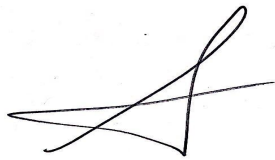
Sandy Galef
New York State Assembly
Assembly District 95



John Liu
New York State Senator
Senate District 11



Sarah Clark
New York State Assembly
Assembly District 136



Kevin Thomas
New York State Senator
Senate District 6



Yudelka Tapia
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Kenneth Zebrowski
New York State Assembly
Assembly District 96



Kevin Parker
New York State Senator
Senate District 21



Roxanne Persaud
New York State Senator
Senate District 19



Peter Harckham
New York State Senator
Senate District 40

A stylized, cursive handwritten signature in black ink, featuring a large initial 'A' and a long, sweeping tail.

Alessandra Biaggi
New York State Senator
Senate District 34

A cursive handwritten signature in black ink, with the first name 'Rachel' clearly legible.

Rachel May
New York State Senator
Senate District 53

A cursive handwritten signature in black ink, with the first name 'Jamaal' and the last name 'Bailey' partially visible.

Jamaal T. Bailey
New York State Senator
Senate District 36

A cursive handwritten signature in black ink, with the first name 'Leroy' and the last name 'Comrie' partially visible.


Leroy Comrie
New York State Senator
Senate District 14

A cursive handwritten signature in black ink, with the first name 'Jessica' and the last name 'Ramos' clearly legible.

Jessica Ramos
New York State Senator
Senate District 13



Sean M. Ryan
New York State Senator
Senate District 60



John E. Brooks
New York State Senator
Senate District 8



Samra Brouk
New York State Senator
Senate District 55



Toby Ann Stavisky
New York State Senator
Senate District 16



Liz Krueger
New York State Senator
Senate District 28

A handwritten signature in black ink, appearing to read 'B. Kavanagh', with a stylized, cursive script.

Brian Kavanagh
New York State Senator
Senate District 26