

STATE-LEVEL FIREARM INDUSTRY NON-DISCRIMINATION (FIND) LEGISLATION

BACKGROUND

Gun control advocates have sought to advance their social and political agenda by bypassing legislative bodies and pressuring corporate and essential service providers to adopt “environmental, social and governance” (ESG) policies. As a result corporations are denying essential services to members of the firearm industry, including loans and lines of credit, closing bank accounts, ceasing the processing of credit card transactions and denying access to payment networks like Square® and PayPal¹, and doing this for no other reason than being part of the industry.

NSSF® – The Firearm Industry Trade Association – is leading the fight against this discrimination.

BEGINNINGS: OPERATION CHOKE POINT

The Obama administration created “Operation Choke Point”, a government-led effort to use the Federal Deposit Insurance Corporation (FDIC) and Department of Justice (DOJ) to coerce financial institutions to deny essential financial services to disfavored industries. This was a politically driven abuse of government power to throttle essential financial services for lawful firearm and ammunition business. The goal was to coerce banks, third-party payment processors and other financial institutions into closing or denying business accounts that the FDIC classified as a “reputational risk.” The administration specifically included firearm and ammunition industry-related businesses, among other targeted industries. NSSF, with help from congressional allies, successfully led the fight to force the Obama administration to halt Operation Choke Point.

- Backdoor boardroom gun control has spread in states throughout the U.S. as corporate financial institutions and service providers embrace discriminatory policies against the lawful and Constitutionally-protected firearm and ammunition industry. Firearm Industry Nondiscrimination (FIND) Act legislation counters this discrimination.
- The following states have enacted a FIND Act: AL, FL, GA, ID, LA, MT, OK, TX, UT, WV, & WY.
- At the federal level, NSSF supports H.R. 45, the Firearm Industry Non-Discrimination (FIND) Act, introduced by Rep. Jack Bergman (R-Mich.) in the U.S. House of Representatives, and S.137 introduced by Sen. Steve Daines (R-Mont.) in the U.S. Senate.

NEW ERA OF ESG

While the FDIC told Congress it would end the discriminatory targeting against the firearm industry, the discrimination continues. It has been privatized by all large service providers through environmental, social and governance (ESG) policies. Legal, legitimate, and highly regulated firearm businesses are still being denied essential services, demonstrating the critical need for the adoption of Firearm Industry Nondiscrimination (FIND) Act legislation by state legislatures and the federal government. International corporate financial institutions, including JP Morgan Chase², Citigroup³, Bank of America⁴, Wells Fargo⁵ and others – as well as technology and social media companies – regularly penalize, refuse services and discriminate against firearm industry businesses.

REMEDY: FIREARM INDUSTRY NONDISCRIMINATION (FIND) ACT

NSSF has worked closely with state legislators to implement strong safeguards against this corporate boardroom gun control. The FIND Act enables states to use discretion to conduct business with only those entities that do not

discriminate against the lawful and Constitutionally protected firearm and ammunition industry. The FIND Act does not force any business to abandon its discriminatory policies. States with a FIND Act, however, are ensuring taxpayer dollars don't fund and support companies with discriminatory practices against an essential and valued industry that makes the exercise of the Second Amendment by their citizens possible.

Prior to 2021, state FIND Act legislation concentrated on state-chartered banks, which provided limited protections for the growing threat to the firearm industry. FIND Act legislation was improved to include taxpayer-funded government contracts among all types of goods and service providers. In Texas, Gov. Greg Abbott signed his state's FIND Act into law in 2021⁶, which included a provision requiring virtually all local and state government contractors to verify they do not discriminate against firearm and ammunition businesses. Corporate banks including Citigroup and JP Morgan Chase forfeited several billion dollars of municipal bond contracts because of policies hostile to the firearm and ammunition industry⁷.

Since 2021, several states have adopted NSSF-supported FIND Act laws. These include Alabama⁸, Florida⁹, Georgia¹⁰, Idaho¹¹, Louisiana¹², Montana¹³, Oklahoma¹⁴, Texas¹⁵, Utah¹⁶, West Virginia¹⁷ and Wyoming¹⁸. Several more states are considering taking similar actions during upcoming legislative sessions.

FEDERAL FIX

NSSF has also worked closely with legislators in Congress to ensure taxpayer dollars do not fund federal contracts with companies that discriminate against firearm industry businesses. NSSF supports H.R. 45¹⁹, the Firearm Industry Non-

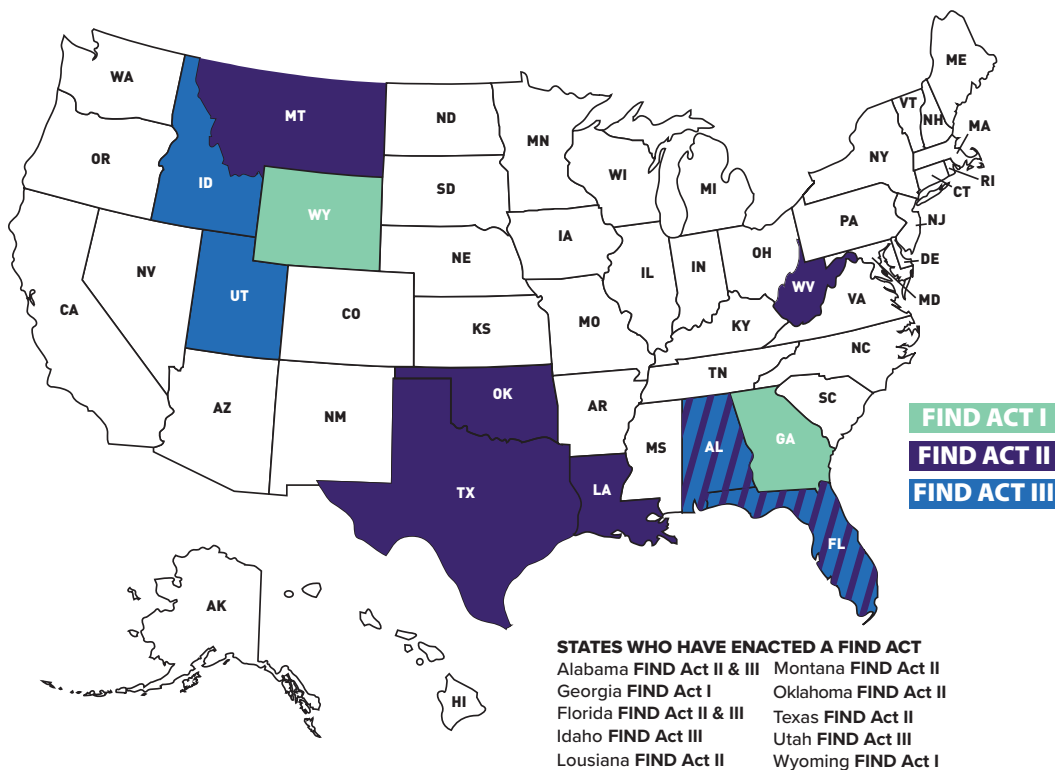
Discrimination (FIND) Act, introduced by Rep. Jack Bergman (R-Mich.) in the U.S. House of Representatives, and S.137²⁰, introduced by Sen. Steve Daines (R-Mont.), in the U.S. Senate.

In short, large companies may still choose to discriminate but with this choice comes an opportunity cost – they will forgo large publicly-funded contracts.

State level FIND Act legislation has evolved over time through differing iterations as they have been worked through different state legislative bodies.

These Acts, however, can be broadly classified into three categories:

- FIND Act I** (affects state-chartered banks only)
- FIND Act II** (affects goods and services contracts with all companies, including national banks)
- FIND Act III** (affects investment/deposit of state-controlled monies, not contracts).



¹<https://www.nytimes.com/2018/02/19/business/banks-gun-sales.html#:~:text=PayPal%2C%20Square%2C%20Stripe%20and%20Apple,spokesman%20for%20Square%20told%20me.>

²<https://www.foxbusiness.com/financials/chase-ceo-jamie-dimon-defends-banks-firearm-policy>

³<https://www.citigroup.com/global/news/perspective/2018/announcing-our-us-commercial-firearms-policy>

⁴<https://www.nbcnews.com/news/us-news/bank-america-stops-financing-makers-military-style-rifles-n865106#:~:text=Bank%20of%20America%20confirmed%20Wednesday,about%20company%20values%20and%20intentions.>

⁵<https://www.reuters.com/business/finance/wells-fargo-firearm-policies-under-texas-ag-scrutiny-2023-07-28/>

⁶S.B. Res. 19, Sess. of 2021 (TX.2021), <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=87R&Bill=SB19>

⁷<https://www.bnnbloomberg.ca/bofa-citi-jpmorgan-see-text-as-muni-business-halt-after-gun-law-1.1660519>

⁸S.B. Res. 261, Sess. of 2023 (AL.2023), <https://legiscan.com/AL/bill/SB261/2023>

⁹H.B. Res. 3, Sess. of 2023 (FL.2023), <https://www.flsenate.gov/Session/Bill/2023/3>

¹⁰O.C.G.A. § 10-1-439.25.

¹¹Res. 1291, Sess. of 2024 (ID.2024), https://legiscan.com/ID/bill/S1291/2024?utm_campaign=rss&guid=5AfVyAxcSm8oMxVUqYT4XY

¹²S.B. Res. 234, Sess. of 2024 (LA.2024), <https://legis.la.gov/legis/BillInfo.aspx?s=24RS&b=SB234&sb=y>

¹³H.B. Res. 356, Sess. of 2023 (MT.2023), https://laws.leg.mt.gov/legprd/LAW0210W%24BSIV.ActionQuery?P_BILL_NO1=356&P_BLTP_BILL_TYP_CD=HB&Z_ACTION=Find&P_SESS=20231

¹⁴S.B. Res. 500, Sess. of 2025 (OK.2025), <https://www.oklegislature.gov/BillInfo.aspx?Bill=SB500&Session=2500>

¹⁵S.B. Res. 19, Sess. of 2021 (TX.2021), <https://capitol.texas.gov/BillLookup/History.aspx?LegSess=87R&Bill=SB19>

¹⁶H.B. Res. 449, Sess. of 2023 (UT.2023), <https://le.utah.gov/~2023/bills/static/HB0449.html>

¹⁷H.B. Res. 3342, Sess. of 2025 (WV.2025), https://www.wv-legislature.gov/Bill_Status/bills_history.cfm?INPUT=3342&year=2025&sessiontype=RS

¹⁸H.B. Res. 236, Sess. of 2021 (WY.2021), <https://legiscan.com/WY/text/HB0236/id/2344227>

¹⁹H.R. 45, <https://www.congress.gov/bill/119th-congress/house-bill/45/text?s=7&r=1&q=%7B%22search%22%3A%22hr45%22%7D>

²⁰S.137, <https://www.congress.gov/bill/119th-congress/senate-bill/137/text?s=5&r=23>

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The Firearm Industry
Trade Association