

FIREARM INDUSTRY NONDISCRIMINATION ACT (FIND ACT)

In response to coordinated campaigns targeted against members of the firearm and ammunition industry, the National Shooting Sports Foundation (NSSF) has launched an initiative to end the unjustified discrimination against law-abiding companies. Efforts to prevent service providers such as banks and payment processors from refusing to work with firearm and ammunition businesses have culminated in the Firearm Industry Nondiscrimination Act (FIND Act).

In the coming legislative sessions, the industry will tell its story to lawmakers to show the numerous obstacles a legal, federally licensed business faces in attempts to obtain necessary services.

OPERATION CHOKE POINT

The Obama Administration created an initiative called “Operation Choke Point.” This was an effort by the Federal Deposit Insurance Corporation (FDIC) and Department of Justice (DOJ) to stop financial institutions from offering services to some regulated industries in an attempt to choke off banking services. The goal of the operation was to coerce banks, third-party payment processors and other financial institutions into closing or denying business accounts of clients that the FDIC has classified as “high risk” or as a “reputational risk” for the financial institution. The FDIC included federally licensed firearm retailers and other companies in the firearm and ammunition industry – some of the most heavily regulated businesses in the country - on this list of risky businesses without any evidence or justification.



Due to this deliberate action on the part of the prior Administration, some banks have ended relationships with legal and legitimate companies solely based on their industry. While the FDIC had indicated it will take incremental steps to end this indiscriminate targeting of the firearm industry, there is no evidence that this discrimination has ended. In the meantime, it is clear that legal, legitimate businesses licensed by the federal government are being choked off from the financial system without cause.

BIGGER PICTURE OF BROAD DISCRIMINATION

Unfortunately, discrimination against the firearms and ammunition industry extends far beyond Operation Choke Point. According to a NSSF survey of its members, individuals engaged in the business of manufacturing and dealing in firearms and ammunition products have experienced being refused goods and services by financial institutions simply because they were engaged in the lawful commerce of firearms and ammunition. This

discrimination and refusal to provide goods and services results in higher costs of doing business and increased prices for consumers when exercising their Second Amendment Rights.

Our members report facing discrimination from internet search engines, payment processors, insurance companies, social media, and other service providers not covered by the FDIC. While the firearms industry respects the right of financial institutions and other service providers to make business decisions based on objective criteria, it is unacceptable to discriminate against businesses simply because they are engaged in the lawful commerce of firearms, an activity protected by the Second Amendment.

In Georgia, for example, lawmakers enacted a tailored version of the FIND Act in 2017 to prohibit financial institutions from discrimination. The firearm industry applauds this action and is working with several other states to protect the legal, law-abiding businesses and our Second Amendment Rights.