

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-6074
MINORITY (202) 225-6051
<https://oversight.house.gov>

May 11, 2026

Mr. Craig Burkhardt
Acting Under Secretary of Commerce for Standards and Technology
Director, National Institute of Standards and Technology
U.S. Department of Commerce
1401 Constitution Ave., N.W.
Washington, D.C. 20230

Dear Mr. Burkhardt:

The Committee on Oversight and Government Reform is examining the harmful influences of global activist groups on American businesses, including concerns certain left-wing activists have co-opted otherwise apolitical standards-setting bodies to compel policy on unwilling companies. The National Institute of Standards and Technology (NIST) holds the leading federal governmental position in coordinating federal agencies to engage with private sector-led consensus organizations.¹ The Committee writes to request a briefing on NIST's work to ensure global bureaucracies maintain impartiality in their mission to establish apolitical standards and to prevent harms to U.S. industry from left-wing activism and politicization.

The International Organization for Standardization (ISO) is a purportedly independent body that sets "standards [that] impact an estimated 80 percent of the world commodity trade."² The broad reach of ISO's standards setting has significant impact on American companies, consumers, and the economy. The ISO's 2022 adoption of Merchant Category Code (MCC) 5723 created a merchant code specifically for tracking and identifying credit card transactions at gun and ammunition retailers.³ Prior to adoption of MCC 5723, gun stores were categorized as sporting goods or miscellaneous retail stores.⁴ However, Amalgamated Bank, which as early as 2016 has described itself as "the country's leading progressive bank,"⁵ petitioned ISO to create MCC 5723's gun store-specific code.⁶ Amalgamated Bank Chief Executive Priscilla Sims Brown said herself that MCC 5723's merchant codes are intended to embolden financial institutions to "fully comply with their duty to report suspicious activity and illegal gun sales to authorities."⁷

¹ 15 U.S.C. § 272

² *ISO membership manual*, INTNL. ORG. OF STANDARDIZATION, available at <https://www.iso.org/files/live/sites/isoorg/files/store/en/PUB100399.pdf>.

³ Kinsley Crowley, *California now forces credit cards to assign special code to gun stores as 16 states ban it*, USA Today (July 7, 2024).

⁴ Mark Chestnut, *The Battle to End the Use of Gun-Specific Merchant Category Codes*, NRA HUNTERS' LEADERSHIP F. (Apr. 22, 2025).

⁵ News Release, Amalgamated Bank, Amalgamated Bank Announces First-Ever Progressive Index (Nov. 3, 2016).

⁶ Ross Kerber, *Global standards body approves new merchant code for gun sellers*, REUTERS (Sep. 9, 2022).

⁷ Ryan Petty, *The end game for gun control activists*, Bearing Arms (Sept. 15, 2022).

Left unchecked, such a step would be little more than a pretext to create a registry that a future Administration might use to intimidate or retaliate against Americans who exercise their Second Amendment rights,⁸ reflecting the indirect, forceful methods of progressive activists to compel American businesses to act as their accomplices.

ISO's latest and perhaps most concerning foray into politicized standards setting occurred when, in September, 2025, ISO announced it would partner with Greenhouse Gas Protocol (GHGP) to integrate GHGP's work into ISO standards.⁹ GHGP is comprised of environmental activists who seek "to expedite outcomes."¹⁰ GHGP's framework includes a requirement that firms report Scope 3 emissions, which are the emissions of a company's suppliers, transportation, and end-users—in addition to direct (Scope 1) and indirect (Scope 2) company emissions.¹¹ While such emissions reporting within GHGP's framework is already difficult for larger companies due to the complexity of Scope 2 and Scope 3 calculations, the compliance expenses for small or medium sized businesses may be immensely burdensome or impossible, diverting business capital away from actual business investment areas to compliance, and driving up consumer costs.¹² Experts from the Niskanen Center have assessed the apolitical weaknesses of using GHGP for carbon emissions reporting:

The United States faces a pivotal decision: how to count carbon in a way that protects industrial competitiveness, reduces compliance costs, and supports its position in global trade. The current mainstream framework, the Greenhouse Gas Protocol (GHGP), was not built for this task. Designed two decades ago to support broad corporate disclosures, it has become more focused on reporting than on helping firms manage emissions in real time. Its reliance on estimates and industry averages makes it ill-suited for tracking emissions through complex supply chains or verifying product-level performance in export markets.¹³

GHGP's "...Independent Standards Board, or ISB, had voted to disregard the recommendation of its [own] experts, walk back expectations previously set publicly, and prioritize optics over impact."¹⁴

While ISO-promulgated standards may originate as voluntary regimes, federal law and U.S. Office of Management and Budget regulations tilt American regulatory adoption and

⁸ U.S. Const. amend. II.

⁹ New Release, Intl. Org. of Standards, ISO and GHG Protocol announce strategic partnership to deliver unified global standards for greenhouse gas emissions accounting (Sept. 9, 2025).

¹⁰ Patrick Brenner, *The Carbon Standardization Project*, SW. PUB. POL'Y INST. (March 19, 2026).

¹¹ *Id.*

¹² *Id.*

¹³ Jia-Shen Tsai, *Reforming carbon accounting for a new era of competition*, NISKANEN CTR. (Oct. 15, 2025), available at <https://www.niskanencenter.org/reforming-carbon-accounting-for-a-new-era-of-competition/>.

¹⁴ Lee Taylor, *GHG Protocol prioritizes looking good over doing good*, UTILITYDIVE (Sept. 24, 2025), available at <https://www.utilitydive.com/news/ghg-protocol-scope-2-resurety-hourly-matching-carbon/760982/#:~:text=Despite%20all%20these%20voices%2C%20the,emissions%20as%20accurately%20as%20possible.>


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standardization toward private-sector-led international and domestic frameworks in the long term.¹⁵ If the ISO begins to shape regulatory and policy outcomes based on progressive activist pressure, the difference between neutral technical guidance and policy advocacy becomes difficult to discern.

To obtain more information on how NIST is working to use the United States' representation in ISO through the American National Standards Institute (ANSI) to guard against bias and ensure accuracy in ISO's standards, the Committee requests a staff-level briefing to occur on or before May 18, 2026.

The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. To schedule the briefing or ask any related follow-up questions, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style with a horizontal line underneath the name.

James Comer
Chairman
Committee on Oversight and Government Reform

cc: The Honorable Robert Garcia, Ranking Member
Committee on Oversight and Government Reform

Mr. Christian Dubay, Chair of the Board
American National Standards Institute

¹⁵ *GOVERNMENT USE OF STANDARDS*, STANDARDSPORTAL.ORG, available at https://standardsportal.org/USa_en/standards_system/government_use_standards.aspx.