



October 20, 2025

Jennifer M Jones
Deputy Executive Secretary
Federal Deposit Insurance Corporation
550 17th St. NW.
Washington, DC 20429

RE: Fiserv Comments – RIN 3064-AG14, Notice of Proposed Rulemaking Regarding FDIC Official Signs, Advertisement of Membership, False Advertising, Misrepresentation of Insured Status, and Misuse of the FDIC’s Name and Logo

Fiserv appreciates the Federal Deposit Insurance Corporation’s (FDIC) ongoing examination of the Part 328 rules related to the display and usage of the FDIC name, logo, and advertising statement. As a significant service provider to financial institutions of all sizes, Fiserv plays an important role in supporting our insured depository institution (IDI) clients in creating and deploying modern digital channels that are in scope of this rule.

Fiserv appreciates FDIC’s engagement and interest in the impact this rulemaking will have on IDIs, particularly smaller IDIs, since the original Final Rule was issued in December 2023. The FAQs and delayed enforcement that have been issued to date have provided time that was necessary for IDIs to be able to prepare for these changes and understand how to deploy the new requirements.

Additionally, Fiserv believes that the Notice of Proposed Rulemaking (NPR) issued in August is helpful in that it further clarifies how IDIs need to provide consumers with greater visibility and clarity about deposit insurance coverage. Overall, the NPR creates a much more succinct and executable set of requirements; however, there are areas that still require additional refinement. As an essential partner to IDIs, Fiserv’s comments aim to provide the FDIC with useful insight into the impact of the NPR’s new regulations and continue to provide technical assistance to the FDIC on areas of the rule that could use further finetuning.

About Fiserv

Fiserv, Inc. (NYSE:FI) is a leading global provider of payments and financial services technology solutions. We serve clients around the globe, including merchants, banks, credit unions, corporate and public sector clients. Our business is organized around two reportable business segments – financial solutions and merchant. The financial solutions segment provides products and services to financial institutions, enabling the processing of customer loan and deposit accounts, digital payments, and card transactions. Further, the financial solutions segment creates, publishes, and manages digital channels – in the form of websites and mobile applications – for a large cross section of our financial institution clients. These products enable FIs to engage with customers in modern and convenient channels.

Fiserv Perspective

Upon the release of the initial final rule related to Part 328 in December 2023, Fiserv began engaging with our internal product teams and IDI clients to scope, design, and put into

development the changes necessary to meet the updated requirements. Through this review, we quickly became aware of several areas within the initial rule that posed challenges to the underlying operations of digital channels as well as areas of the final rule that were ambiguous, which we feared would have resulted in a disparate deployment across the industry. Recognizing these challenges, Fiserv began robust engagement with the FDIC to identify these issues, pose questions, and ultimately work towards a more uniform standard that would be more practical for all IDIs and their customers.

As already noted, Fiserv appreciates the dedication of the FDIC team over the last 18 months in working with industry participants on these Part 328 regulations. Fiserv strongly supports several aspects of the NPR, namely:

- The clarification and simplification of the display of the FDIC official digital sign on websites and mobile applications to only the homepage, login page, and page where the consumer initiates a deposit account opening;
- The clarification and simplification of the requirement to deploy non-deposit signage only on pages primarily dedicated to one or more non-deposit products;
- The clarification and flexibility in the appearance, size, and location of the FDIC official digital sign. However, while additional flexibility is greatly appreciated, there are areas within this section that could benefit from further review, as noted below; and
- The clarification and simplification of the display of the FDIC official digital sign on automated teller machines (ATMs). However, there are areas within the updated approach to ATM disclosures that require additional attention noted below.

The NPR's revised disclosure structure is more aligned to how digital channels operate today and should allow customers to more easily understand when deposit insurance applies.

Two areas of the proposal that Fiserv believes require additional attention and review by the FDIC are 1) the design and placement of the FDIC official digital sign, and 2) the deployment of the official digital sign and non-deposit signage on ATMs.

1. Additional clarification on use of the FDIC official digital sign

Since the release of the December 2023 final rule, Fiserv, trade associations, and IDIs have raised several questions and concerns around the prescriptive nature of the FDIC official digital sign specifications. The NPR's updated approach to the official digital sign resolves many of these lingering questions, but some remain.

First, related to the official digital sign's color and sizing, is clarification of "navy blue." The NPR's added flexibility in allowing the use of either black or navy blue for the official digital sign is valid given the varied approach IDIs take when curating a website or mobile application. However, without denoting a hexadecimal color code for "navy blue," the FDIC and service providers like Fiserv will inevitably receive questions from IDIs about specifically which blue colors meet the underlying requirement. As a result, Fiserv requests that the updated final rule include a non-exhaustive example set of hexadecimal color codes that would meet the requirements of "navy blue."

Similarly, the NPR recognizes that text sizing can vary greatly depending on the device or application an end user is engaging with. It is beneficial that the rule allows IDIs to size the official digital sign to meet the needs of a digital channel. Though, leaving the standard as “clear and conspicuous” will also result in a number of questions from IDIs. As a result, Fiserv recommends that the final rule set minimum size standards for both websites and mobile applications. For example, Apple IOS requires a minimum text size of 9. The FDIC should codify this private market requirement within the rule or denote a minimum sizing for each digital channel type.

Finally, the NPR includes examples of “clear, continuous, and conspicuous” signage placement requirements for the official digital sign. Understanding that the examples are not an exhaustive list, rather guidance on application, Fiserv believes additional clarity should be added to the “login page” for mobile applications. The proposed rule establishes acceptable deployment of the official digital sign on “homepage” and “deposit account opening page” to include “near the top of the page,” yet for “login page” it only denotes “immediately adjacent to the username and password fields.” Fiserv believes additional clarification on this topic preserves the FDIC’s intent to provide a flexible rule while strengthening the ability for IDIs and their service providers to comply. As a result, we recommend the final rule be amended to add “near the top of the page” within Part 328.5(e)(2), which denotes examples of compliance for the login page display of the FDIC official digital sign.

2. Additional clarification on the deployment of the FDIC official digital sign and non-deposit signage on ATMs

As with the changes to websites and mobile applications, Fiserv is supportive of the NPR’s amendments relative to ATM signage. Moreover, the FDIC’s additional commentary on “on us” customer-based transactions is very helpful. In our review of the NPR’s updated text, we found two areas within this section that require further review.

First, on page 16 of the commentary section related to the display of the FDIC official digital sign on ATMs, the FDIC defines an “initial screen” as “the screen that is displayed before an *IDI’s customer* [emphasis added] inserts a debit card or other credentials to access the device (sometimes referred to as a “welcome screen”).”

This explanatory statement may inadvertently create a burdensome compliance issue due to the use of the word “customer.” The intent, based on our review of the NPR, of this requirement is that each qualified ATM will be required to clearly, continuously, and conspicuously display the FDIC official digital sign to make it clear that the machine is associated with an institution that has deposit insurance. In application, though, the NPR’s use of “customer” within the definition of “initial screen” could be interpreted as requiring an ATM to know the individual’s relationship with the IDI before the individual could plausibly be identified as a customer.

We recommend replacing the word “customer” with “consumer,” “individual,” or “user.” As noted in the NPR, ATMs do not recognize if the individual engaging with the machine is a customer of the IDI until an access device (debit card or similar credential) is presented and authenticated by the machine. Leaving the ambiguity created through the use of “customer” in defining “initial screens” would cause confusion for IDIs as to how to display the FDIC official digital sign on ATMs. Updating the language from “customer” to “consumer,” “user,” or “individual” will provide the necessary clarity for IDIs to be able to comply with the standard.

Second, the FDIC should further assess the requirement of IDIs to display the non-deposit signage on ATMs. The NPR correctly limits the use of the non-deposit signage only for “customers” whom IDIs identify during authentication of an access device and will know if such customer has access to non-deposit products through engagement with the ATM. But the FDIC’s designation of which page must display the non-deposit signage is of concern.

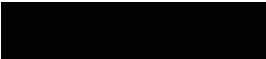
The NPR currently states an IDI must display the non-deposit signage “on the initial transaction page or initial transaction screen relating to a non-deposit product.” This requirement does not align with how ATMs, largely, operate today. When a customer of an IDI goes to an ATM, the most common transactions are withdrawals, balance inquiries, or deposits. Knowing this, ATM interfaces typically include “short cuts” that allow the customer to quickly complete the requested service. In these situations, screens generally do not delineate the short cuts by account type, but rather display them on a singular transaction page, which allows the customer to quickly choose which account to engage. These short cut pages could be considered “the initial transaction page...related to a non-deposit product,” as defined in the NPR, but practically speaking are not the type of page for which we believe the FDIC is intending to provide additional disclosures. Moreover, setting the requirement that these short cut pages include the non-deposit signage, without further information or relation to the actual account the statement is aligned to, could cause additional consumer confusion.

To rectify, Fiserv recommends that the FDIC apply a similar standard for ATMs as proposed for websites and mobile applications. More specifically, we recommend that the requirement to display non-deposit signage on ATMs should only be required on screens “primarily dedicated to one or more non-deposit products.” This amendment would provide consistent application of the signage across all digital channels, provide consumers with necessary disclosure when engaging with a product that does not have deposit insurance, and allow ATMs to continue to provide for expedited consumer experiences.

Conclusion

The NPR is a necessary and positive step forward to providing greater visibility about deposit insurance in a clear, replicable, and customer friendly way in digital banking channels. We appreciate the FDIC team’s changes and efforts to improve upon a rule that has such broad implications for IDIs and their customers. As the FDIC reviews this round of public comments, Fiserv remains committed to providing additional technical assistance and input to the FDIC at any time.

Sincerely,


Patrick Cuff
VP, Government Relations