



December 29, 2025

The Honorable Travis Hill
Chairman
Federal Deposit Insurance Corporation
Attn: Comments—RIN 3064-AG12
550 17th Street NW
Washington, DC 20429

The Honorable Jonathan V. Gould
Comptroller of the Currency
Office of the Comptroller of the Currency
Attn: Comment Processing
400 7th Street SW, Suite 3E-218
Washington, DC 20219

RE: Request for Public Comments Regarding Prohibition on Use of Reputation Risk by Regulators, 90 Fed. Reg. 48,825; RIN 1557-AF34, RIN 3064-AG12; Docket ID: OCC-2025-0142

Dear Chairman Hill and Comptroller Gould,

The National Committee for Religious Freedom (NCRF) appreciates the opportunity to submit comments in support of the FDIC and OCC's October 30, 2025 proposed rulemaking regarding, "Prohibition on Use of Reputation Risk by Regulators," 90 Fed. Reg. 48,825; RIN 1557-AF34, RIN 3064-AG12; Docket ID: OCC-2025-0142.

The NCRF is a 501(c)4 political action non-profit that exists to proactively defend the constitutional rights of religious freedom so that all Americans, their religious communities, and faith-based institutions can peacefully and publicly exercise their religious beliefs. Our organization was debanked by Chase Bank in May 2022, just three weeks after opening a business checking account and less than four months after its public launch.

The agencies' proposed rule-making is a positive first step in guaranteeing access to crucial banking services for all Americans. No one should be denied access to the US banking system due to their political, religious, cultural or social beliefs. In our modern digital economy, denial of access to banking services can be a financial death sentence to individuals, businesses or organizations. In the time it takes to open a new bank account after an existing account is closed, even a temporary denial of services can have devastating consequences such as an inability to pay staff or other bills.

The proposed rule helps fulfill President Trump's goals in Executive Order 14331 by eliminating reputation risk as a pretext that can be used by regulators to restrict law-abiding individuals' and businesses' access to financial services on the basis of political or religious beliefs or lawful business activities.

The concept of “reputation risk” is as nebulous and subjective as any regulatory standard. It is an invitation for abuse by regulators seeking to punish individuals or groups for viewpoints that may be unpopular in certain circles.

The NCRF agrees that the use of reputation risk in the supervisory process does nothing to enhance the safety and soundness of supervised institutions. In fact, the use of reputation risk can actually hurt supervised institutions by making them seem biased and bigoted against their own customers, both current and potential. For example, although we do not know why Chase Bank closed our checking account, we believe the bank’s reputation has suffered from a great deal of negative media attention from closing our account. Other supervised institutions who have denied services to Christian ministries have also experienced damage to their reputations.

The NCRF would respectfully suggest one change with proposed sections 12 CFR § 4.91(f) and 12 CFR § 302.100(f). The proposed rule prohibits the agencies from taking any action against an institution “that is designed to punish or discourage an individual or group from engaging in any lawful political, cultural, or religious activities, constitutionally protected speech, or, for political reasons, lawful business activities that the supervisor disagrees with or disfavors.”

While the proposed language is an improvement over the status quo, it should not be limited to just the supervisor or supervisory staff. The proposed sections will be much more effective in achieving the agencies’ goals if they are expanded to include any agency official. This would preclude senior officials, including political appointees, from attempting to exert undue influence on the supervisory process and punish the very customers the proposed rule is attempting to protect.

While the NCRF is supportive of the proposed rule, we have characterized this rule-making as a first step. While it is important that the agencies not encourage supervised institutions to punish customers for what may be considered unpopular speech or beliefs, it is equally important that the agencies not allow supervised institutions or their employees to act on their own to stifle First Amendment freedoms.

It is our belief that some of the other instances of debanking and deplatforming we are aware of are not necessarily corporate decisions, but the actions of individual or groups of employees seeking to impose their own judgment and values on groups with whom they disagree. The agencies should make every effort to guarantee free access to the American financial system for all Americans.

We commend the agencies for addressing the problem of reputation risk being used as an excuse to punish Americans for exercising their constitutional rights. It is not a safety and soundness issue and should not be used to deny Americans access to our banking system. Thank you for your consideration of our comments.

Sincerely,

Matthew Goddard
Executive Director