

BY REPRESENTATIVE WILDER

**BANKS/BANKING:** Memorializes the United States Congress to stop debanking policies

WHEREAS, if a regulator decides a bank is not adequately managing risk, does not have a good enough system in place to detect and deter financial crimes, or is closing accounts too slowly, the bank can face significant monetary penalties and costly lawsuits, and potentially criminal charges; and

1 WHEREAS, this regulatory environment allows regulators to put intense pressure  
2 on banks that can result in financial institutions managing risk by reevaluating or even  
3 severing their relationships with businesses and individuals to minimize regulatory risks and  
4 costs; and

5 WHEREAS, examples of regulators taking advantage of this leverage include:

6 (1) Operation Choke Point in 2013, where several high-ranking bureaucrats  
7 attempted to pressure banks to stop doing business with ammunition and gun sellers, payday  
8 lenders, and other industries.

9 (2) Operation Choke Point 2.0 in 2022, where the Federal Deposit Insurance  
10 Corporation sent letters to banks that called for a pause on cryptocurrency-related banking  
11 activity.

12 (3) Issuance of "guidance" by the Consumer Protection Financial Bureau that evades  
13 the rulemaking process.

14 (4) Issuance of "guidance" by the Federal Deposit Insurance Corporation, the Federal  
15 Reserve System, and the Office of the Comptroller of the Currency, forcing financial  
16 institutions to dedicate significant resources to climate change; and

17 WHEREAS, when federal regulatory agencies pressure banks to stop doing business  
18 with certain industries, it has a chilling effect that is ultimately a direct assault on free market  
19 capitalism, which has created the most prosperous nation in history.

20 THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby  
21 memorialize the United States Congress and President Trump to modernize anti-money  
22 laundering laws to better focus banks and law enforcement on potential financial criminal  
23 activity rather than the innocent banking activity of law-abiding customers.

24 BE IT FURTHER RESOLVED that all regulatory agencies with supervisory or  
25 regulatory authority over financial institutions should narrowly focus on their respective  
26 missions to protect the safety, soundness, and integrity of the United States financial system  
27 and refrain from using that authority to advance unrelated policy priorities.

28 BE IT FURTHER RESOLVED that all regulatory agencies with supervisory or  
29 regulatory authority over financial institutions should refrain from abusing that authority by  
30 threats implicit in the issuance of allegedly non-binding "guidance".

1 BE IT FURTHER RESOLVED that there be increased transparency and  
2 accountability for regulators and bank examiners to better balance legitimate concerns  
3 relating to money laundering and financial soundness while mitigating impacts to  
4 law-abiding citizens' access to financial services.

5 BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the  
6 chairman of the Board of Governors of the Federal Reserve System, the acting comptroller  
7 of the currency of the United States Department of the Treasury, the acting chairman of the  
8 Federal Deposit Insurance Corporation, the presiding officers of the Senate and the House  
9 of Representatives of the Congress of the United States of America, and each member of the  
10 Louisiana congressional delegation.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Wilder

Memorializes the United States Congress and the Trump administration to take necessary actions to stop banks and federal regulatory agencies from being weaponized against law-abiding citizens.