



Written by [Bob Adelman](#) on February 22, 2021

Biden Admin Pauses “Fair Access Rule” That Stopped Banks From Discriminating Against Gun Sellers

Scarcely a week after the inauguration of Joe Biden as president, his Office of the Comptroller of the Currency (OCC) [announced](#) that the [“Fair Access Rule”](#) issued by the Trump administration would be paused to “allow the next confirmed Comptroller of the Currency to review” it.

It’s the rule that was designed to put to bed forever the blackmail activities of Operation Chokepoint established and enforced during the Obama administration. The Obama Department of Justice pressured banks to cease providing banking services, including loans, to “unsavory” businesses. Included were gun stores, ammunition sellers, pawn shops, providers of payday loans, and escort services. The operation ended early in the Trump administration, and the “Fair Access Rule” was designed to keep it buried. The rule simply said that “banks should conduct risk assessment decisions of individual customers, rather than make broad-based decisions affecting whole categories or classes of customers.”



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Frank Keating of the American Bankers Association (ABA) said that under the Obama administration, Operation Chokepoint asked “banks to identify customers” who are “simply doing something government officials don’t like. Banks then ‘choke off’ those customers’ access to financial services, shutting down their accounts.” The threat of vigorous investigation into a bank’s activities served as sufficient blackmail to enforce the measure.

Not only did Operation Chokepoint bypass due process, but it was also a thinly veiled attack on industries that the Obama administration simply didn’t like. Kelly McMillan of gun maker McMillan Group International said Operation Chokepoint was

an attempt by the federal government to keep people from buying guns and a way for them to combat the Second Amendment rights we have. It’s a covert way for them to control our right to manufacture guns and individuals to buy guns.

Kelsey Bolar, a contributor to the Federalist, explained:

Essentially, by using the power of the federal banking regulators to intimidate banks from



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providing services to these industries, the [Obama] administration choked off their access to the financial system, leaving them paying more for essential banking services, or [eliminating their freedom] to use a bank at all.

Last Sunday, Biden used the third anniversary of the ghastly Parkland shooting to push his anti-gun agenda. Part of his agenda is to choke off the ability of American gun manufacturers to do business. He has promised to repeal gunmakers' shield from frivolous lawsuits that was signed into law in 2005, the Protection of Lawful Commerce in Firearms Act. Repeal would allow injured parties to sue gunmakers into oblivion if one of their firearms was used in a crime.

When the new comptroller of the currency is confirmed (Blake Paulson has been the acting comptroller since January 14), one may be certain that he'll act with the same vengeance on sellers of firearms and ammunition by resurrecting Operation Chokepoint.

Related article:

[Small Victory in Congressional War Against Operation Chokepoint](#)



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