



United States House of Representatives
One Hundred Nineteenth Congress
Committee on Financial Services
2129 Rayburn House Office Building
Washington, DC 20515

March 28, 2025

The Honorable Rodney E. Hood
Acting Comptroller
Office of the Comptroller of the Currency
400 7th Street, SW
Washington, D.C. 20219

Dear Acting Comptroller Hood:

Congratulations on your appointment as Acting Director of the Office of the Comptroller of the Currency (OCC). We are excited about new leadership at the OCC and look forward to working together to make common sense reforms to banking regulation with the goal of reducing regulatory burdens that stifle innovation and competition.

To that end, we write to recommend that the OCC rescind its flawed September 17, 2024 final policy statement on bank merger transactions.¹ The final rule unjustifiably overrides the previous common sense approach regarding applications under the Bank Merger Act aimed at expediting and streamlining the application review process. While the 2024 rule claims to increase transparency and public engagement by clarifying how the agency considers statutory factors under the Banker Merger Act, it will only increase the uncertainty banks face when deciding whether to pursue mergers or acquisitions. The OCC, under prior leadership, failed to consider the material impact on financial institutions that eliminating decades of statutory precedent would have without providing valid evidence or data to support such wholesale revisions.

For example, the OCC's final rule inverts the historical norm whereby the federal banking agencies presume that a proposed merger meets approval criteria, with the agencies assuming the burden of rebutting that presumption. Under the rule, the burden is now on the applicant to demonstrate approvability. This fundamental shift in the bank merger review process will lead to more drawn-out mergers that unnecessarily inject uncertainty into the process, without tangible benefits. The Federal banking agencies should seek to streamline the merger process and make it easier and simpler for well-functioning and well-capitalized banks to merge. The final rule from the OCC went in the wrong direction and will prevent bank mergers that would promote competition with the largest banks.

¹ Off. of the Comptroller of the Currency, *OCC Approves Final Rule and Policy Statement on Bank Mergers* (Sept. 17, 2024), <https://www.occ.treas.gov/news-issuances/news-releases/2024/nr-occ-2024-101.html>.

Given these concerns with the updated merger guidelines, we urge the OCC to withdraw this final rule. We also implore the OCC to take actions to streamline the merger review process to promote competition and increase clarity for merger applicants, including on an interagency basis. The House Financial Services Committee looks forward to working with the OCC to achieve these goals.

Sincerely,



French Hill
Chairman



Andy Barr
Chairman, Subcommittee on Financial
Institutions



Bill Huizenga
Vice Chairman



Roger Williams
Member of Congress



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Member of Congress



William R. Timmons, IV
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Daniel Meuser
Member of Congress



Young Kim
Member of Congress



Byron Donalds
Member of Congress



Scott Fitzgerald
Member of Congress



Mike Flood
Member of Congress



Monica De La Cruz
Member of Congress



Tim Moore
Member of Congress

cc: Representative Maxine Waters, Ranking Member, Committee on Financial Services
Kevin Hassett, Director of the National Economic Council