Eugene Delgaudio, President

Public Advocate of the U.S.

4451 Brookfield Corporate Drive, Suite 104 Chantilly, VA 20151
Email: publicadvocateusa.org@gmail.com
Phone: 703-845-1808

October 9th, 2025

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Re: Urgent Request for Investigation and Enforcement Pursuant to Executive Order 14331 – Politicized Debanking of Public Advocate of the U.S. by Discover Financial Services, in Violation of ECOA, CFPA, and FTC Act

Dear President Trump:

I write to you as President of Public Advocate of the U.S., a 501(c)(4) nonprofit organization dedicated to promoting traditional family values, including advocacy for traditional marriage, school prayer, religious freedom, and opposition to abortion and pornography. Our work, shared by tens of millions of Americans, advances constitutionally protected speech and beliefs.

Yet, since at least 2018, we have been repeatedly subjected to discriminatory "debanking" by Discover Financial Services—a financial institution acting as both card issuer and network—resulting in over $30,000 in lost receipts, operational disruptions, and barriers to our mission. This latest incident, confirmed directly by Fiserv (the processor for our donations, in Hagerstown, MD), stems 100% from Discover's complaints, torpedoing our services without evidence of wrongdoing.

I thank you for your leadership in recognizing the types of problems that debanking causes for individuals and organizations like Public Advocate, and for taking action by signing Executive Order 14331, "Guaranteeing Fair Banking for All Americans" (August 7, 2025).

Discover's actions constitute "politicized or unlawful debanking," as defined in your Executive Order, which prohibits financial institutions from restricting access to services based on customers' political or religious beliefs or lawful activities disfavored for political reasons. However, Discover's conduct, influenced by the Southern Poverty Law Center's (SPLC) defamatory "hate group" designations, violates the Equal Credit Opportunity Act (ECOA, 15 U.S.C. § 1691 *et seq.*), the Consumer Financial Protection Act (CFPA, 12 U.S.C. § 5531), and Section 5 of the Federal Trade Commission Act (15 U.S.C. § 45).

I respectfully request:

(1) an immediate DOJ investigation and civil enforcement action;

(2) expedited SBA reinstatement of our accounts; and

(3) a congressional hearing to expose this pattern and ensure compliance with EO 14331.

Background: A Pattern of Ideological Discrimination

Public Advocate has endured repeated debanking by Discover, rooted in SPLC's 2011 designation of us as a "hate group" for our advocacy against "radical homosexual" agendas and transgenderism—views SPLC smears as extremist, despite the alignment of those views with mainstream American values. This mirrors SPLC's broader tactics, which have inspired violence (*e.g.*, the 2012 Family Research Council shooting by Floyd Corkins, who targeted Public Advocate using SPLC's "hate map") and pressured processors to sever ties with conservatives and Christians. As noted in EO 14331, such practices echo "Operation Chokepoint," where regulators coerced banks to debank disfavored entities under the guise of "reputational risk."

Below is a list of examples where Discover has harmed Public Advocate:

- **September 18, 2018:** Discover abruptly terminated our merchant accounts (MIDs 6011 3100 2978 190 and 6011 3100 2981 988) via Cornerstone Payment Systems, citing "reputational risk" under Acquirer Operating Regulations Section 8.4. No fraud or financial issues were alleged; the action followed Discover's 2017 partnership with SPLC to target "hate groups" post-Charlottesville. This froze donations, costing thousands and stalling operations.
- **Summer 2024 (Pyrix Incident):** Discover's interference caused a $5,000 freeze and $10,000 in total lost collections, disrupting our educational outreach.
- **July 2025:** Another strike cost $10,000 in receipts.
- **September 2025:** On September 16, 2025, Fiserv notified us of cancellation due to Discover's complaint, halting processing and forcing emergency switch to a new provider (Cornerstone). That week's losses alone: $10,000.

Total damages exceed $30,000, with ongoing 15-20% higher borrowing costs and 30-40% revenue drops, per America First Policy Institute data.

Fiserv confirmed Discover's sole responsibility, aligning with patterns where SPLC's smears lead to financial exclusion.

Our 17 years of audited IRS Form 990s (2008-2023), available at https://www.publicadvocateusa.org/about/reports.php, show 100% transparency and compliance—no sales, only donations for advocacy.

National Context: A Systemic Crisis Addressed by EO 14331

Debanking is a national epidemic, with over 8,000 CFPB complaints in 2024-2025 targeting conservatives, Christians, and pro-life groups—though only 35 explicitly cite politics/religion due to nondisclosure norms. Major banks like JPMorgan Chase and Bank of America have debanked religious nonprofits under "viewpoint" rules, classifying opposition to same-sex marriage as "hate speech." Bank of America amended its code in June 2025 to ban religious viewpoint discrimination after conservative pressure, but Discover persists. SPLC's influence exacerbates this: Despite dismissing debanking as a "conspiracy theory," SPLC has urged banks to defund "hate" (*i.e.*, conservative) groups, per Alliance Defending Freedom reports.

EO 14331 directly counters these debanking actions by mandating:

- Removal of "reputation risk" from regulatory guidance within 180 days (Section 4(a)).
- Reviews of institutions for past debanking, with fines/consent decrees (Section 5(b)).
- SBA reinstatement of affected clients by December 5, 2025 (Section 4(b)).
- Treasury strategy against debanking by February 2026 (Section 5(a)).
- DOJ referrals for religious discrimination under ECOA (Section 5(c)).

SBA Administrator Kelly Loeffler echoed this in her August 26, 2025, directive to 5,000+ lenders: "Any bank that retaliates against otherwise eligible customers on the basis of reputational, religious, ideological, or political beliefs will be held to account." She highlighted targeting of "Christian, pro-life, and Second Amendment organizations," committing to compliance reports by January 5, 2026. As Arnold & Porter notes, the EO targets perceived anti-conservative bias, requiring banks to document objective, risk-based decisions—standards Discover flouts.

Request for Action

Under EO 14331, I respectfully request:

1. **DOJ Investigation:** Launch a civil right probe into Discover's repeated debanking, including SPLC communications and Fiserv records. Refer for ECOA/CFPA violations, seeking injunctions, restitution ($30,000+), and punitive damages.
2. **SBA Enforcement:** Expedite account reinstatement per Section 4(b); notify Discover of non-compliance risks, including loss of SBA standing.

Public Advocate's 100,000 supporters demand justice. This is not oversight—it's censorship stifling free speech and faith. Your leadership on EO 14331 offers hope; swift action will safeguard American liberties. I am available at 703-845-1808 or publicadvocateusa.org@gmail.com.

Thank you for your commitment to fair banking and the defense of civil liberties for all Americans.

Sincerely yours,

Eugene Delgaudio

EUGENE DELGAUDIO
President, Public Advocate

Cc:

The Honorable Pam Bondi
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

The Honorable Jim Jordan
Chairman, House Committee on the Judiciary
H2-362, The Capitol
Washington, DC 20515