



June 2, 2021

Ann E. Misback  
Secretary  
Board of Governors of the Federal Reserve System  
20<sup>th</sup> Street and Constitutional Avenue NW  
Washington, DC 20551

**Via Electronic Mail (to [regs.comments@federalreserve.gov](mailto:regs.comments@federalreserve.gov))**

Re: **Docket No. R-1748 - Request for Extension of NPRM on Debit Card Interchange Fees and Routing**

Dear Ms. Misback:

The American Bankers Association (“ABA”), the Bank Policy Institute (“BPI”), The Clearing House Association L.L.C. (“The Clearing House”), the Consumer Bankers Association (“CBA”), the Credit Union National Association (“CUNA”), the Independent Community Bankers of America (“ICBA”), and the National Association of Federally-Insured Credit Unions (“NAFCU”) (together, the “Associations”),<sup>1</sup> representing banks across the spectrum of the U.S. banking system, write to respectfully request a 30-day extension of the July 12, 2021 deadline for comment to the Board of Governors of the Federal Reserve System’s (“the Board”) notice of proposed rulemaking on Debit Card Interchange Fees and Routing (the “NPRM”).<sup>2</sup>

In making this request, the undersigned Associations note that a separate notice issued by the Board of Governors of the Federal Reserve System (Docket No. OP-1747; Proposed Guidelines for Evaluating Account and Services Requests, 86 Fed. Reg. 25,865 (May 11, 2021))<sup>3</sup> also has a comment due date of July 12, 2021, and there are several other agency requests for comment that have been issued and have due dates that are near in time to these notices.

Furthermore, we are very concerned by the Board’s decision to classify the NPRM as a clarification. The proposal is highly complex and it will take time for the Associations to gather needed information from our member institutions. In Section IV of the NPRM the Board provides only a very limited “analysis of economic impact which considers the costs and benefits to financial institutions, consumers, and other users of electronic fund transfers” as required by the

<sup>1</sup> Descriptions of the Associations are attached.

<sup>2</sup> *Debit Card Interchange Fees and Routing*, 86 Fed. Reg. 26,189 (May 13, 2021).

<sup>3</sup> *Proposed Guidelines for Evaluating Account and Services Requests*, 86 Fed. Reg. 25,865 (May 11, 2021).

Electronic Funds Transfer Act.<sup>4</sup> The Board declines to provide additional analysis under the Paperwork Reduction Act or the Regulatory Flexibility Act. The NPRM's thin regulatory analysis makes it more difficult for financial institutions and consumers alike to analyze the effects of the proposal or to comment without conducting significant independent data analysis. The accuracy, specificity, and overall quality of the Association's comments will be enhanced by the additional time.

Finally, while COVID-19 cases appear to be declining, the pandemic continues to present operational difficulties that make gathering feedback from our respective memberships more difficult. Additional time would permit a more thorough review of the NPRM and the various implementation-related and other challenges it presents and would allow a more robust opportunity for engagement.

Thank you for your consideration of our request for an extension of the comment period. If you have any questions or wish to discuss this letter, please do not hesitate to contact: Kirsten Sutton, Senior Vice President and Executive Director, Card Policy Council, ABA at (202) 309-9915 or [ksutton@aba.com](mailto:ksutton@aba.com); Paige Paridon, Senior Vice President and Associate General Counsel, BPI at (703) 887-5229 or [Paige.Paridon@bpi.com](mailto:Paige.Paridon@bpi.com); Robert C. Hunter, Director of Regulatory and Legislative Affairs & Deputy General Counsel, The Clearing House Association L.L.C. at (336) 769-5314 or [Rob.Hunter@theclearinghouse.org](mailto:Rob.Hunter@theclearinghouse.org); David Pommerehn, General Counsel and Senior Vice President, CBA at (202)552-6368 or [dpommerehn@consumerbankers.com](mailto:dpommerehn@consumerbankers.com); Lance Noggle, Senior Director of Advocacy and Senior Counsel, CUNA at (202) 508-6705 or [LNoggle@cuna.coop](mailto:LNoggle@cuna.coop); Deborah Matthews Phillips, Senior Vice President, Payments and Technology Policy, ICBA at (202) 697-1266 or [Deborah.Phillips@icba.org](mailto:Deborah.Phillips@icba.org); or Andrew Morris, Senior Counsel for Research and Policy, NAFCU at (703) 842-2266 [amorris@nafcu.org](mailto:amorris@nafcu.org).

Sincerely,

American Bankers Association  
Bank Policy Institute  
The Clearing House Association L.L.C.  
Consumer Bankers Association  
Credit Union National Association  
Independent Community Bankers of America  
National Association of Federally-Insured Credit Unions

---

<sup>4</sup> 15 U.S.C. 1693b(a)(2)(B)(2).

## **Descriptions of the Organizations**

### **About the American Bankers Association**

The American Bankers Association is the voice of the nation's \$21.2 trillion banking industry, which is composed of small, regional, and large banks that together employ more than 2 million people, safeguard \$17 trillion in deposits, and extend nearly \$11 trillion in loans. Learn more at [www.aba.com](http://www.aba.com).

### **About the Bank Policy Institute**

The Bank Policy Institute is a nonpartisan public policy, research and advocacy group, representing the nation's leading banks. BPI members include universal banks, regional banks and the major foreign banks doing business in the United States. Collectively, BPI members employ nearly 2 million Americans, make 68% of all loans and nearly half of the nation's small business loans and serve as an engine for financial innovation and economic growth.

### **About The Clearing House Association L.L.C.**

The Clearing House Association, L.L.C. is a nonpartisan organization that engages in research, analysis, advocacy and litigation focused on financial regulation that supports a safe, sound, and competitive banking system.

### **About the Consumer Bankers Association**

The Consumer Bankers Association represents America's leading retail banks. We promote policies to create a stronger industry and economy. Established in 1919, CBA's corporate member institutions account for 1.7 million jobs in America, extend roughly \$4 trillion in consumer loans and provide \$275 billion in small business loans annually.

### **About the Credit Union National Association**

The Credit Union National Association, Inc. ("CUNA") is the largest trade association in the United States serving America's credit unions and the only national association representing the entire credit union movement. CUNA represents nearly 5,300 federal and state credit unions, which collectively serve more than 120 million members nationwide. CUNA's mission in part is to advocate for responsible regulation of credit unions to ensure market stability, while eliminating needless regulatory burden that interferes with the efficient and effective administration of financial services to credit union members.

### **About the Independent Community Bankers of America**

The Independent Community Bankers of America creates and promotes an environment where community banks flourish. ICBA is dedicated exclusively to representing the interests of the community banking industry and its membership through effective advocacy, best-in-class education, and high-quality products and services. With nearly 50,000 locations nationwide, community banks constitute 99 percent of all banks, employ more than 700,000 Americans and are the only physical banking presence in one in three U.S. counties.

### **About the National Association of Federally-Insured Credit Unions**

The National Association of Federally-Insured Credit Unions advocates for all federally-insured not-for-profit credit unions that, in turn, serve over 124 million consumers with personal and small business financial service products. NAFCU membership is direct and provides credit unions with the best in federal advocacy, education and compliance assistance.