

May 26, 2026

Katherine S. Tyrrell
First Deputy Controller of the Currency
Office of the Controller of the Currency (OCC)
U.S. Department of the Treasury
400 7th Street, SW, Suite 3E-218
Washington, D.C. 20219



Submitted via Regulations.gov

RE: Docket ID OCC-2026-0430, National Bank Non-Interest Charges and Fees

Dear Ms. Tyrrell:

On behalf of the California Retailers Association, I write to urge the Office of the Comptroller of the Currency (OCC) to rescind the interim final rule "National Bank Non-Interest Charges and Fees" (Docket ID OCC-2026-0430). This rule obstructs the ability for states to enact credit card swipe fee reforms for merchants and consumers and creates an overreaching federal avenue for Visa and Mastercard to set other non-swipe fees like banking late fees, ATM fees, and annual fees.

The California Retailers Association is the only statewide trade association representing every segment of California's retail industry, from grocery and restaurants to department stores, pharmacies, and specialty retail. The consequences of this rule will be felt across every one of our member businesses and the Americans who shop with them.

Merchants must pay expensive swipe fees to accept credit and debit cards as payments from their customers. The hidden fees negatively impact U.S. consumers because retailers are forced to incorporate these fees in their pricing decisions and sell items at the "credit card" price to cover costs. In 2025, merchants' credit and debit card fees totaled \$198.25 billion, an increase of 80% since the pandemic and 5.9% from the previous year; of this total, \$118.83 billion in fees were assessed on merchants to accept Visa and Mastercard-branded credit cards, according to [Nilson Report](#). These hidden fees amount to an average cost of over \$1,200 per American household, according to the [Merchants Payments Coalition](#).

On the state level, grocers and other main street merchants act as state and local governments' agents in the collection and submission of state and local sales and excise taxes. Grocers pay credit card swipe fees to the card networks and nation's largest banks on top of the taxes that are passed through to state and local government. State reform legislation would prohibit swipe fees from being applied to the state and local taxes, and gratuity in some states, portion of the sale.

Grocers and main street merchants are being taxed twice for this official government duty by having to pay credit card swipe fees to the card networks and nation's largest banks just because they are a pass-through agent for state and local government taxes. In 2024 alone, these taxes on taxes resulted in nearly \$11 billion in swipe fees to the card networks and largest banks on sales tax collection.

The "National Bank Non-Interest Charges and Fees" interim final rule is an overreach by the federal government to obstruct state swipe fee reforms. The rule also creates a dangerous federal avenue for Visa and Mastercard to set other banking fees that are charged to banking customers. The California Retailers Association respectfully requests that the OCC rescind the "National Bank Non-Interest Charges and Fees" interim final rule.

Sincerely,

Jacob Brint
Sincerely,

A handwritten signature in black ink, appearing to read 'Jacob Brint'.

Jacob Brint
Legislative and Regulatory Manager
California Retailers Association