Credit Union Comment on OCC Pre-emptive Order

Chief Counsel's Office
Comment Processing
Office of the Comptroller of the Currency
400 7th Street SW
Suite 3E-218
Washington DC, 20219
Docket ID: OCC-2026-0431

To Whom It May Concern,

We write to express our support for the OCC's issuance of the interim final order pre-empting the Illinois Interchange Fee Prohibition Act ("IFPA"). We urge the OCC to issue similar orders for any future but functionally similar law that may be enacted in other states. We also urge the OCC to issue a final order pre-empting the IFPA. Even though it does not directly apply to us, we support the OCC's action because it provides a strong signal to those states considering functionally similar laws that the creation of a patchwork of state interchange laws would have a devastating impact on the nationwide card-based payment networks upon which credit unions like us rely. We also support and strongly agree with the OCC's amicus brief related to the *Illinois Bankers* case in the Seventh Circuit. We have written separately to comment on the interim final rule.

Credit unions operate on a not-for-profit cooperative model with limited economies of scale. As such, interchange fees play a crucial role in supporting our ability to provide low-cost payment options to our members while protecting them from fraud and cybercrime. All of the revenue a credit union makes is reinvested for the benefit of its members and their communities. The IFPA would reduce a critical source of revenue for credit unions and thereby limit the resources available to us to help ensure that our members are able to transact in the safest manner possible. Moreover, credit unions lack the resources of larger financial institutions to absorb new costs to comply with the IFPA. The IFPA and similar proposed legislation in other states would therefore negatively impact the ability of credit unions to compete with larger financial institutions and to serve their members. In addition, the IFPA presents massive and complicated operational challenges with which we believe the national payments networks will struggle. As a result, we are concerned about the potential risk of penalties being imposed on us and other credit unions under the IFPA.

Sincerely,

[*Name*]
[*Title*]
[*Credit Union Name*]
[*Location*]