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Financial institutions that have a practice of not authorizing debit and ATM transactions when there is a reasonable belief that there are insufficient funds in an account should be allowed the exception to charge a fee without affirmative consent in those cases where the account becomes overdrawn. Without such an exception to allow charges to offset the risk of loss, financial institutions will have no choice but to implement other measures to mitigate the risk associated with these transactions. In today's environment financial institutions establish offline limits for cardholders that are in place when communication interruptions or other technology issues occur. In those offline situations, financial institutions honor transactions by authorizing payments in good faith. Although only a fractional percentage of those transactions result in overdraft situations, without the ability to charge those cardholders for overdrawing the account, financial institutions will mitigate risk by reducing or eliminating offline limits for all cardholders. Similarly, financial institutions today are tolerant of cardholders who happen to overdraw their account as a result of debit and ATM transactions, because the losses incurred in the portfolio are offset by the fee income associated with overdraft situations. Prohibiting financial institutions that do not authorize transactions that overdraw accounts from applying a fee when those accounts inadvertently become overdrawn will have the unintended consequence of making financial services less available as card privileges are revoked, accounts are forcibly closed and approval criteria for services becomes more stringent. Unless the exception for financial institutions that have a practice of not authorizing debit and ATM transactions when there is a reasonable belief that there are insufficient funds in an account is expanded to include the allowance for a fee, financial institutions will implement changes to mitigate their risks that will be detrimental to consumers.