

Proposal: 1748 (AG15) Regulation II - Debit Card Interchange Fees and Routing

Description:

Comment ID: 141018

From: Sandy Marsh

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Subject: R-1748; Regulation II - Debit Card Interchange Fees and Routing

Comments:

NONCONFIDENTIAL // EXTERNAL

Dear Secretary Misback

Thank you for the opportunity to comment on Debit Card Interchange Fees and Routing. The cost of accepting debit cards and the growing obstacles to accessing competitive networks is impacting my business and customers I serve every day. With this in mind, I urge the Federal Reserve Board of Governors to take immediate action to enforce the routing competition provisions and reduce the regulated rate as required by law.

My company relies on debit network routing options in store to help contain network costs. Networks competing for both issuing banks and my business benefit all stakeholders in the chain, most importantly the consumer. The strains on my business since early 2020 have been unprecedented and previously unimaginable. Almost overnight, we saw a seismic shift in our customers' needs, shopping habits and the way they pay for our products and services. Customers who traditionally shopped in-person and paid using a variety of tenders suddenly moved to shopping online exclusively with debit and credit cards.

This shift in shopping habits, along with the significant investment my business has made to help keep our associates and customers safe, have greatly increased my cost of doing business.

In the request for comment, the Board of Governors notes that Regulation II specifically ".prohibits an issuer or payment card network from directly or indirectly restricting the number of payment card networks on which an electronic debit transaction may be processed to fewer than two unaffiliated networks." Unfortunately, as the Board notes, currently only 6% of online debit transactions are being processed by single-message networks -Visa's and Mastercard's competitors. This is a clear indicator that merchants are routinely not able to access a second debit network when the purchase occurs online, and it is necessary and appropriate for the Federal Reserve to take immediate action to enforce the law.

The proposed clarification recognizes the innovation in the debit space since the initial rule was finalized almost a decade ago. Specifically, the growth in online sales and the investment by the debit networks to enable PINless transactions are two examples. I strongly support the Board moving forward with enforcing the debit routing provisions to ensure that I can have access to multiple debit networks regardless of how or where the transaction occurs and is authenticated. Furthermore, I strongly encourage the Board to act quickly to finalize the clarification, so it is in full effect before the 2021 holiday shopping season. Not only is the clarification necessary to enforce federal law, but it will also bring immediate relief to my business and help me continue to provide the low prices and enhanced service my customers expect and deserve.

Finally, as the Board noted, U.S. merchants, such as me, paid \$24.38 billion in debit interchange fees in 2019. The current regulated rate for covered issuers is 21 cents plus five basis points with an additional penny for fraud adjustment. The rate has not been adjusted since it went into effect, even

though issuer costs have reduced by half, and merchants are shouldering more of the fraud burden. These facts are obvious indicators that the regulated rate should be reduced and done so immediately. The Federal Reserve Board of Governors should act immediately to reduce the regulated rate to bring it into alignment with the statutory requirement that it is both reasonable and proportional to the issuer costs. Doing so will deliver direct relief to my business and further encourage competition in the debit market.

Thank you again for the opportunity to provide comments on the proposed clarifications, and I strongly encourage the Board to act quickly on both enforcing the routing law and reducing the regulated debit rate.

Regards,
Sandy Marsh