OCC Bulletin 2026-18 | April 24, 2026

National Bank Non-Interest Charges and Fees: Interim Final Rule

To

Chief Executive Officers of All National Banks, Federal Savings Associations, and Federal Branches and Agencies; Department and Division Heads; All Examining Personnel; and Other Interested Parties

The Office of the Comptroller of the Currency (OCC) is announcing an interim final rule amending its regulation on national bank non-interest charges and fees, 12 CFR 7.4002. Among other things, the

interim final rule clarifies national banks' power to charge non-interest fees and charges, including interchange fees from payment card activity, regardless of whether those fees are set by the bank or a third party. Comments on all aspects of the interim final rule are due 30 days after it is published in the *Federal Register*.

The interim final rule will be effective June 30, 2026.

Note for Community Banks

The interim final rule will apply to all national banks, including national banks that are community banks.[1]

Highlights

- The OCC is adopting this interim final rule to clarify that national banks' power to charge non-interest charges and fees includes the power to assess, collect, impose, levy, receive, reserve, take, or otherwise obtain non-interest charges and fees, including interchange fees from credit and debit card operations.
- Further, the interim final rule explains that national banks may charge non-interest charges or fees, even when such

charges and fees are set by or in consultation with third parties.

Further Information

Please contact Karen McSweeney, Special Counsel; Priscilla Benner, Counsel; or Elizabeth Small, Counsel, Chief Counsel's Office, at (202) 649-5490.

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Related Link

- National Bank Non-Interest Charges and Fees: Interim Final Rule (PDF)

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[1] OCC News Release 2025-89 (September 18, 2025) identifies "community banks" as institutions with up to $30 billion in assets.

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