



September 14, 2023

The Honorable Deb Fischer  
United States Senate  
448 Russell Office Building  
Washington, DC 20510

Dear Senator Fischer:

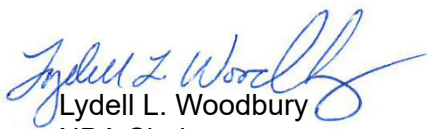
The Nebraska Bankers Association (NBA) has just become aware that Senator Marshall has filed an amendment to attach his Durbin 2.0 legislation (Credit Card Competition Act/CCCA) to the “minibus” appropriations package pending on the Floor. The NBA remains opposed to this “anti-fair enterprise” legislation and would ask you to register your objection to the cloakroom on any Hotline that includes the CCCA.

Rather than increasing competition, this legislation will harm consumers and benefit big box retailers by reducing the number of credit card issuers competing for consumers’ business, thereby removing consumers’ choice of preferred card network. The CCCA circumvents the free market to award private-sector contracts to a small handful of the retailers’ favored payment networks, padding the profits of big box retailers, threatening consumer access to valued credit card rewards programs, limiting community banks’ credit card offerings, and exposing credit cards to additional data security risks.


Merchant discount fees (MDF) represent the cost that retailers pay to their financial institution or card processor for the opportunity of higher sales, a larger customer base, reduced risk associated with cash, reduced bounced checks and guaranteed payment. The interchange fee is the portion of the MDF that the retailer’s financial institution pays to the cardholder’s financial institution for the service of utilizing the card system. This system saves retailers the trouble and risk of directly extending credit to customers and it increases the number and value of sales they can make. The robust security features that make credit cards so appealing to consumers also come at a cost.

In conclusion, the members of the NBA strongly object to the CCCA and its inclusion in this or any funding bill. Thank you for your consideration in registering your objection to the Marshall amendment being attached to the “minibus” appropriations package.

Sincerely,



Lydell L. Woodbury  
NBA Chair  
First Nebraska Bank, Valley



Brad Koehn  
NBA Chair-Elect  
Midwest Bank, Norfolk



Richard J. Baier  
President & CEO  
Nebraska Bankers Association