



INCREASING THE SAME DAY ACH DOLLAR LIMIT *Request for Comment*

Proposed Modifications to the Rules December 7, 2020

Phase 1 – Proposed Effective Date March 18, 2022.

ARTICLE EIGHT – DEFINITIONS OF TERMS USED IN THESE RULES

SECTION 8.99 “Same Day Entry”

An Entry for which the Effective Entry Date is the same Banking Day as the date on which the Entry is Transmitted by the ODFI to its ACH Operator, and is Transmitted by the ACH Operator’s deadline for same-day processing and settlement. A Same Day Entry must be for an amount of ~~\$100,000~~ **\$1,000,000** or less. An IAT or ENR Entry cannot be a Same Day Entry. For purposes of fulfilling its obligations under these Rules, an RDFI may rely on the Settlement Date of an Entry, regardless of the Effective Entry Date. An Entry with a stale or invalid Effective Entry Date will also be a Same Day Entry if it is Transmitted by the ODFI to its ACH Operator by the ACH Operator’s deadline for same-day processing and settlement, and is otherwise eligible for same-day processing and settlement.

The President of the National Association may delay the effective date of any approved increase in the dollar limit of a Same Day Entry by up to six months if the President believes such delay is necessary or appropriate to address operational or risk issues. The National Association will publish 60-day advance notice of any such delay.

APPENDIX THREE- ACH RECORD FORMAT SPECIFICATIONS

Subpart 3.2.2 Glossary of Data Elements

Settlement Date: 3 Positions – Company/Batch Header Record – Inserted by Receiving ACH Operator (all batches)

The Settlement Date (a 3-digit Julian date) for a batch of Entries is inserted by the Receiving ACH Operator. This is the date on which the Participating DFI or its correspondent is scheduled to be debited or credited by the Federal Reserve.

The Settlement Date inserted by the Receiving ACH Operator is the same as the Effective Entry Date, except as noted below.

In the following situations, the Receiving ACH Operator will insert the Banking Day following the Banking Day of processing as the Settlement Date (i.e., the next Banking Day):

- (1) The Effective Entry Date and the Originating ACH Operator’s processing date are the same, but the Entry is received by the Receiving ACH Operator after its deadline for same-day settlement.
- (2) The Effective Entry Date and the Originating ACH Operator’s processing date are the same, but the Entry is for an amount greater than ~~\$100,000~~ **\$1,000,000**.

- (3) The Effective Entry Date and the Originating ACH Operator's processing date are the same, but the Entry bears the IAT Standard Entry Class Code.
- (4) The Entry bears the ENR Standard Entry Class Code.

Entries with invalid or stale Effective Entry Dates will be settled at the next available settlement opportunity.

Return Entries, dishonored Return Entries, and contested dishonored Return Entries are settled by the ACH Operator no earlier than the Effective Entry Date contained within the original Entry, as it appears in the Return Entry Company/Batch Header Record. The return of an Entry that contains an invalid or stale Effective Entry Date will be settled by the ACH Operator at the next available settlement opportunity (i.e., the Banking Day of processing or the next Banking Day).

Notifications of Change will be settled at the next available settlement opportunity, (i.e., the Banking Day of processing or the next Banking Day).

APPENDIX TEN – RULES ENFORCEMENT

SUBPART 10.4.6 ACH Rules Enforcement Panel

SUBPART 10.4.6.1 Selection of Enforcement Panel

The National Association will maintain a list of members of the ACH Rules Enforcement Panel that have been nominated in accordance with the procedures established by the National Association.

SUBPART 10.4.6.2 Responsibilities of Enforcement Panel

The ACH Rules Enforcement Panel, in accordance with these rules, is the final authority regarding each of these issues:

- the imposition of any fines or penalties recommended by the National Association;
- instances in which the National Association believes the time frames and Resolution Dates asserted by the respondent Participating DFI as necessary to resolve the problem causing a rules violation are excessive;
- instances in which the National Association believes an ODFI, Originator, or Third-Party Sender has originated Entries without proper authorization in accordance with these Rules;
- instances in which the National Association believes an ODFI, Originator, or Third-Party Sender has attempted to evade the limitations on Reinitiation;
- instances in which the National Association recommends, after the inquiry process, that an ODFI be required to reduce an Originator's or Third-Party Sender's applicable return rate below the Administrative Return Rate Level and/or the Overall Return Rate Level;
- instances in which the National Association believes an ODFI, Originator, or Third-Party Sender has attempted to evade the **\$100,000** per-Entry **dollar limitation** on Same Day Entries;
- rules violations that the National Association believes constitute Class 1, Class 2, or Class 3 Rules Violations; and
- situations in which the National Association determines that it is unclear whether a rules violation has occurred.

Phase 2 – Proposed Effective Date March 17, 2023

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The President of the National Association may delay the effective date of any approved increase in the dollar limit of a Same Day Entry by up to six months if the President believes such delay is necessary or appropriate to address operational or risk issues. The National Association will publish 60-day advance notice of any such delay.

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In the following situations, the Receiving ACH Operator will insert the Banking Day following the Banking Day of processing as the Settlement Date (i.e., the next Banking Day):

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Phase 3 – Proposed Effective Date March 15, 2024

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- ~~(2) The Effective Entry Date and the Originating ACH Operator’s processing date are the same, but the Entry is for an amount greater than \$10,000,000.~~
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- instances in which the National Association believes an ODFI, Originator, or Third-Party Sender has originated Entries without proper authorization in accordance with these Rules;
- instances in which the National Association believes an ODFI, Originator, or Third-Party Sender has attempted to evade the limitations on Reinitiation;
- instances in which the National Association recommends, after the inquiry process, that an ODFI be required to reduce an Originator's or Third-Party Sender's applicable return rate below the Administrative Return Rate Level and/or the Overall Return Rate Level;
- ~~instances in which the National Association believes an ODFI, Originator, or Third-Party Sender has attempted to evade the per-Entry dollar limit on Same Day Entries;¹~~
- rules violations that the National Association believes constitute Class 1, Class 2, or Class 3 Rules Violations; and
- situations in which the National Association determines that it is unclear whether a rules violation has occurred.

¹ The ACH Rules Enforcement Panel would retain the authority to enforce the Same Day ACH per-Entry dollar limit for any such allegations related to Same Day Entries originated prior the elimination of the limit.