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NOTICE OF AMENDMENT  
TO THE  
2021 NACHA OPERATING RULES

April 8, 2021  
SUPPLEMENT #1-2021

Increasing the Same Day ACH Dollar Limit to \$1 Million  
*Effective Date: March 18, 2022*

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# Supplement #1-2021 to the Nacha Operating Rules

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On March 31, 2021, the Nacha Voting Membership approved an amendment to the Nacha Operating Rules on Increasing the Same Day ACH Dollar Limit to \$1 Million. The effective date for this amendment is March 18, 2022.

This supplement provides ACH Network participants with a summary of the key components of the change, along with details regarding the technical changes to Rules language. To ensure compliance with the most current rules, use this Supplement in conjunction with the 2021 edition of the Nacha Operating Rules.

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## Increasing the Same Day ACH Dollar Limit to \$1 Million

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### SUMMARY

The Increasing the Same Day ACH Dollar Limit to \$1 Million rule will increase the per-transaction dollar limit from \$100,000 to \$1,000,000. At implementation, both Same Day ACH credits and Same Day ACH debits will be eligible for same day processing up to \$1,000,000 per transaction.

The first Same Day ACH rule incorporated a \$25,000 per transaction limit as a risk mitigation measure, which gave the industry time to gain experience with same day processing while transacting at relatively low dollar amounts. In March 2020, the Same Day ACH transaction limit was increased to \$100,000. With the \$1,000,000 limit, the percentage of ACH dollars eligible for Same Day ACH will more than double. Furthermore, an additional 3.5% of business-to-business payments will become eligible for Same Day ACH. The increase will also make large dollar business-to-consumer transactions and reversals Same Day ACH eligible.

### IMPACT TO PARTICIPANTS

*Originators and Third-Party Senders:* These ACH participants should discuss with their financial institutions whether and when originating debit and/or credit entries up to \$1,000,000 is appropriate for their businesses. If these participants choose to transmit such entries, they need to be prepared for higher dollar transactions flowing through their accounts multiple times during the business day.

*ODFI:* ODIs will need to determine whether and how they will implement higher limit same day transactions with their Originator and Third-Party Sender customers. Higher Same Day ACH dollar limits might impact a financial institution's assessment of its customers' credit risks. ODIs that offer Same Day ACH will need to update internal processing applications and procedures to accommodate higher dollar limit same-day entries.

*RDFI:* RDFIs may need to update their internal processing applications and procedures to accommodate higher limit same-day entries. RDFIs should be prepared for a larger amount of dollars settling at several times throughout the day.

*Receivers:* Receivers, particularly non-Consumer Receivers, should be prepared to receive ACH debits and credits up to the new \$1,000,000 limit. These participants need to be ready for possibility of higher dollar transactions posting to their accounts throughout the business day. Receivers should review their internal procedures to determine whether any changes are required.

### EFFECTIVE DATE

The Rule will be effective on March 18, 2022.

### TECHNICAL SUMMARY

Below is a summary of the impact of the Increasing the Same Day ACH Dollar Limit to \$1 Million rule on the Nacha Operating Rules. Sections of the Rules that are affected by this amendment are also included and reflect rule language as it will read upon implementation in highlighted, italicized text.

- *Article Eight, Section 8.101 (Same Day Entry)* – Updates definition to reflect higher per-transaction dollar limit.
- *Appendix Three, Subpart 3.2.2 (Glossary of Data Elements): Settlement Date* – Updates description to reflect higher per-transaction dollar limit.

- *Appendix Nine, Subpart 9.4.6.2 (Responsibilities of Enforcement Panel)* – Updates Rules Enforcement Panel responsibilities to reflect higher per-transaction dollar limit.

*As approved March 31, 2021, effective March 18, 2022, the Rules will be amended as follows for changes related to Increasing the Same Day ACH Dollar Limit to \$1 Million:*

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## ARTICLE EIGHT

### Definitions of Terms Used in These Rules

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#### **SECTION 8.101 “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 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.

*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 \$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.*

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## APPENDIX THREE

### ACH Record Format Specifications

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#### **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.

*(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 \$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).

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## APPENDIX NINE

### Rules Enforcement

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#### *SUBPART 9.4.6.2 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 the Participating DFI, Originator, Third-Party Service Provider, or Third-Party Sender has committed an egregious violation of the 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 limitation on Same Day Entries;
- *instances in which the National Association believes an ODFI, Originator, or Third-Party Sender has attempted to evade the \$1,000,000 per-Entry dollar limit 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.