

THE REVIEW OF
**BANKING & FINANCIAL
SERVICES**
A PERIODIC REVIEW OF SPECIAL LEGAL DEVELOPMENTS
AFFECTING LENDING AND OTHER FINANCIAL INSTITUTIONS

Vol. 42 No. 4 April 2026

WHAT TO EXPECT IN BANKING REGULATION IN 2026

Guidance on digital assets, changes to bank supervision, new and novel bank charters flooding the market, increased M&A activity, guidance on third-party risk, bank capital, and more! These are just a few of the changes we are expecting in 2026.

By Joseph E. Silvia*

This year is shaping up to be a year of material developments in bank regulation, especially as they relate to technological developments and the future of finance. Indeed, we are in the midst of the most significant changes to the financial institution ecosystem and its regulation since the Great Financial Crisis and the Dodd-Frank Wall Street Reform and Consumer Protection Act. In this article, we focus on what we think are the five most important developments to watch in 2026. These developments include changes and potential changes in bank regulation related to digital assets, supervisory expectations, financial institution chartering, mergers and acquisitions, and third-party risk management.

DIGITAL ASSETS

First, perhaps the most dynamic area for potential changes in bank regulation this year is in digital assets. We have seen and will continue to see an increased focus on digital assets and their interaction with the traditional financial system in the United States and globally. After the passage of the GENIUS Act in 2025 and the statute's generalized acknowledgement that banks are essentially the favorite children in terms of the ability to issue payment stablecoins, it is reasonable that in 2026 we'll see more banks and traditional financial institutions interacting with payment stablecoins and digital assets on a much broader scale.

To this point, there are strong use cases that traditional financial institutions are considering. These include not only stablecoins as a payment mechanism, but also tokenized deposits, tokenized real-world assets, custody of digital wallets for safekeeping of customers' digital assets, and trading in digital assets and crypto markets.

It is absolutely the case that digital assets and blockchain, or distributed ledger technology, are already changing the plumbing of the global financial system so it is critical that banks and other traditional financial services companies not only pay attention to developments in this area, but also learn about the technological changes and craft strategies on how to integrate, build, or partner with them.

CHANGES TO THE SUPERVISORY APPROACH

A second key development for 2026 that we're watching closely is the potential changes to the federal banking agency's supervisory approach. One of the critical developments we've already seen was the issuance of the Federal Reserve Board's Statement of Supervisory Operating Principles¹ (the "Statement") in late 2025. The Statement indicated essentially that their supervisory expectations and approach will be more

¹ Available at: <https://www.federalreserve.gov/newsevents/pressreleases/files/bcreg20251118a1.pdf>.

* JOSEPH E. SILVIA is a partner at Duane Morris LLP's Chicago office. His e-mail address is JSilvia@duanemorris.com.