Who's Who Of Longtime-CFPB Opponents File Amicus Briefs In Support Of The Payday Industry's Lawsuit To Shut Down Its Funding

Summary: In April 2018, the Community Financial Services Association of America (CFSA) unsuccessfully sued the Consumer Financial Protection Bureau (CFPB) over its payday lending rule, with the Western District of Texas rejecting the trade group's arguments, siding with the CFPB. After the CFSA appealed the district decision, the Fifth Circuit Court of Appeals ruled In October 2022 that the funding structure of the CFPB was unconstitutional. In February 2022, the Supreme Court agreed to hear the case during their fall term.

In July 2023, multiple entities filed amicus briefs in support of the CFSA lawsuit. These groups, from Republican lawmakers to industry groups and conservative legal foundations, called for the Supreme Court to uphold the Fifth Circuit decision finding the CFPB's funding to be unconstitutional. Among these are:

Republican Members of Congress: On July 10, 2023, a **group of 132 Republican lawmakers,** including several members of the House Financial Services and Senate Banking Committee, filed an amicus brief in support of the payday industry's lawsuit.

- An Accountable.US review found that members of the House Financial Services Committee and Senate Banking Committee signing this amicus brief have taken a combined **$277,000** from CFSA and the affiliated INFiN, a payday trade group comprising of CFSA members.

Americans for Prosperity (AFP): On July 07, 2023, the right-wing group, Americans for Prosperity (AFP), filed an amicus brief calling the CFPB's "budgetary independence incompatible with the Constitution" due to being "insulate[d]" from Congressional oversight.

- The organization has a long history of attacking the CFPB and urging Congress to roll back provisions of Dodd-Frank. In 2017, Americans for Prosperity urged the U.S. Senate to vote "YES" on S.J. Res.47. to repeal a CFPB arbitration rule "ban[ning] mandatory arbitration clauses for everyday financial products," claiming it "removes customer choice, overburdens the court system, and forces consumers to pay more to solve their disputes."

- In June 2018, Americans for Prosperity commended then-President Trump for signing into law S.2155, calling it "the most significant bank reform" since Dodd-Frank. AFP accused Dodd-Frank of "expand[ing] the federal government" and "creating unaccountable agencies like the Consumer Financial Protection Bureau."

- In June 2017, Americans for Prosperity "cheered" the House for passing the "Financial CHOICE Act 2.0" which was praised as "add[ing] much-needed accountability to the Consumer Financial Protection Bureau (CFPB)." This legislation was introduced by then-Representative and chair of the House Financial Services Committee Jeb Hensarling, who was appointed to AFP's "advisory council" in November 2022. Throughout Hensarling's time in Congress, **he took over $5 million** from the securities & investment, insurance, and commercial bank industries.

- Meanwhile, a 2020 investigation by the Center For Media And Democracy found Americans for Prosperity received over $21 million from right-wing groups since 2014, including the Ed Uihlein Family Foundation and the Charles Koch Institute, among others.

The U.S. Chamber of Commerce: On July 10, 2023, the U.S. Chamber of Commerce led a financial industry-wide amicus brief in support of the CFSA lawsuit. The industry argued that the CFPB's "funding

mechanism violates the Constitution's structural protections embodied in its separation of powers."

- However, the U.S. Chamber's current President and CEO—Suzanne Clark—has served on the board of directors at TransUnion, which has been hit with multiple enforcement actions from the CFPB, since 2017. In 2017, TransUnion settled with the CFPB for $13.1 million in restitution and an additional $3 million in civil penalties for "deceptively marketing credit scores and credit-related products." In 2022, TransUnion faced a lawsuit from the CFPB alleging the company violated the 2017 law enforcement order over its "deceptive marketing," calling the company an "out-of-control repeat offender." In response to the CFPB's latest lawsuit, TransUnion released a statement calling the Bureau's claims "meritless," while attacking the actions of the "CFPB's current leadership" as "seek[ing] headlines through press releases and tweets."

ACA International: On July 10, 2023, ACA International—the largest trade group for debt collectors—filed an amicus brief in support of the CFSA's lawsuit. ACA International urged the Supreme Court to "affirm the Fifth Circuit's decision vacating the bureau's payday lending rule." Meanwhile, several ACA International members have been hit with over **$71 million in fines and restitution** by the CFPB since 2018:

- Just one month prior, the CFPB ordered ACA International member Phoenix Financial Services to pay a **$1.675 million fine** for attempting to collect consumer debt even after the debt "was not substantiated" and the consumer disputed its validity.

- Between September 2015 and October 2020, ACA International member Encore Capital paid **$25 million in civil penalties** and **over $42 million in consumer redress** after collecting payments through false statements and robo-signed court documents and violating a previous consent order, among other allegations of misconduct.

- In November 2020, the CFPB ordered ACA International member Afni to pay **$500,000 in fines** for providing inaccurate information to credit reporting agencies and failing to properly investigate consumer disputes in violation of the Fair Credit Reporting Act and the Consumer Financial Protection Act.

- In April 2020, ACA International member Cottonwood Financial was ordered to pay over **$1.3 million** in fines and restitution after it violated the Consumer Financial Protection Act, the Fair Credit Reporting Act, and the Truth In Lending Acts through its "marketing, servicing and collection [of] high-interest payday, auto-title, and unsecured consumer-installment loans."

- In July 2018, the CFPB barred ACA International member National Credit Adjusters (NCA) from using certain debt collection practices and ordered the company and its former CEO to pay a $3 million civil money penalty each, with full payment "suspended subject to NCA paying a $500,000 civil money penalty and [CEO] Hochstein paying a $300,000 civil money penalty."

Landmark Legal Foundation: In July 2023, the conservative Landmark Legal Foundation filed an amicus brief supporting the CFSA's lawsuit against the CFPB. The group echoed other arguments that the CFPB was in violation of the separation of powers, calling the agency "a wolf" for its consumer protection efforts. However, the group has ties to the Club For Growth, which has financed the campaign of Byron Donalds (R-FL), a staunch opponent of the CFPB:

- Landmark board member John N. Richardson Jr. is the Executive Vice President and Chief Operating Officer of the Club For Growth. The Club For Growth is financially backed by right-wing billionaire Richard Uihlein and has continuously and repeatedly attacked the CFPB, even calling for its abolition.

- The Landmark Foundation has also received funding from right-wing investor William A. Dunn, whose capital management fund has over $1 billion in assets under management and is seen as the foundation's main source of funding.

- Continuing to support Byron Donalds, the Club for Growth spent nearly $3,000 on flight and travel expenses for the Florida congressman in March 2023. That same month Donalds reiterated his opposition to the CFPB during a House Financial Services Subcommittee hearing as the sponsor of legislation to fully repeal the agency. Throughout his career, Donalds has taken over $117,000 from the group and individual contributions earmarked by the Club for Growth. Donalds is also a signatory of the amicus brief sent by the 132 Republican members of Congress.

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The Supreme Court Is Set To Decide The Fate Of The Consumer Financial Protection Bureau (CFPB) After A Payday Trade Group, The Community Financial Services Association Of America (CFSA), Filed A Lawsuit Seeking To Overturn Invalidate The CFPB's Payday Rule And Funding Structure.

In April 2018, The Community Financial Services Association Of America Unsuccessfully Sued The CFPB In The Western District Of Texas To Invalidate Its Final Payday Rule While Arguing Against The Constitutionality Of Its Funding And Leadership Structure—The Western District's Decision Was Subsequently Appealed By the Trade Group.

April 2018: The Community Financial Services Association Of America, Alongside The Consumer Service Alliance Of Texas, Filed A Lawsuit In The Western District Of Texas Seeking To Invalidate The CFPB's Final Payday Rule While Also Arguing The CFPB's Leadership Structure At The Time Was Unconstitutional Due To A Single Director "Improperly Insulated From Both Presidential Supervision And Congressional Appropriation." "The Community Financial Services Association of America (CFSA) and the Consumer Service Alliance of Texas today filed a lawsuit in the U.S. District Court for the Western District of Texas, Austin Division, against the Consumer Financial Protection Bureau (CFPB or Bureau) seeking to invalidate the Bureau's final rule on 'Payday, Vehicle Title, and Certain High-Cost Installment Loans.' The lawsuit alleges that the rule violates the Administrative Procedure Act (APA) because it exceeds the Bureau's statutory authority and is arbitrary, capricious, and unsupported by substantial evidence. The lawsuit also argues that the CFPB's structure is unconstitutional under the Constitution's separation of powers because the agency's powers are concentrated in a single, unchecked Director who is improperly insulated from both presidential supervision and congressional appropriation, and hence unaccountable to the American people." [CFSA, 04/09/18]

The Western District Of Texas "Rejected The Trade Associations' Numerous Arguments For Invalidating The Rule," With The Ruling Appealed By The Groups. "Specifically, two trade associations brought suit in the Western District of Texas to challenge the validity of the CFPB's 2017 Payday Lending Rule. The federal district court rejected the trade associations' numerous arguments for invalidating the rule, and the plaintiffs appealed." [Brownstein, 10/25/22]

The Western District Of Texas "Reject[ed] All Of The Trade Groups' Claims," Including Those Seeking To Invalidate The Rule Due To The Unconstitutionality Of Its Funding Structure And Leadership Structure. "The district court granted summary judgment for the CFPB, rejecting all of the trade groups' claims, including their arguments that the Consumer Financial Protection Act's restriction on the CFPB Director's removal (which the U.S. Supreme Court ruled was unconstitutional in Seila Law) rendered the Rule void ab initio and that the Rule was invalid because the CFPB's funding mechanism violates the Appropriations Clause." [Ballard Spahr, 10/20/22]

- **June 2020: The CFPB's Leadership Structure Was Ultimately Ruled Unconstitutional By The Supreme Court, With The Court Ruling The Director Could Be Fired Without Cause By The President.** "The Supreme Court ruled on Monday that the president is free to fire the director of the Consumer Financial Protection Bureau without cause. The decision, rejecting a federal law that sought to place limits on presidential oversight of independent agencies, was a victory for the conservative movement to curb the administrative state. The ruling puts to rest a decade of doubt over whether the bureau and its leadership structure, in which the director is appointed by the president to a five-year term and cannot be dismissed without a substantial reason, were constitutional." [New York Times, 06/29/20]

In October 2022, A Three-Judge Panel Of The Fifth Circuit Court Of Appeals Ruled That The Consumer Financial Protection Bureau's (CFPB) Funding Structure Was Unconstitutional, Overruling The District Decision.

October 19, 2022: A Three-Judge Panel Of The Fifth Circuit Court Of Appeals Ruled That The Consumer Financial Protection Bureau's Funding Structure Was Unconstitutional, Overruling The District Decision. "A federal appeals court has ruled that the funding structure of the nation's most powerful financial watchdog agency, the Consumer Financial Protection Bureau, is unconstitutional. In a case brought by a payday lending group, a three-judge panel of the 5th U.S. Circuit Court of Appeals threw out a CFPB regulation governing those high-interest-rate lenders and ruled that the way the bureau is funded, 'violates the Constitution's structural separation of powers.'" [NPR, 10/19/22]

In February 2023, The Supreme Court Agreed To Take Up The Case On The CFPB's Constitutionality.

February 27, 2023: The Supreme Court Agreed To Take Up The Case Regarding The Constitutionality Of The CFPB's Funding Structure After A "Panel Of Three Trump Appointees On The Fifth Circuit Court Of Appeals Ruled [In October 2022] That The Agency's Funding Is Unconstitutional." "The Supreme Court agreed on Monday to take up a case that could threaten the existence of the Consumer Financial Protection Bureau and potentially the status of numerous other federal agencies, including the Federal Reserve. A panel of three Trump appointees on the Fifth Circuit Court of Appeals ruled last fall that the agency's funding is unconstitutional because the CFPB gets its money from the Federal Reserve, which in turn is funded by bank fees." [NPR, 02/27/23]

In July 2023, A Group Of 132 Republican Members Of Congress Filed An Amicus Brief In Support Of The Payday Industry's Lawsuit—Letter Signatories From The House Financial Services Committee And Senate Banking Committee Have Received Over $277,000 From The Community Financial Services Association Of America, And Its Affiliate, INFiN.

In July 2023, A Group of 132 Republican Members of Congress, Including Several Members Of The House Financial Services And Senate Banking Committees, Filed An Amicus Brief In Support Of The Payday Industry's Lawsuit.

July 10, 2023: A Group of 132 Republican Members Of Congress. Including Several Members Of The House Financial Services And Senate Banking Committees, Filed An Amicus Brief In Support Of The Payday Industry's Lawsuit Due To Their "Especially Strong Interest In Oversight Of The CFPB." "Amici curiae are 132 members of the United States Congress, including 99 Representatives and 33 Senators. They have a strong interest in preserving the legislative and spending powers that Article I of the Constitution vests exclusively in Congress. Over 50 amici are members of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs ;or the House or Senate Committees on Appropriations. These amici have an especially strong interest in oversight of the CFPB, as well as the judiciary's correct interpretation of Article I generally and the Appropriations Clause specifically." [U.S. Supreme Court, 07/10/23]

Over Their Careers, Members Of The House Financial Services And Senate Banking Committees That Signed Onto This Amicus Have Received Over $118,000 From The Community Financial Services Association Of America.

Over Their Careers, Members Of The House Financial Services Committee That Signed Onto The Amicus Brief Have Received $73,305 From The Community Financial Services Association Of America:

House Financial Services Republican	Career Money from CFSA
Patrick McHenry, North Carolina, Chairman	$13,305
Pete Sessions, Texas	$6,000
Blaine Luetkemeyer, Missouri	$34,500
Ann Wagner, Missouri	$12,500
Andy Barr, Kentucky	$5,000
John Rose, Tennessee	$1,000
Scott Fitzgerald, Wisconsin	$1,000
TOTAL:	**$73,305**

Over Their Careers, Members Of The Senate Banking Committee That Signed Onto The Amicus Brief Have Received $45,500 From The Community Financial Services Association Of America:

Senate Banking Republican	Career Money from CFSA
Tim Scott, South Carolina, Ranking Member	$7,500
Mike Crapo, Idaho	$17,500
Thom Tillis, North Carolina	$3,000
Bill Hagerty, Tennessee	$2,500
Steve Daines, Montana	$7,500
Tim Scott, South Carolina, Ranking Member	$7,500
TOTAL:	**$45,500**

Over Their Careers, Members Of The House Financial Services And Senate Banking Committees That Signed Onto This Amicus Have Received Over $158,000 From INFiN, A Payday Trade Group Comprising of CFSA Members.

INFiN, Formerly Known As The Financial Service Centers Of America (FiSCA), Is Comprised Of Members Of FiSCA And The Community Financial Services Association Of America In Order To "Buil[d] On The History And Proven Track Record Of Leadership And Partnership Provided By Two Of The Oldest National Trade Associations In The Regulated Consumer Financial Services Industry "The organization voted to change the association's name to the Financial Service Centers of America (FiSCA), effective January 1, 2000, to reflect the industry's growth and diversity. After 20 years serving as the industry's leading voice on legislative, regulatory, and business issues, INFiN, a Financial Services Alliance, was formed in 2020. Comprising members of Financial Service Centers of America (FiSCA) and the Community Financial Services Association of America (CFSA), INFiN builds on the history and proven track record of leadership and partnership provided by two of the oldest national trade associations in the regulated consumer financial services industry." [INFiN, accessed 07/12/23]

Over Their Careers, Members Of The House Financial Services Committee That Signed Onto The Amicus Brief Have Received $126,250 From INFiN:

Senate Banking Republican	Career Money from INFiN
Patrick McHenry, North Carolina, Chairman	$65,000
Frank D. Lucas, Oklahoma	$8,000
Pete Sessions, Texas	$4,000
Bill Posey, Florida	$5,000
Blaine Luetkemeyer, Missouri	$17,500
Bill Huizenga, Michigan	$2,000
Ann Wagner, Missouri	$3,500
Andy Barr, Kentucky	$3,500
Roger Williams, Texas	$3,250
Barry Loudermilk, Georgia	$1,000
Warren Davidson, Ohio	$1,000
John Rose, Tennessee	$5,000
William Timmons, South Carolina	$2,500
Scott Fitzgerald, Wisconsin	$2,500
Erin Houchin, Indiana	$2,500
TOTAL:	**$126,250**

Over Their Careers, Members Of The Senate Banking Committee That Signed Onto The Amicus Brief Have Received $32,500 From INFiN:

Senate Banking Republican	Career Money from INFiN
Mike Crapo, Idaho	$10,500
Thom Tillis, North Carolina	$8,000
Bill Hagerty, Tennessee	$11,500
Katie Britt, Alabama	$2,500
TOTAL:	**$32,500**

Americans For Prosperity (AFP)—Which Has A Long History Of Attacking The CFPB And Applauding Congressional Efforts To Roll-Back Provisions Of Dodd-Frank Or CFPB Rulemaking—Filed An Amicus Brief In Support Of CFSA's Lawsuit, Calling The Agency "Incompatible With The Constitution" Due To Being "Insulate[d]" From Annual Appropriations.

In July 2023, Americans For Prosperity (AFP) Filed An Amicus Brief To The Supreme Court In Support Of CFSA's Lawsuit Against The Agency, Calling Its Funding Structure "Incompatible With The Constitution" And "Insulat[ing]" It From Annual Appropriations From Congress.

July 07, 2023: Americans For Prosperity (AFP) Filed An Amicus Brief In Support Of The CFSA Lawsuit Against The CFPB And The Constitutionality Of Its Funding. "Amicus curiae Americans for Prosperity Foundation ('AFPF') is a 501(c)(3) nonprofit organization committed to educating and training Americans to be courageous advocates for the ideas, principles, and policies of a free and open society. Some of those key ideas include the separation of powers and constitutionally limited government. As part of this mission, it appears as amicus curiae before federal and state courts." [U.S. Supreme Court, 07/07/23]

In Its Brief, AFP Argued The CFPB's "Budgetary Independence Is Incompatible With The Constitution." "The CFPB's unprecedented structure and powers further confirm its budgetary independence is incompatible with the Constitution." [U.S. Supreme Court, 07/07/23]

- **AFP Added That This "Insulates" The CFPB "From The Most Effective Means Of Congressional Oversight: Annual Budgetary."** "This arrangement thus completely 'insulate[s]' the CFPB 'from the most effective means of Congressional oversight: annual budgetary.'" [U.S. Supreme Court, 07/07/23]

Americans For Prosperity—A Right-Wing Group That Receives Koch Funding—Has Consistently And Repeatedly Gone After The CFPB, Calling It "Unaccountable And Unconstitutional," While Pushing For And Commending Actions Taken By The Trump Administration And Republican Members Of Congress To Roll-Back Dodd-Frank And Block CFPB Rulemaking.

October 2016: Americans For Prosperity Tweeted: "The Consumer Financial Protection Bureau Sounds Nice, But In Reality, It's Unaccountable And Unconstitutional":

> **Americans for Prosperity**
> @AFPhq
>
> The Consumer Financial Protection Bureau sounds nice, but in reality, it's unaccountable and unconstitutional. bit.ly/2dTeAdV
>
> 8:45 AM · Oct 17, 2016

[Americans For Prosperity via Twitter, 10/17/16]

October 2017: AFP Urged The U.S. Senate To Vote "YES" On S.J. Res.47. Which Disapproved Of the CFPB's Arbitration Rule "Ban[ning] Mandatory Arbitration Clauses For Everyday Financial Products." "We urge you to vote YES on S.J.Res.47 disapproving of the CFPB's Arbitration Rule. Americans for Prosperity will include this vote in our congressional scorecard. The Consumer Financial Protection Bureau's rule would ban mandatory arbitration clauses for everyday financial products, including credit cards and bank accounts, forcing consumers to pick up the tab should harm arise." [Americans For Prosperity, 10/24/17]

- **AFP Claimed This "Removes Customer Choice, Overburdens The Court System, And Forces Consumers To Pay More To Solve Their Disputes."** "This removes customer choice, overburdens the court system, and forces consumers to pay more to solve their disputes. Banning arbitration clauses would benefit class action lawyers, not consumers." [Americans For Prosperity, 10/24/17]

June 2018: AFP Commended Then-President Trump For Signing Into Law S. 2155, Calling It "The Most Significant Bank Reform" Since Dodd-Frank Was Signed Into Law In 2010, Adding It Would Relieve Small Businesses "Of Burdensome Banking Regulations Stifling Growth." "Last week, President Trump signed it into law, marking some of the most significant banking reforms in America since Dodd-Frank itself was originally passed in 2010. Dodd-Frank has been on the books for nearly a decade, and after eight long years of burdensome banking regulations stifling growth and hurting small businesses, the American people can finally expect see financial regulatory relief." [Americans For Prosperity, 06/01/18]

AFP Accused Dodd-Frank Of "Expand[ing] The Power Of The Federal Government" And "Creating Unaccountable Government Agencies Like The Consumer Financial Protection Bureau." "After the 2008 financial crisis, the economy was in turmoil and millions of ordinary Americans suffered. Washington responded by passing the Wall Street Reform and Consumer Protection Act, commonly known as Dodd-Frank after its chief sponsors, Senate Banking Committee Chairman Chris Dodd and House Financial Services Committee Chairman Barney Frank. Dodd-Frank expanded the power of the federal government, imposing broad new regulations on the financial sector, creating unaccountable government agencies like the Consumer Financial Protection Bureau and giving broad authority to the Federal Reserve." [Americans For Prosperity, 06/01/18]

In June 2017, AFP "Cheered" The House For Passing The "Financial Choice 2.0 Act" Which Was Introduced By Then-Rep. Jeb Hensarling, Who Joined AFP's Newly Formed "Advisory Council" In November 2022—Throughout His Time In Congress, Hensarling Took Over $5 Million From The Securities & Investment, Insurance, And Commercial Bank Industries.

June 2017: AFP "Cheered" The House For Passing The "Financial Choice 2.0 Act" Sponsored By Then-Representative And Chair Of The House Financial Services Committee Jeb Hensarling (R-TX), Saying It Would Bring "Much-Needed Accountability To The Consumer Financial Protection Bureau." "Americans for Prosperity cheered the House's passage of the Financial CHOICE Act 2.0 Thursday, which would roll back the worst provisions of the Dodd-Frank regulatory behemoth and add much-needed accountability to the Consumer Financial Protection Bureau (CFPB). The organization issued a 'key vote alert' in favor of the bill, sponsored by Rep. Jeb Hensarling, Financial Services Committee Chairman." [Americans For Prosperity, 07/09/17]

November 2022: Americans For Prosperity Announced The Formation Of An "Advisory Council," Which Included Former Congressman Hensarling, Among Other Conservative Figures. "Today, Americans for Prosperity is announcing the formation of an Advisory Council of like-minded thought leaders who share our vision of how freedom and opportunity are the keys to unlocking the potential of all people to live lives of meaning and prosperity. [...] Initial members of the council include: former SEC Commissioner Paul Atkins, Fox News radio host and Political Editor of Townhall.com Guy Benson, syndicated radio host and editor of The Resurgent Erick Erickson, former Congressman Jeb Hensarling, former Florida House Speaker Jose Oliva, and businessman Jim Stephenson." [Americans For Prosperity, 11/02/22]

According To OpenSecrets, Hensarling Took Over $2 Million From The Securities & Investment Industry, Over $1.5 Million From The Insurance Industry, And Over $1.5 Million From Commercial Banks. [OpenSecrets, accessed 07/12/23]

In March 2023, Americans For Prosperity Said It Was "Investigating The Unprecedented And Arbitrary Actions Taken By The Director Of The Consumer Financial Protection Bureau" After The Failure Of Silicon Valley Bank.

March 2023: Americans For Prosperity (AFP) Said It Was "Investigating The Unprecedented And Arbitrary Actions Taken By The Director Of The Consumer Financial Protection Bureau" After The Failure Of Silicon Valley Bank. "I write on behalf of Americans for Prosperity Foundation ('AFPF'), a 501(c)(3) nonpartisan organization dedicated to educating and training Americans to be courageous advocates for the ideas, principles, and policies of a free and open society. AFPF is investigating the unprecedented and arbitrary actions taken by the Director of the Consumer Financial Protection Bureau ('CFPB') in response to the Silicon Valley Bank ("SVB") failure." [Americans For Prosperity, 03/29/23]

According To A February 2020 Investigation By The Center For Media And Democracy, Federal Tax Filings Show That Right-Wing Foundations Funneled Nearly $69 Million To Right-Wing Groups That Wrote An Amicus Brief Aimed At Eliminating The CFPB, Including Over $21 Million To AFP.

February 2020: According To An Investigation From The Center For Media And Democracy, Federal Tax Filings Show That 16 Right-Wing Foundations Donated At Least $69 Million Since 2014 To Groups That Led An Amicus Brief Seeking To Eliminate The CFPB. "A Center for Media and Democracy (CMD) investigation of federal tax filings has found that since 2014, 16 right-wing foundations have donated a total of nearly $69 million to 11 groups that filed amicus briefs in favor of scrapping the CFPB." [Exposed, 02/13/20]

Among Them, Americans For Prosperity Received Over $21 Million From Conservative Groups, Including The Ed Uihlein Family Foundation And The Charles Koch Institute:

Recipient	Donor	Amount
Americans for Prosperity Foundation	DonorsTrust	$17,155,570
	John William Pope Foundation	$1,465,000
	Lynde and Harry Bradley Foundation	$989,500
	Bradley Impact Fund	$458,000
	Charles Koch Foundation	$326,568
	Ed Uihlein Family Foundation	$325,000
	Charles Koch Institute	$199,862
	Adolph Coors Foundation	$120,000
	Donors Capital Fund	$10,000
	TOTAL	**$21,049,500**

[Exposed, 02/13/20]

The U.S. Chamber Of Commerce Led An Amicus Brief In Support Of The CFSA's Lawsuit After The CFPB Filed Two Enforcement Actions Against TransUnion, Whose Board Of Directors Includes U.S. Chamber President And CEO Suzanne Clark.

In July 2023, The U.S. Chamber Of Commerce Led A Group Of Business Trade Groups In Filing An Amicus Brief In Support Of The CFSA's Lawsuit, With The Groups Claiming The Bureau's "Aggressive Enforcement And Regulatory Tactics Highlight The Need For The Constitutional Accountability."

July 10, 2023: The U.S. Chamber Of Commerce Led A Group Of Business Trade Groups In Filing An Amicus Brief In Support Of The CFSA's Lawsuit Against The Constitutionality Of The CFPB's Funding. "Amici curiae are the Chamber of Commerce of the United States of America, National Federation of Independent Business Small Business Legal Center, Inc., American Bankers Association, American Financial Services Association, Consumer Bankers Association, Independent Community Bankers of America, Independent Bankers Association of Texas, Texas Association of Business, Texas Bankers Association, and Longview Chamber of Commerce." [U.S. Supreme Court, 07/10/23]

In Their Brief, The Industry Groups Argue The "Bureau's Unprecedented Funding Mechanism Violates The Constitution's Structural Protections Embodied In Its Separation Of Powers," While Claiming Its "Aggressive Enforcement And Regulatory Tactics Highlight The Need For The Constitutional Accountability." "The Bureau's unprecedented funding mechanism violates the Constitution's structural protections embodied in its separation of powers. As the Fifth Circuit correctly held, such a powerful agency cannot be doubly insulated from the congressional appropriations process. Indeed, the Bureau's aggressive enforcement and regulatory tactics highlight the need for the constitutional accountability that the Appropriations Clause provides." [U.S. Supreme Court, 07/10/23]

Suzanne Clark, President And CEO Of The U.S. Chamber Of Commerce Has Served On TransUnion's Board Of Directors Since June 2017.

Suzanne Clark, President And CEO Of The U.S. Chamber Of Commerce, Has Served On TransUnion's Board Of Directors Since June 2017:

Suzanne P. Clark
Independent
Age: 55
Director Since: June 2017
President and CEO, U.S. Chamber of Commerce
Board Committees
• Audit
• Risk and Compliance, Chairperson
Current Public Company Board Experience
AGCO Corporation (NYSE: AGCO)

[TransUnion 2023 Proxy Statement, 03/23/23]

Suzanne Clark Was Appointed U.S. Chamber CEO In March 2021 After Serving As Its President Since June 2019. "Ms. Clark was appointed Chief Executive Officer of the U.S. Chamber of Commerce in March 2021, and has served as its President since June 2019." [TransUnion, accessed 06/29/22]

In April 2022, The CFPB Filed A Lawsuit Against TransUnion For Violating A 2017 Settlement—Settled Just Six Months Before Suzanne Clark Joined TransUnion's Board—In Which The Company Agreed To Pay "$13.9 Million In Restitution To Victims And $3 Million In Civil Penalties" With The Agreement Legally Binding To "The Company, Its Board Of Directors, And Its Executive Officers."

April 12, 2022: Under Director Rohit Chopra, The CFPB Filed A Lawsuit Against TransUnion And Associated Parties For Violating A 2017 Law Enforcement Order Over "Deceptive Marketing, Regarding Its Credit Scores And Other Credit-Related Products." "Today, the Consumer Financial Protection Bureau (CFPB) is filing a lawsuit against TransUnion, two of its subsidiaries, and longtime executive John Danaher for violating a 2017 law enforcement order. The order was issued to stop the company from engaging in deceptive marketing, regarding its credit scores and other credit-related products. After the order went into effect, TransUnion continued its unlawful behavior, disregarded the order's requirements, and continued employing deceitful digital dark patterns to profit from customers. The Bureau's complaint also alleges that TransUnion violated additional consumer financial protection laws." [Consumer Financial Protection Bureau, 04/12/22]

- **In Announcing This Lawsuit, CFPB Director Chopra Called TransUnion An "'Out-Of-Control Repeat Offender That Believes It Is Above The Law'" And Slammed The Company's Leadership As "'Either Unwilling Or Incapable Of Operating Its Businesses Lawfully.'"** "'TransUnion is an out-of-control repeat offender that believes it is above the law,' said CFPB Director Rohit Chopra. 'I am concerned that TransUnion's leadership is either unwilling or incapable of operating its businesses lawfully.'" [Consumer Financial Protection Bureau, 04/12/22]

January 3, 2017: The CFPB And TransUnion Settled Charges It Had "Deceptively Market[ed] Credit Scores And Credit-Related Products, Including Credit Monitoring Services," With The Company Agreeing To Pay "$13.9 Million In Restitution To Victims And $3 Million In Civil Penalties." "On January 3, 2017, the CFPB settled charges with TransUnion and its subsidiaries for deceptively marketing credit scores and credit-related products, including credit monitoring services. As part of the settlement, TransUnion agreed to pay $13.9 million in restitution to victims and $3 million in civil penalties." [Consumer Financial Protection Bureau, 04/12/22]

- **As Part Of This Settlement, TransUnion Agreed To Several Changes To Its Business Practices—Including "Obtain[ing] The Express Informed Consent Of Customers For Recurring Payments For Subscription Products Or Services"—That Were Legally Binding To "The Company, Its Board Of Directors, And Its Executive Officers."** "TransUnion and its subsidiaries also agreed to a formal law enforcement order that, among other things, required the credit reporting giant to warn consumers that lenders are not likely to use the scores they are supplying, obtain the express informed consent of customers for recurring payments for subscription products or services, and provide an easy way for people to cancel subscriptions. The order was binding on the company, its board of directors, and its executive officers." [Consumer Financial Protection Bureau, 04/12/22]

In Response To This Lawsuit, TransUnion Called The Bureau's Claims "Meritless" And Slammed The "CFPB's Current Leadership" For "Seek[ing] Headlines Through Press Releases And Tweets."

April 12, 2022: In Response To The CFPB's Lawsuit, TransUnion Released A Statement In Which It Called The Bureau's Claims "Meritless" And Attacked The Actions Of The "CFPB's Current Leadership" As "Seek[Ing] Headlines Through Press Releases And Tweets." "In response to a complaint filed today by the Consumer Financial Protection Bureau, TransUnion issued the following statement: The claims made by the CFPB against TransUnion and John Danaher, a former executive, are meritless and in no way reflect the consumer-first approach we take to managing all our businesses. […] Despite TransUnion's months-long, good faith efforts to resolve this matter, CFPB's current leadership refused to meet with us and were determined to litigate and seek headlines through press releases and tweets. The CFPB's unrealistic and unworkable demands have left us with no alternative but to defend ourselves fully." [TransUnion, 04/12/22]

ACA International, The "Largest Trade Group For The Debt Collection Industry," Filed An Amicus Brief In Support Of The Payday Industry's Lawsuit Against The CFPB's Funding After Its Member Were Subject To Over $71 Million In Fines And Restitution From CFPB Enforcement Actions Since 2018.

In July 2023, ACA International, The "Largest Trade Group For The Debt Collection Industry," Filed An Amicus Brief Urging To Supreme Court To "Affirm The Fifth Circuit's Decision Vacating The Bureau's Payday Lending Rule Because The CFPB's Funding [...] Violates The Appropriations Clause" While Ceding The Court Should Give Time For Congress To Provide Appropriations To The Agency.

ACA International Is The "Largest Trade Group For The Debt Collection Industry," With "More Than 1,700 Member Organizations [...] Including Third-Party Collection Agencies, Asset Buyers, Attorneys, Creditors, And Vendor Affiliates." "ACA International (ACA) is a nonprofit corporation based in Minneapolis, Minnesota. Founded in 1939, as the American Collectors Association, ACA is the largest trade group for the debt collection industry. ACA has members in every state and more than 30 countries. ACA represents more than 1,700 member organizations and their more than 133,000 employees worldwide, including third-party collection agencies, asset buyers, attorneys, creditors, and vendor affiliates." [U.S. Supreme Court, 07/10/23]

July 10, 2023: ACA International Filed An Amicus Brief In Support Of The CFSA's Lawsuit Because "ACA's Members Agree That The Bureau's Current Funding Scheme Cannot Be Squared With The Appropriations Clause." "ACA submits this brief in support of Respondents because ACA's members agree that the Bureau's current funding scheme cannot be squared with the Appropriations Clause." [U.S. Supreme Court, 07/10/23]

ACA International Urged The Supreme Court To "Affirm The Fifth Circuit's Decision Vacating The Bureau's Payday Lending Rule Because The CFPB's Funding [...] Violates The Appropriations Clause" But Ceded The Court "Should Refuse To Rewrite The Bureau's Funding Statute And Instead Allow The Political Branches Time To React To Its Decision And To Adopt An Appropriations Measure To Fund The Bureau." "The Court should affirm the Fifth Circuit's decision vacating the Bureau's Payday Lending Rule because the CFPB's funding as provided at 12 U.S.C. § 5497 violates the Appropriations Clause. Because such a holding will render the Bureau non-operational, the Court should refuse to rewrite the Bureau's funding statute and instead allow the political branches time to react to its decision and to adopt an appropriations measure to fund the Bureau, if desired. To this end the Court should stay its mandate for six months." [U.S. Supreme Court, 07/10/23]

In June 2023, ACA International Member Phoenix Financial Services Was Ordered To Pay A $1.675 Million Fine After It Was Found To Have "Continued To Attempt To Collect On A Debt That Was Not Substantiated After A Consumer Disputed The Validity Of The Debt" In Thousands Of Cases.

Phoenix Financial Services Has Been A Member Of ACA International Since May 2014:

Phoenix Financial Services, LLC

Company Member
Joined 5/30/2014

Albanese, Anthony
8902 Otis Ave Ste 103A
Indianapolis, IN 46216-1009
UNITED STATES

[ACA International Member Directory, accessed 07/11/23]

June 8, 2023: The CFPB Ordered Phoenix Financial Services To Provide Redress To Consumers And Pay A $1.675 Million Fine After It Found The Medical Debt Collector Had "Continued To Attempt To Collect On A Debt That Was Not Substantiated After A Consumer Disputed The Validity Of The Debt" In Thousands Of Cases. "The Consumer Financial Protection Bureau (CFPB) took action against medical debt collector Phoenix Financial Services (Phoenix) for numerous debt collection and credit reporting violations. In at least thousands of cases, Phoenix continued to attempt to collect on a debt that was not substantiated after a consumer disputed the validity of the debt. Today's order requires Phoenix to pay redress to affected consumers, and pay a $1.675 million penalty to the CFPB's victims relief fund." [Consumer Financial Protection Bureau, 06/09/23]

ACA International Member Encore Capital Group Has Paid $25 Million In Civil Penalties And Over $42 Million In Consumer Redress Due To CFPB Enforcement Actions In 2015 And 2020 Alleging The Company "Su[ed] Consumers Without Possessing Required Documentation, Us[ed] Law Firms And An Internal Legal Department To Engage In Collection Efforts Without Providing Required Disclosures, And Fail[ed] To Provide Consumers With Required Loan Documentation After Consumers Requested It."

Encore Capital Group Has Been A Member Of ACA International Since June 1991:

Encore Capital Group

Company Member
Joined 6/1/1991

Vazquez, Angel
350 Camino De La Reina Ste
100
San Diego, CA 92108-3007
UNITED STATES

[ACA International Member Directory, accessed 07/11/23]

September 2015: The CFPB Ordered Encore Capital Group To "Pay Up To $42 Million In Consumer Refunds And A $10 Million Penalty, And Stop Collection On Over $125 Million Worth Of Debts" After It Was Found To Have Collected Payments Through False Statements And Robo-Signed Lawsuits On "Debts That Were Potentially Inaccurate, Lacking Documentation, Or Unenforceable." "Today the Consumer Financial Protection Bureau (CFPB) took action against the nation's two largest debt buyers and collectors for using deceptive tactics to collect bad debts. The Bureau found that Encore Capital Group and Portfolio Recovery Associates bought debts that were potentially inaccurate, lacking documentation, or unenforceable. Without verifying the debt, the companies collected payments by pressuring consumers with false statements and churning out lawsuits using robo-signed court documents. The CFPB has ordered the companies to overhaul their debt collection and litigation practices and to stop reselling debts to third parties. Encore must pay up to $42 million in consumer refunds and a $10 million penalty, and stop collection on over $125 million worth of debts." [Consumer Financial Protection Bureau, 09/09/15]

October 2020: The CFPB Agreed To A Settlement Against Encore Capital Group And Its Subsidiaries, Which "Together Comprise The Largest Debt Collector And Debt Buyer In The United States," That Required the Companies "Pay $79,308.81 In Redress To Consumers And A $15 Million Civil Money Penalty." "Today the Consumer Financial Protection Bureau (Bureau) filed a proposed stipulated final judgment and order to settle its lawsuit against Encore Capital Group, Inc., and its subsidiaries, Midland Funding, LLC; Midland Credit Management, Inc.; and Asset Acceptance Capital Corp. The companies, which are headquartered in San Diego, California, together comprise the largest debt collector and debt buyer in the United States." [Consumer Financial Protection Bureau, 10/15/20]

- **The Stipulated Final Judgment Required Encore And Its Subsidiaries "To Pay $79,308.81 In Redress To Consumers And A $15 Million Civil Money Penalty."** "If entered by the court, the stipulated final judgment and order will require Encore and its subsidiaries to pay $79,308.81 in redress to consumers and a $15 million civil money penalty. The settlement will also require Encore and its subsidiaries to make various material disclosures to consumers, refrain from the collection of time-barred debt absent certain disclosures to consumers, and abide by certain conduct provisions in the 2015 consent order for five more years." [Consumer Financial Protection Bureau, 10/15/20]

- **According To The CFPB, Encore And Its Subsidiaries Were In Violation Of Its September 2015 Consent Order By "Suing Consumers Without Possessing Required Documentation, Using Law Firms And An Internal Legal Department To Engage In Collection Efforts Without Providing Required Disclosures, And Failing To Provide Consumers With Required Loan Documentation After Consumers Requested It."** "The Bureau sued Encore and its subsidiaries on September 8 of this year, alleging that Encore and its subsidiaries violated the terms of this consent order and again violated the FDCPA and CFPA in their debt-collection practices. If entered by the court, the settlement will require Encore and its subsidiaries to pay consumer redress and a civil money penalty. The Bureau's September 8 complaint, filed in federal district court in the Southern District of California, specifically alleged that since September 2015, Encore and its subsidiaries violated the consent order by suing consumers without possessing required documentation, using law firms and an internal legal department to engage in collection efforts without providing required disclosures, and failing to provide consumers with required loan documentation after consumers requested it." [Consumer Financial Protection Bureau, 10/15/20]

In November 2020, ACA International Member Afni Was Ordered To Pay A $500,000 Fine After It Was Found To Have Provided Inaccurate Information To Credit Reporting Agencies, While Failing To Properly Investigate Consumer Disputes Over Claimed Debts In Violation Of The Fair Credit Reporting Act And The Consumer Financial Protection Act.

Afni Has Been A Member Of ACA International Since April 2003:

Afni, Inc.

Company Member
Joined 4/4/2003

Pope, Jeffrey
1310 Martin Luther King Dr
Bloomington, IL 61701-1465
UNITED STATES

[ACA International Member Directory, accessed 07/11/23]

November 2020: The CFPB Ordered Afni Pay a $500,000 Fine After It Was Found To Have "Furnished Information To [Credit Reporting Agencies] That It Knew Or Had Reasonable Cause To Believe Was Inaccurate," While Also Failing To Properly Investigate Consumer Disputes Over Claimed Debts In Violation Of The Fair Credit Reporting Act And The Consumer Financial Protection Act. "The Consumer Financial Protection Bureau (Bureau) today announced a settlement with Afni, Inc. (Afni) to address its violations in providing information to consumer reporting agencies (CRAs). Afni is a non-bank Illinois-based debt collector that specializes in collecting debt on behalf of telecommunications companies and furnishes information to consumer reporting agencies (CRAs) about consumers' credit. The consent order requires Afni to take certain steps to prevent future violations and imposes a $500,000 civil money penalty. The Bureau found that Afni furnished information to CRAs that it knew or had reasonable cause to believe was inaccurate and failed to report to CRAs an appropriate date of first delinquency on certain accounts. The Bureau also found that Afni failed to conduct reasonable investigations of disputes made by consumers both to Afni and to CRAs about furnished information and failed to conduct investigations of disputes made to Afni in a timely manner. In addition, the Bureau found that Anfi failed to send required notices to consumers about the results of such investigations and failed to establish, implement, and update its policies and procedures regarding its furnishing of consumer information to CRAs. Afni's conduct violated the Fair Credit Reporting Act (FCRA) and its implementing rule, Regulation V and, by engaging in these violations of the FCRA and Regulation V, Afni violated the Consumer Financial Protection Act." [Consumer Financial Protection Bureau, 11/12/20]

In April 2020, ACA International Member Cottonwood Financial Was Ordered To Pay Over $1.3 Million In Fines And Restitution For Violating The Consumer Financial Protection Act (CFPA), Fair Credit Reporting Act (FCRA), And Truth In Lending Act (TILA) In The "Marketing, Servicing, And Collecting [Of] High-Interest Payday, Auto-Title, And Unsecured Consumer-Installment Loans."

Cottonwood Financial Has Been A Member Of ACA International Since July 2014:

Cottonwood Financial Texas LP

Creditor Organization
Member
Joined 7/15/2014

Wooley, Alicia
2100 W Walnut Hill Ln Ste 300
Irving, TX 75038-3268
UNITED STATES

[ACA International Member Directory, accessed 07/11/23]

April 2020: The CFPB Ordered Cottonwood Financial, Doing Business As Cash Store, To "Pay Over $1.3 Million In Redress And Penalties" After The Company Was Found To Have Violated The Consumer Financial Protection Act (CFPA), Fair Credit Reporting Act (FCRA), And Truth In Lending Act (TILA) In The "Marketing, Servicing, And Collecting [Of] High-Interest Payday, Auto-Title, And Unsecured Consumer-Installment Loans." "Today the Consumer Financial Protection Bureau (Bureau) announced a settlement with Cottonwood Financial, Ltd., which does business under the name Cash Store. Cash Store is based in Irving, Texas and owns and operates roughly 340 retail lending outlets in Idaho, Illinois, Michigan, New Mexico, Texas, Utah, and Wisconsin. The Bureau found that in the course of marketing, servicing, and collecting on high-interest payday, auto-title, and unsecured consumer-installment loans Cash Store violated the Consumer Financial Protection Act (CFPA), Fair Credit Reporting Act (FCRA), and Truth in Lending Act (TILA). The consent order requires Cash Store to pay over $1.3 million in redress and penalties." [Consumer Financial Protection Bureau, 04/01/20]

Under The Consent Order, Cash Store Was Required To Pay "$286,675.64 In Redress To Over 1,200 Borrowers Whom Cash Store Falsely Promised 50% Off All Fees" And A $1.1 Million Civil Money Penalty. "The consent order issued against Cash Store requires it to provide $286,675.64 in redress to over 1,200 borrowers whom Cash Store falsely promised 50% off all fees. The consent order requires Cash Store to pay a civil money penalty of $1,100,000 to the Bureau's Civil Penalty Fund." [Consumer Financial Protection Bureau, 04/01/20]

In July 2018, The CFPB Barred ACA International Member National Credit Adjusters (NCA) From Using Certain Debt Collection Practices And Ordered The Company And Its Former CEO Pay A $3 Million Civil Money Penalty Each, With Full Payment "Suspended Subject To NCA Paying A $500,000 Civil Money Penalty And [CEO] Hochstein Paying A $300,000 Civil Money Penalty."

National Credit Adjusters Has Been A Member Of ACA International Since November 1999:

National Credit
Adjusters, LLC

Company Member
Joined 11/20/1999

Fletchall, Mark A.
327 W 4th Ave
Hutchinson, KS 67501-4842
UNITED STATES

[ACA International Member Directory, accessed 07/11/23]

July 2018: The CFPB Reached A Settlement With National Credit Adjusters (NCA), And Its Former CEO Bradley Hochstein, After The Firm Was Found To Have "Used A Network Of Debt Collection Companies To Collect Consumer Debt On NCA's Behalf" That Used "Debt Collection Acts And Practices That Harmed Consumers," Including Telling Consumers They Owed More Than They Were Legally Required To Pay And Threatening Lawsuits Or Arrests For Debt Without The Legal Authority To Do So. "Today the Bureau of Consumer Financial Protection (Bureau) announced a settlement with National Credit Adjusters, LLC (NCA), a privately-held company headquartered in Hutchinson, Kansas, and its former CEO and part-owner, Bradley Hochstein. As described in the consent order, the Bureau found that NCA and Hochstein used a network of debt collection companies to collect consumer debt on NCA's behalf. Some of those companies engaged in frequent unlawful debt collection acts and practices that harmed consumers, including by representing that consumers owed more than they were legally required to pay, or threatening consumers and their family members with lawsuits, visits from process servers, and arrest, when neither NCA nor the collection companies intended or had the legal authority to take those actions." [Consumer Financial Protection Bureau, 07/13/18]

According To The CFPB, National Credit Adjusters "Continued Placing Debt With Those Companies For Collection With Knowledge Or Reckless Disregard Of The Companies' Illegal Consumer Debt Collection Practices" And Even Sold Debt To These Companies Despite Their Consumer Abuses. "NCA and Hochstein continued placing debt with those companies for collection with knowledge or reckless disregard of the companies' illegal consumer debt collection practices. NCA and Hochstein also sold millions in consumer debt to one of those companies with knowledge or reckless disregard of the company's illegal consumer debt collection practices. The Bureau found that NCA and Hochstein violated the Consumer Financial Protection Act of 2010 and that NCA violated the Fair Debt Collection Practices Act." [Consumer Financial Protection Bureau, 07/13/18]

The CFPB Barred National Credit Adjusters And Hochstein From Using Certain Collection Practices, With Hochstein "Permanently Barred From Working In Any Business That Collects, Buys, Or Sells Consumer Debt." "Under the terms of the consent order, NCA and Hochstein are barred from certain collection practices and Hochstein is permanently barred from working in any business that collects, buys, or sells consumer debt." [Consumer Financial Protection Bureau, 07/13/18]

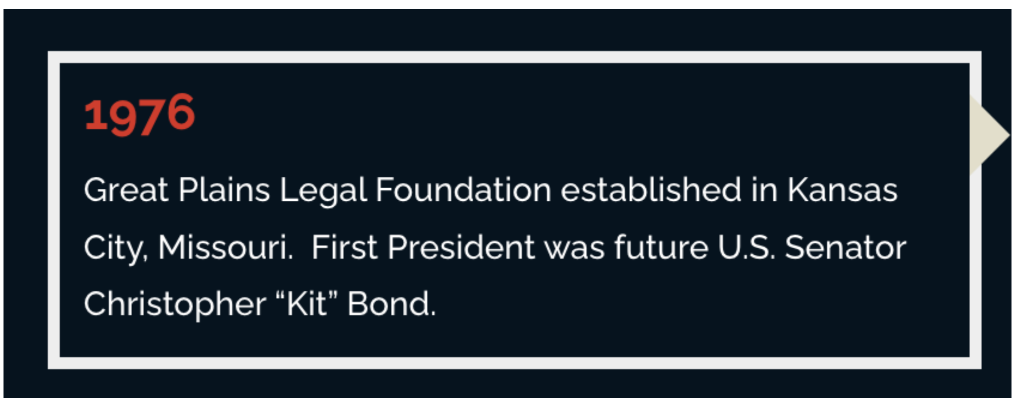
Both Parties Were Subject To A $3 Million Civil Money Penalty, Although Full Payment Was "Suspended Subject To NCA Paying A $500,000 Civil Money Penalty And Hochstein Paying A $300,000 Civil Money Penalty." "The order imposes a judgment for civil money penalties of $3 million against NCA and $3 million against Hochstein. As explained in the order, full payment of those amounts is suspended subject to NCA paying a $500,000 civil money penalty and Hochstein paying a $300,000 civil money penalty." [Consumer Financial Protection Bureau, 07/13/18]

The Landmark Legal Foundation—Whose Board Members Includes A Top Executive From The Right-Wing Club For Growth And Receives Funding From Right-Wing Investor William A. Dunn—Wrote An Amicus Brief Against The CFPB, Claiming Congress "Violated" The Separation Of Powers In Creating The CFPB's Funding Structure And Calling The Agency "A Wolf" For Its Consumer Protection Efforts.

In July 2023, The Landmark Legal Foundation—A Conservative Organization Partly Founded By Former U.S. Senator Kit Bond (R-MO)—Filed An Amicus Brief In Support Of the Payday Industry's Lawsuit, Calling The CFPB "A Wolf" For Its Enforcement Actions, While Claiming The Agency Violates Separation Of Powers Under The Constitution.

The Landmark Legal Foundation Describes Itself As "A National Non-Profit That Upholds The Constitution And Our Founding Principles." "Landmark Legal Foundation is a national non-profit that upholds the Constitution and our founding principles through legal advocacy and education. Landmark advances an 'originalist' approach to the Constitution — that the words in the Constitution mean what they meant at the Founding — and defends our nation's bedrock principle of liberty." [Landmark Legal Foundation, accessed 07/13/23]

The Foundation Was Founded In 1976, And Its First President Was Future Republican Senator Kit Bond (R-MO):



[Landmark Legal Foundation, accessed 07/13/23]

July 2023: Landmark Legal Foundation Submitted An Amicus Brief In Support Of The CFSA's Lawsuit Against The Constitutionality Of The CFPB. "Amicus Curiae Landmark Legal Foundation ('Landmark') is a national public-interest law firm committed to preserving the principles of limited government, separation of powers, federalism, originalist construction of the Constitution, and individual rights. Landmark has a unique perspective on this case. It was one of the amici curiae who raised the implications of the CFPB's funding in Seila Law, LLC v. Consumer Fin. Prot. Bureau, 140 S. Ct. 2183 (2020). Brief for Amicus Curiae Landmark Legal Foundation at 16-19, Seila Law, LLC v. Consumer Fin. Prot. Bureau (No. 19-7). Landmark urges this Court to uphold the ruling of the Court of Appeals for the Fifth Circuit." [U.S. Supreme Court, July 2023]

- **The Landmark Legal Foundation Previously Filed An Amicus Brief Against The CFPB In January 2020, Also Arguing That The CFPB Was A "Dangerous Innovation In The Government That Violates The Constitution's Separation Of Powers."** "Dunn similarly contributed to the Landmark Legal Foundation, which argued in its amicus brief that the CFPB is a "dangerous innovation in the government that violates the Constitution's separation of powers." [Salon.com, 01/28/20]

In Its Brief, Landmark Argued "Congress Violated The Separation Of Powers" When It Created The CFPB. "Congress violated the separation of powers through the unprecedented step of providing the Consumer Financial Protection Bureau (CFPB) with an insulated, perpetual, and regenerating source of funding." [U.S. Supreme Court, July 2023]

Landmark Also Called The CFPB A "Wolf" For Its "Vast Rulemaking, Enforcement, And Adjudicatory Authority." "The CFPB returns now in slightly altered form under the direct control of the President. But it remains a wolf. It still has 'vast rulemaking, enforcement, and adjudicatory authority over a significant portion of the U. S. economy." Id. at 2191. It holds a broad mandate to protect consumers from elusive harms such as 'unfair, deceptive, or abusive acts' and 'discrimination.'" [U.S. Supreme Court, July 2023]

Landmark Board Member John N. Richardson Jr. Is Also The Executive Vice President And Chief Operating Officer Of The Club For Growth.

Landmark Board Member John N. Richardson Jr. Currently Serves As Executive Vice President And Chief Operating Officer For The Conservative Club For Growth:

John N. Richardson, Jr.

John Richardson is Executive Vice President and COO of the Club for Growth. John has served as a senior executive for numerous private sector businesses for more than 30 years. Prior to his work in the private sector, John was chief of staff to Attorney General Edwin Meese and held other high level positions in the Reagan Justice Department. John is Landmark's immediate past board chairman and has served on the Foundation's board for two decades.

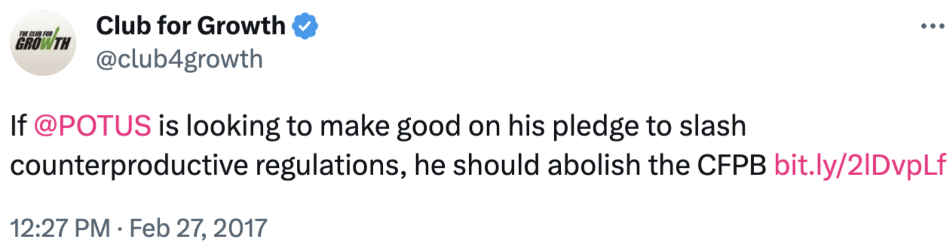
[Landmark Legal Foundation, accessed 07/12/23]

The Club For Growth Is A Conservative Organization That Receives Funding From Right-Wing Billionaire Richard Uihlein And Has Repeatedly Called On Government To Rollback Regulations And Eliminate The CFPB.

The Club For Growth Is A Conservative Organization Backed By Right-Wing Billionaire Richard Uihlein. "Richard Uihlein, a conservative packaging supplies magnate, plunged another $10 million into the 2020 election in August, donating to the Club for Growth just as the group began spending on the presidential campaign. The Club for Growth, a conservative political group, has spent more than $10 million since Mr. Uihlein's donation in August on independent expenditures opposing Joseph R. Biden Jr., the Democratic nominee, and supporting President Trump." [The New York Times, 09/17/20]

April 2018: Club For Growth President David McIntosh Applauded The U.S. Senate For Disapproving Of A CFPB Rule On Auto Lending Saying The Move, "Corrects An Egregious Overreach By The CFPB" While Urging Congress To Further "Roll Back Onerous Regulations." "Today, Club for Growth President David McIntosh issued the following statement after the U.S. Senate voted to disapprove of a Consumer Financial Protection Bureau (CFPB) rule on indirect auto lending. [...] 'Today's Congressional Review Act vote of disapproval corrects an egregious overreaching by the CFPB in the area of auto-lending. This effort adds a significant notch to the deregulatory efforts of the Republican Congress and Trump Administration. Club for Growth urges the Senate and House to continue to bring up measures to roll back other onerous regulations and guidances that were so pervasive in the Obama Administration'" [Club For Growth, 04/18/18]

February 2017: Club For Growth Tweeted: "If @POTUS Is Looking To Make Good On His Pledge To Slash Counterproductive Regulations, He Should Abolish The CFPB":


Club for Growth
@club4growth

If @POTUS is looking to make good on his pledge to slash counterproductive regulations, he should abolish the CFPB bit.ly/2lDvpLf

12:27 PM · Feb 27, 2017

[Club For Growth via Twitter, 02/27/17]

The Landmark Legal Foundation Has Also Received Millions In Funding From Right-Wing Investor William A. Dunn.

The Landmark Legal Foundation Has Received Millions From Right-Wing Investor William A. Dunn's Foundation For The Advancement Of Right Thinking. "Dunn's Foundation for the Advancement of Right Thinking | The foundation was founded by William A. Dunn in 1994 to advocate for and fund libertarian causes. William A. Dunn is the founder of Dunn Capital Management in Florida, which has over $1 billion in assets under management, and seems to be the main source of the foundation's assets. The Dunns have given millions to the Institute for Justice, the Pacific Legal Foundation, and the Landmark Legal Foundation." [The American Prospect, 02/26/18]

- **"William A. Dunn Is The Founder Of Dunn Capital Management In Florida, Which Has Over $1 Billion In Assets Under Management, And Seems To Be The Main Source Of The Foundation's Assets."** [The American Prospect, 02/26/18]

In March 2023, The Club For Growth Spent Nearly $3,000 On Travel And Lodge For Rep. Donalds To Travel To West Palm Beach, Florida, The Same Month Donalds Reiterated His Opposition To The CFPB During A House Financial Services Subcommittee Hearing As The Sponsor Of Legislation To Fully Repeal The Agency.

March 2023: ProPublica Noted Donalds Went To West Palm Beach Florida, On A Trip Sponsored By The Club For Growth:

Dates	Traveler	Destination	Sponsor	Filing Type
MARCH 3, 2023 - MARCH 4, 2023	Byron Donalds	West Palm Beach, FL	Club for Growth	Original

[ProPublica, accessed 05/15/23]

The Group Spent Nearly $3,000 On Expenses For Rep. Donalds, Including Nearly $1,800 On "Lodging Expenses":

5. Actual amount of expenses paid on behalf of, or reimbursed to, each individual named in Question 4:

	Total Transportation Expenses	Total Lodging Expenses	Total Meal Expenses	Total Other Expenses (dollar amount per item and description)
Traveler	$438.90	$1,797.00	$740.37	$0.00
Accompanying Family Member	N/A	N/A	N/A	N/A

[House Clerk, 03/20/23]

March 2023: During A House Financial Services Subcommittee Hearing, Rep. Donalds Said He Was The Sponsor Of A Bill That Repeals The CFPB, Noting He Was "Not A Fan Of The Agency, Never Was." "Let me be very clear with everybody here, I am the sponsor in the House for the bill that repeals the CFPB. [...] I'm not a fan of the agency, never was." [House Financial Services Committee via YouTube, 03/09/23 (2:18:23)]

- **Donalds Added He Worked In The Banking Industry From 2003 To 2007 Before Saying The CFPB "Is A Highly Partisan Agency."** "I was actually a part of the commercial banking industry from 2003 through 2007. [...] One of the issues for CFPB that it is a highly partisan agency because it was created under partisan parameters. It was one party vote, one party rule that created CFPB." [House Financial Services Committee via YouTube, 03/09/23 (2:18:43)]

March 2023: Rep. Donalds Said During A House Financial Services Committee He Is The Sponsor Of The Bill To Repeal The CFPB, Calling It "A Highly Partisan Agency That Was Created Under Partisan Parameters":

Congressman Byron Donalds @RepDonaldsPress · Mar 15

I am the House sponsor of the bill to repeal the @CFPB.

The **CFPB** is a highly partisan agency that was created under partisan parameters during one party rule.

It is unconstitutional as a whole. There is no oversight of **CFPB** & it appears to be a freelancer more than a regulator.

[Rep. Byron Donalds via Twitter, 03/15/23]

Throughout His Career, Donalds Has Taken At Least $117,678 From Club For Growth And Individual Contributions Earmarked Through The Organization, Also Signing Onto The Amicus Brief By 132 Members Of Congress.

Throughout His Career, Rep. Donalds (R-FL) Has Received At Least $117,678 From The Club For Growth And Individual Contributions Earmarked By The Organization. [Federal Election Commission, accessed 07/13/23]

Rep. Byron Donalds Is A Signatory On An Amicus Brief Sent By 132 Members Of Congress Supporting The Payday Industry's Lawsuit Against The CFPB's Funding. [U.S. Supreme Court, 07/10/23]