



December 8, 2017

AG MADIGAN FILES BRIEF TO PRESERVE INDEPENDENCE OF CONSUMER FINANCIAL PROTECTION BUREAU***Amicus Brief Says Trump's Attempt to Control Agency Leadership Endangers Consumers***

Chicago — Attorney General Lisa Madigan along with 17 attorneys general filed an amicus brief in support of English v. Mulvaney, a lawsuit challenging the appointment of Mick Mulvaney as the acting director of the Consumer Financial Protection Bureau (CFPB). The brief argues that maintaining CFPB's independence is crucial to protecting consumers, and that Congress ensured this independence by creating a specific plan for succession.

Richard Cordray was the first director of the CFPB, which is designed to serve as an independent consumer advocate and check on the power of large financial-services businesses. He stepped down last month and, under the act that created the CFPB, his deputy director, Leandra English, became the acting director. Citing an earlier federal law, the administration claimed it had authority to appoint an acting director and selected Mulvaney, the director of the Office of Management and Budget. Mulvaney has been an outspoken critic of the CFPB and, while he served in Congress, voted to weaken the agency's authority and questioned its existence.

"In order for the CFPB to continue to protect consumers from corporate fraud, it is critical that the agency remains independent," Madigan said. "Someone who does not believe the CFPB should exist is inappropriate to lead the agency."

Since the CFPB began operations in 2011, the agency has handled more than 1 million consumer complaints and returned nearly \$12 billion to the pockets of more than 29 million consumers wronged by financial institutions – five times more than the agency itself costs taxpayers to fund. Among other efforts to help consumers, the CFPB has reached multiple settlements with banks, debt collectors, and other predatory lenders. Recently, partnering with several state attorneys general, the CFPB took action against several predatory for-profit colleges, forcing them to pay restitution to consumers the schools lured in with unrealistic promises of a degree and gainful employment.

The amicus brief, argues that allowing the administration to circumvent the law regarding who serves as acting director seriously compromises the agency's independence.

The attorneys general stated:

"Attempts to dismantle Congress's careful and concerted efforts in structuring the CFPB as a truly independent agency would, if successful, harm the Amici States' ability to enforce the many consumer financial laws that protect their residents."

Joining Madigan in filing the brief were the attorneys general of California, Connecticut, Delaware, Hawaii, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Washington and the District of Columbia.

The brief is available [here](#).

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