

August 8, 2023

The Honorable Rohit Chopra
Director
Consumer Financial Protection Bureau
1700 G Street NW
Washington, DC 20552

RE: *Texas Bankers Association, et al. vs. Consumer Financial Protection Bureau*

The undersigned state bankers associations, representing virtually all banks across the country, write in support of the request made in the attached letter concerning the above-referenced case to extend the stay outlined in the Court's Order to all FDIC-insured banks.

As you know, the Texas Bankers Association and American Bankers Association requested relief for every entity subject to the Final Rule, but the Court limited relief to members of just those associations (including co-plaintiff Rio Bank). As the TBA and the ABA asserted in their letter, a stay from the Bureau would streamline administration for the agency after the Supreme Court's ruling in the *Community Financial* case by including all banks and not just those that are members of TBA or ABA.

We agree that extending the relief already provided to numerous banks nationwide would be prudent and ameliorate confusion.

Thank you for your consideration.

Respectfully,

Alabama Bankers Association
Alaska Bankers Association
Arizona Bankers Association
Arkansas Bankers Association
California Bankers Association
Colorado Bankers Association
Connecticut Bankers Association
Delaware Bankers Association
Florida Bankers Association
Georgia Bankers Association
Hawaii Bankers Association
Idaho Bankers Association
Illinois Bankers Association
Indiana Bankers Association
Iowa Bankers Association
Kansas Bankers Association
Kentucky Bankers Association
Louisiana Bankers Association
Maine Bankers Association

Maryland Bankers Association
Massachusetts Bankers Association
Michigan Bankers Association
Minnesota Bankers Association
Mississippi Bankers Association
Missouri Bankers Association
Montana Bankers Association
Nebraska Bankers Association
Nevada Bankers Association
New Hampshire Bankers Association
New Jersey Bankers Association
New Mexico Bankers Association
New York Bankers Association
North Carolina Bankers Association
North Dakota Bankers Association
Ohio Bankers League
Oklahoma Bankers Association
Oregon Bankers Association
Pennsylvania Bankers Association

Puerto Rico Bankers Association
Rhode Island Bankers Association
South Carolina Bankers Association
South Dakota Bankers Association
Tennessee Bankers Association
Utah Bankers Association

Vermont Bankers Association
Virginia Bankers Association
Washington Bankers Association
West Virginia Bankers Association
Wisconsin Bankers Association
Wyoming Bankers Association



August 2, 2023

The Honorable Rohit Chopra
Director
Consumer Financial Protection Bureau
1700 G Street, NW
Washington DC 20552

RE: *Texas Bankers Association, et al. vs. Consumer Financial Protection Bureau*

Dear Director Chopra:

We write to you concerning the Court's Order published earlier this week in the above-referenced case. Currently, that Order covers the members of both the Texas Bankers Association and the American Bankers Association. We respectfully request that the CFPB extend the stay outlined in the Court's Order to all FDIC-insured banks.

As you know, we requested relief for every entity subject to the Final Rule, but the Court limited that relief to members of our associations (including co-plaintiff Rio Bank). While most FDIC-insured banks fall within our membership, there are some that do not. We recognize the Bureau's desire to continue pressing forward with certain covered institutions and so are only asking for your consideration of extending the stay to the banking industry. We believe this would simplify things for both your agency and the regulated community.

Not only would a stay from the Bureau streamline administration for the agency after the Supreme Court's ruling in the *Community Financial* case, it could also address concerns of other potential banking plaintiffs who may consider bringing additional litigation under current circumstances.

With oral argument in *Community Financial* in 60 days and a decision likely within six to eight months, we believe the CFPB extending the relief already provided to numerous banks nationwide would be prudent and ameliorate confusion. This could take whatever form the Bureau deems appropriate (*i.e.*, amending compliance dates or providing other guidance).

Thank you for your consideration; we welcome any discussion you would like to have concerning how best to proceed.

Respectfully,

Chris Furlow
Texas Bankers Association

Rob Nichols
American Bankers Association