



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