

Bureau's Actions Under Mulvaney

Mulvaney "News Drivers:"

- Moved the Student Lending department under Financial Education.
- Shifted the focus of the Office of Fair Lending to advocacy, coordination and education – and away from enforcement. The office also will move under the umbrella of the Director's Office. The fair lending enforcement and examination teams will remain with the division of Supervision, Enforcement and Fair Lending.
- Made comments about the public nature of the complaint portal.
- Changed the Bureau's name and mission statement.
- Hired political embeds in senior positions.
- Asked Congress to limit the power of the Director by making the Bureau subject to Congressional Appropriations or creating a bipartisan commission.
- Opted to use the Bureau's reserve instead of requesting additional funding from the Fed.

Rulemaking Agenda:

- Third-party debt collection: Rulemaking continues but has been pushed to "proposal stage" in Q12019.
- Small-Dollar and HMDA: The Bureau has indicated it expects to reopen these rules but that does not appear likely until late 2018 or early 2019.
- Small Business Data Collection: The Bureau has placed this in a holding pattern with "pre-rule activity" continuing, but nothing is expected in the way of a proposal until early 2019, if then.
- Overdraft: Removed completely from the agenda.
- Credit Reporting and Credit Cards: Possible regulator action (e.g. review and amendment of CARD Act).
- Student Lending: Removed long-planned rulemaking effort for student loan servicers.

Organizational Changes:

- The Office of Students and Young Consumers will be folded into the Office of Financial Education. At this point, it is unclear whether the existing Student Lending Ombudsman

will retain a dual role or focus solely on the ombudsman responsibilities, as CBA has advocated.

- The Bureau will have two new offices, including: Office of Cost Benefit Analysis and Office of Innovation.
- The Office of Financial Empowerment will be renamed the Office of Community Affairs and the Office of Community Affairs within the External Affairs Division will be renamed.
- The Office of Consumer Response will be placed within the Consumer Education and Engagement Division.

Semiannual Report:

- Fund the Bureau through Congressional appropriations.
 - CBA Note: Currently, under Dodd-Frank, the CFPB receives its funding directly from the Federal Reserve as needed, up to a designated cap.
- Require legislative approval of major Bureau rules.
 - CBA Note: Although Congress does have the authority to pass legislation to overturn any regulation of the Bureau, this calls for Congressional approval prior to the adoption of any major regulation by the Bureau.
- Ensure that the Director answers to the President in the exercise of executive authority.
 - CBA Note: The CFPB is currently an independent agency headed by a director that serves a 5-year term, who can only be removed by the President for cause. This recommendation presumably would permit the President to remove the director at will.
- Create an independent Inspector General for the Bureau.
 - CBA Note: Currently, the CFPB shares the Federal Reserve's Inspector General.

Strategic Plan:

- Ensure that all consumers have access to markets for consumer financial products and services.
- Implement and enforce the law consistently to ensure that markets for consumer financial products and services are fair, transparent, and competitive.
- Foster operational excellence through efficient and effective processes, governance, and security of resources and information.