

Statement of National Consumer Law Center's Lauren Saunders Regarding Appointment of Mulvaney as Interim Director of Consumer Bureau

FOR IMMEDIATE RELEASE: NOVEMBER 25, 2017 || Contacts: Lauren Saunders, lsaunders@nclc.org, (202) 595-7845, Jan Kruse (jkruse@nclc.org)

Washington, D.C. - Last night, President Trump announced the purported appointment of Office of Management and Budget director Mick Mulvaney as interim director of the Consumer Financial Protection Bureau. The following statement is by National Consumer Law Center Associate Director Lauren Saunders.

"President Trump's purported appointment of Mick Mulvaney as interim director of America's consumer watchdog is an illegal affront to the American public. Mulvaney has said that he would like to 'get rid of' the consumer bureau and has called the watchdog that has returned nearly \$12 billion to 29 million Americans a 'joke ... in a sad, sick kind of way.' But it is no joke to ordinary families to attempt to defang the one agency in Washington with the tools and independence to take on the Wall Street banks, giant credit reporting agencies, and predatory lenders that abuse the American public.

"In an attempt to install a wrecking ball at the helm of the consumer watchdog, President Trump has ignored the law that dictates that the consumer bureau's deputy director takes over until Congress can confirm a new director. The law is designed to protect the consumer bureau's independence and to make sure that the qualifications and biases of a new director are examined through the regular confirmation and hearing process.

"American voters of all political stripes support strong rules for financial giants and an independent consumer watchdog. People should be outraged at this attempt to ignore the law in order to side with Wall Street over Main Street and take a strong cop off the consumer protection beat."

"We should not forget that just 10 years ago, a focus on bank profits over consumer protection rules resulted in the worst financial collapse since the Great Depression, and many families have not yet recovered. It's illegal and reckless to put someone who thinks that consumer protection is a joke in charge of our key financial watchdog."

The Federal Vacancies Reform Act, 5 U.S.C § 3347, provides that the President may appoint an acting head of an action "unless— (1) a statutory provision expressly... (B) designates an officer or employee to perform the functions and duties of a specified office temporarily in an acting capacity; . . ."

The Dodd-Frank Wall Street Reform and Consumer Protection Act, which created the CFPB, 12 U.S.C. 5491(b)(5), expressly says: "There is established the position of Deputy Director, who shall—(A) be appointed by the Director; and (B) serve as acting Director in the absence or unavailability of the Director."