

United States House of Representatives
Committee on Financial Services
2129 Rayburn House Office Building
Washington, D.C. 20515

February 11, 2025

The Honorable Russell Vought
Acting Director
Consumer Financial Protection Bureau
1700 G St NW
Washington, DC 20552

Acting Director Vought:

We write to express my concern regarding your recent letter to the Federal Reserve on February 8, 2025, requesting the Fed provide the Consumer Financial Protection Bureau (CFPB) with \$0 for the third quarter of Fiscal Year 2025 the day after you were appointed Acting Director of the CFPB. While you may have preconceived notions about the operations of the CFPB, this rushed request appears to violate the Administrative Procedures Act for being arbitrary and capricious and seems designed to unlawfully fulfill the recommendation from the Project 2025 report that “Congress should abolish the CFPB.” Indeed, you, President Trump, and Elon Musk are not Congress, and we urge you to immediately reconsider your unlawful funding request to ensure CFPB has the necessary resources it needs to fulfill all of the mandates Congress gave the Bureau.

Legal experts have noted that these CFPB funding requests are covered by the Administrative Procedure Act (APA) and its prohibition that agency actions may not be arbitrary and capricious. One legal expert explained that these CFPB funding requests are a final disposition of a matter that is not a rulemaking, therefore it is considered to be an “order” for purposes of the APA.¹ However, your request appears to be arbitrary in violation of the law.

Your predecessor, Mick Mulvaney – the former OMB Director and CFPB Acting Director during President Trump’s first term – took a similar action of requesting \$0 for CFPB for the second quarter of Fiscal Year 2018. However, this request appeared to be more deliberate based on the timing and substance of the request. Specifically, after being designated as the Acting Director in November 2017,² Mr. Mulvaney submitted this funding request to the Fed nearly two months later.³ In his request, he shared CFPB’s projected expenses for the quarter and explained how he was assured that the funds available to the CFPB were sufficient to carry out its statutory mandates. He quickly resumed requesting additional funds from the Fed, and even after

¹ Adam Levitin, *Russ Vought Breaks the Law on His First Day as CFPB Director*, Credit Slips (Feb. 9, 2025).

² White House, *Statement on President Donald J. Trump’s Designation of OMB Director Mick Mulvaney as Acting Director of the Consumer Financial Protection Bureau* (Nov. 24, 2017).

³ CFPB, *Letter to the Fed – Funds Transfer Request, FY 2018 Q2* (Jan. 17, 2018).

complaining about different aspects of the CFPB that he did not care for, he wrote, “However, I am bound to execute the law as written,” and proceeded to request funding from the Fed to carry out the mandates Congress gave the agency.⁴

Furthermore, reviewing CFPB’s past funding requests sent to the Fed since the first CFPB Director, Richard Cordray, was confirmed, the CFPB Director in both Republican and Democratic Administrations have submitted requests for the third quarter of a fiscal year between March 23 and April 17 of a given year, and these requests ranged from roughly \$59 million to \$166 million. Most recently, the CFPB sent a funding transfer request for the second quarter of Fiscal Year 2025 on December 19, 2024.

Given these facts, it is unclear why you rushed this latest request, sending it one month and a half earlier than any other agency request for the third quarter of a fiscal year. It is further unclear if you conducted any due diligence whatsoever, or if you simply sought to begin carrying out the Project 2025 recommendation on your first full day on the job to abolish the CFPB in contravention of the law.

To further our understand of what transpired, please answer the following questions:

1. How many hours transpired between when you were officially designated by the President to serve as Acting Director and when you transmitted the funding request letter to the Fed?
2. During this period, did you conduct any review of the internal operations of the CFPB to assess the funding needs to ensure the Bureau meets its statutory mandates?
3. During this period, did you discuss the operations of the agency with any CFPB career staff to understand what funding is necessary for the Bureau to carry out its statutorily-mandated work? If so, please provide the names and job titles of each staff. If not, please explain why not.
4. Did you prepare any aspect of the letter you sent to the Fed prior to you becoming designated as CFPB’s Acting Director?
5. Did any OMB staff help you prepare any aspect of the letter you sent to the Fed prior to you becoming designated as CFPB’s Acting Director?
6. How much are the CFPB’s estimated expenses to carry out all of its statutory obligations for the third quarter of Fiscal Year 2025, and how much unobligated funds does the CFPB have available to meet these expenses?
 - a. Was this analysis done prior to you sending the letter to the Fed?
 - b. If this estimate was done, please provide any documentation and analysis supporting such estimate. If it was not done, please explain why not.

⁴ CFPB, [Letter to the Fed – Funds Transfer Request, FY 2018 Q3](#) (Mar. 23, 2018).

Whether you like the CFPB or wish to destroy it, we remind you that you cannot without an act of Congress. Indeed, you took an oath to support and defend the Constitution and as the Acting Director, you have no choice but to carry out all of the mandates Congress gave the Bureau. Please provide a written response to these questions by February 21, 2025.

Sincerely,



Maxine Waters
Ranking Member, Committee
on Financial Services



Bill Foster
Ranking Member,
Subcommittee on Financial
Institutions