

No. 24-40705

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

Texas Bankers Association; Rio Bank, McAllen, Texas; American Bankers
Association; Texas First Bank; Independent Bankers Association of Texas;
Independent Community Bankers of America,
Plaintiffs-Appellants

v.

Consumer Financial Protection Bureau; Russell Vought, in his official capacity as
Acting Director of the Consumer Financial Protection Bureau,
Defendants-Appellees

v.

Texas Farm Credit; Farm Credit Council; Capital Farm Credit,
Intervenor Plaintiffs-Appellants

v.

XL Funding, L.L.C.; Equipment Leasing and Finance Association; Rally Credit
Union; Credit Union National Association; Cornerstone Credit Union League
Intervenors-Appellants

On Appeal from the United States District Court
for the Southern District of Texas, Case No. 7:23-cv-144

STATUS REPORT

MARK PAOLETTA
Chief Legal Officer
DANIEL SHAPIRO
Deputy Chief Legal Officer
VICTORIA DORFMAN
Senior Legal Advisor
CHRISTOPHER DEAL
Deputy General Counsel
ANDREA MATTHEWS
Assistant General Counsel

STATUS REPORT

Defendants-Appellees the Consumer Financial Protection Bureau (CFPB) and Russell Vought, in his official capacity as the Acting Director of the CFPB, respectfully submit this periodic Status Report concerning the ongoing agency proceedings to reconsider the CFPB's 2023 Small Business Lending Rule ("the Rule" or "2023 Rule").

On July 2 and August 1, the Bureau submitted status reports informing this Court that the agency's new leadership has directed staff to initiate a new Section 1071 rulemaking. The Bureau also took the initial step of extending the Rule's deadlines for all regulated entities in order to ensure even treatment for all market participants and to provide time for the Bureau to consider and propose a new Section 1071 rule. *See* 90 Fed. Reg. 25874.

Since its prior Status Report, the Bureau has been continued to engage in ongoing work to prepare a notice of proposed rulemaking to reconsider the 2023 Rule. The Bureau anticipates issuing a Notice of Proposed Rulemaking as expeditiously as reasonably possible.

Dated: September 2, 2025

Respectfully submitted,

MARK PAOLETTA
Chief Legal Officer

DANIEL SHAPIRO
Deputy Chief Legal Officer

VICTORIA DORFMAN
Senior Legal Advisor
CHRISTOPHER DEAL
Deputy General Counsel

/s/ Andrea Matthews
Andrea Matthews
Consumer Financial Protection Bureau
1700 G Street NW
Washington, DC 20552
(202) 407-2324
andrea.matthews@cfpb.gov

CERTIFICATE OF SERVICE

I hereby certify on September 2, 2025, a true and correct copy of this document was served electronically by the Court's CM/ECF system to all counsel of record.

Dated: September 2, 2025

/s/ Andrea Matthews

Andrea Matthews

Consumer Financial Protection Bureau

1700 G Street NW

Washington, DC 20552

(202) 407-2324

andrea.matthews@cfpb.gov