

In December 2020, the CFPB issued a consent order against Omni Financial of Nevada, Inc. The CFPB found that, among other things, Omni violated the MLA's prohibition against requiring repayment of loans by allotment. While Omni claimed that other payment options were available, the CFPB found that employees told servicemembers they were required to repay by allotment, and records show that 99 percent of active-duty servicemembers who took out loans repaid them via allotment. The CFPB uncovered these violations as part of a sweep of investigations of multiple lenders that were suspected of violating the MLA.

Also in December 2020, the CFPB sued LendUp for violating the MLA by charging interest in excess of 36 percent, requiring covered borrowers to submit to arbitration, and failing to make required disclosures. The parties entered into a stipulated judgment in that action in early 2021. In December 2021, the CFPB sued LendUp again for violating that order. The parties entered into a stipulated judgment that resulted in a court order that prohibited the company from making new loans and collecting on outstanding loans.

#### IMPACT OF THE FIFTH CIRCUIT RULING ON THE CFPB'S PROTECTION OF SERVICEMEMBERS

The Fifth Circuit's ruling has the potential to put the CFPB's work to protect servicemembers at risk. While that ruling only applied to the CFPB's payday lending rule, some entities are attempting to use that ruling to try to escape legal liability. For example, citing the Fifth Circuit's ruling, lenders FirstCash and Cash America West filed a motion seeking to dismiss the case and prevent the CFPB from obtaining relief for harmed servicemembers, and the case is stayed while CFSA is before the Supreme Court. Several other defendants, both within and outside the Fifth Circuit, have also sought to dismiss or delay CFPB enforcement actions based on the Fifth Circuit's ruling.

I am gravely concerned that this trend could impact companies' compliance with the Military Lending Act and the Federal consumer financial laws that protect servicemembers and their families. The impact would be dire—effectively stripping servicemembers and their families of legal protections that are critical to maintaining military readiness and preventing involuntary separations, goals which the Department of Defense reaffirmed when finalizing the 2015 regulations implementing the MLA. In the Fifth Circuit alone, which covers Texas, Louisiana and Mississippi, this could affect 300,000 servicemembers and their families.

The CFPB shares your commitment to protecting servicemembers in the consumer financial marketplace, and I appreciate your efforts to ensure that military financial protections such as the MLA are being implemented as Congress intended. Thank you for your attention to this important issue.

Should you have any additional questions, please do not hesitate to contact me or have your staff contact Janel Fitzhugh in the CFPB's Office of Legislative Affairs.

Sincerely,

ROHIT CHOPRA,  
*Director.*

Mr. REED. Mr. President, the Military Officers Association of America and a dozen veterans organizations have validated the CFPB's strong track record. In their words:

All told, the CFPB has become an indispensable agency for protecting the legal rights and financial readiness of servicemembers,

veterans, and their families. The stability of the CFPB's funding is therefore vital to the tremendous work it does on [their] behalf.

Finally, let me add that it is not just average Americans who will be put at risk. Responsible lenders will lose the protections of the regulatory safe harbors created by the CFPB. These rules essentially protect the industry against the risk of enforcement, so long as they play by the rules and provide standardized disclosures in plain English. Those responsible actors in our financial system, who extend credit on fair terms and deal honestly with their customers, have a lot to lose.

It all adds up to this: The Fifth Circuit's decision prioritizes the interests of predatory lenders over responsible lenders, relies on falsehoods over facts, and chooses chaos over stability. That is certainly not what any court should be doing.

I hope sincerely that the Supreme Court reverses the Fifth Circuit's dangerous decision. I hope it recognizes that this is not about expensive lawyers and trade associations and big businesses. This is about Americans, many of them wearing the uniform of our country. They deserve the sympathy and the support of the Court.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. REED. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ADDITIONAL STATEMENTS

### RECOGNIZING LISLE CORPORATION

• Ms. ERNST. Mr. President, as ranking member of the Senate Committee on Small Business and Entrepreneurship, each week I recognize an outstanding Iowa small business that exemplifies the American entrepreneurial spirit. This week it is my privilege to recognize Lisle Corporation of Clarinda, IA, as the Senate Small Business of the Week during National Women's Small Business Month.

Lisle Corporation was founded by C.A. Lisle in Clarinda, IA, in 1903 as a manufacturer of horse-powered water well drilling machines. During the

1920s, Lisle Corporation began producing tools, with their first tool being a valve refacer. They also began producing a master ignition vibrator for the Ford Model T during this time period. Prior to World War II, they made magnetic drain plugs which were used in military equipment during the war. In the decades after, Lisle Corporation's manufacturing has grown to include additional automotive tools and is now known for its mechanic's creepers, lubrication, and tire products, among their 700 specialty automotive products. Lisle Corporation also grew when it acquired EZ Way, Inc., a patient handling products company based in Clarinda.

Lisle Corporation is currently run by Lisle family member Mary Landhuis, who became president in 2018. She is also president of EZ Way, Inc. in addition to her duties at Lisle Corporation. While in this position, she has served on the Iowa State Workforce Development Board and the Statewide Career and Technical Education Advisory Council.

Lisle Corporation is an exemplary family business. They have had six generations of the Lisle family work at the company and have been awarded for their contributions to the tool industry. In 2019, former president Fred Lisle was posthumously awarded the Iowa Association of Business and Industry Manufacturing Legend award for his contributions to the industry and the Clarinda community. Fred was a board member of several organizations in the community to help grow Clarinda and encourage young residents to stay in the area, leaving a legacy of generosity and leadership. For their work during World War II, Lisle Corporation was awarded the Army-Navy "E" Award for their outstanding war effort productions. In 2023, Lisle Corporation celebrated its 120th business anniversary.

Lisle Corporation's commitment to providing high-quality automotive tools to customers throughout the United States while maintaining their Clarinda roots is clear. I want to congratulate the Lisle family and the entire team at Lisle Corporation for their continued dedication to providing affordable and high-quality tools to Iowans. I look forward to seeing their continued growth and success in Iowa.●

### TRIBUTE TO SPECIALIST RACHEL RONEY-RIVERA

• Mr. TUBERVILLE. Mr. President, although she is just 25 years old, Specialist Rachel Roney-Rivera's life has been all about breaking barriers. A native of Beauregard, Rachel enlisted in the U.S. Army on her 18th birthday, using her interests to become a paralegal for the National Guard.

After finishing her military service as an E-4 specialist, Rachel decided to use her experience to pursue a career in law enforcement. She graduated top of her class at the police academy before

joining the Chambers County Sheriff's Office. Rachel has proven to be a vital part of the force, including becoming the first woman to be selected for the SWAT team. She now serves as a sex crimes investigator, helping families during some of the most difficult times in their lives. Chambers County Sheriff Jeff Nelson says that Rachel, "puts 110% into every case to bring resolution and justice."

Rachel's presence in the community extends far past her investigative work. She also serves as a self-defense instructor, where she helps empower women in East Alabama with confidence and defense training techniques. But that is not all—Rachel is also preparing to graduate with her bachelor's degree in psychology from Columbia Southern next spring. She is studying for the LSAT, hoping to become an attorney one day. In addition to being a full-time deputy and student, Rachel is also a proud full-time mom to a 4-year-old daughter.

Her story inspires Alabamians young and old about what can be accomplished with hard work and determination. I am honored to recognize Rachel as the October Veteran of the Month.●

#### TRIBUTE TO DYLAN CRONKHITE

● Mr. VAN HOLLEN. Mr. President, I rise today to spotlight the courageous spirit of Dylan Cronkhite, a 15-year-old in dire need of a kidney transplant. Dylan's journey began at just 19 months old when his mother, Leslie Cronkhite, rushed him to the hospital, sensing that something was gravely wrong. There, they received the devastating news that Dylan required a lifesaving operation to receive a kidney transplant.

Dylan's life was saved by the selfless act of his uncle, who became a living kidney donor. But today, Dylan confronts another formidable challenge as his transplanted kidney faces failure, like most young transplant recipients, compromising his health.

Living donors play a pivotal role in saving lives, offering a glimmer of hope to those desperately in need of an organ donation. Nevertheless, I remain hopeful that there are individuals who are willing and able to step up for the greater good, just as Dylan's family has. I commend the remarkable efforts of individuals like Philip Piety and his congregation in Silver Spring. Their initiative to organize an organ donation forum is an honorable step towards raising awareness about the dire need for organ donors. Encouraging people to select organ donor status on their driver's licenses can make a substantial difference in the lives of those like Dylan, who are fervently seeking a second chance at life.

Dylan's story serves as an urgent reminder that there are actionable ways we can support one another through even the most challenging times. Today, I ask my colleagues to assist in raising awareness of the importance of

organ donation so we can ensure that more individuals like Dylan receive the lifesaving organ transplants they so desperately need.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States was communicated to the Senate by Mrs. Stringer, one of his secretaries.

#### EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Homeland Security and Governmental Affairs.

(The message received today is printed at the end of the Senate proceedings.)

#### PRESIDENTIAL MESSAGE

REPORT RELATIVE TO THE DESIGNATION AS EMERGENCY REQUIREMENTS ALL FUNDING (INCLUDING THE TRANSFER AND REPURPOSING OF FUNDS) SO DESIGNATED BY THE CONGRESS IN THE CONTINUING APPROPRIATIONS ACT, 2024 AND OTHER EXTENSIONS ACT PURSUANT TO SECTION 251(B)(2)(A) OF THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985, AS OUTLINED IN THE ENCLOSED LIST OF ACCOUNTS RECEIVED DURING ADJOURNMENT OF THE SENATE ON SEPTEMBER 30, 2023—PM 24

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Budget:

*To the Congress of the United States:*

In accordance with section 114(c) of division A of the Continuing Appropriations Act, 2024 and Other Extensions Act (H.R. 5860; the "Act"), I hereby designate as emergency requirements all funding (including the transfer and repurposing of funds) so designated by the Congress in the Act pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as outlined in the enclosed list of accounts.

The details of this action are set forth in the enclosed memorandum from the Director of the Office of Management and Budget.

JOSEPH R. BIDEN, Jr.,  
THE WHITE HOUSE, September 30, 2023.

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 3:04 p.m., a message from the House of Representatives, delivered by

Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 112. An act to amend title 38, United States Code, to strengthen benefits for children of Vietnam veterans born with spina bifida, and for other purposes.

S. 2795. An act to amend title 38, United States Code, to extend and modify certain authorities and requirements relating to the Department of Veterans Affairs, and for other purposes.

H.R. 5110. An act to amend the Elementary and Secondary Education Act of 1965 to clarify that the prohibition on the use of Federal education funds for certain weapons does not apply to the use of such weapons for training in archery, hunting, or other shooting sports.

At 3:08 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 292. An act to designate the facility of the United States Postal Service located at 24355 Creekside Road in Santa Clarita, California, as the "William L. Reynolds Post Office Building".

H.R. 996. An act to designate the facility of the United States Postal Service located at 3901 MacArthur Blvd., in New Orleans, Louisiana, as the "Dr. Rudy Lombard Post Office".

H.R. 2379. An act to designate the facility of the United States Postal Service located at 616 East Main Street in St. Charles, Illinois, as the "Veterans of the Vietnam War Memorial Post Office".

H.R. 3944. An act to designate the facility of the United States Postal Service located at 120 West Church Street in Mount Vernon, Georgia, as the "Second Lieutenant Patrick Palmer Calhoun Post Office".

H.R. 4502. An act to amend title 5, United States Code, to limit the use of educational requirements or qualifications in evaluating candidates for certain cybersecurity positions in the competitive service, and for other purposes.

The message also announced that the House has agreed to the following resolution:

H. Res. 742. Resolution relative to the death of the Honorable Dianne Goldman Berman Feinstein, a Senator from the State of California

At 6:11 p.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4665. An act making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2024, and for other purposes.

#### MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 292. An act to designate the facility of the United States Postal Service located at 24355 Creekside Road in Santa Clarita, California, as the "William L. Reynolds Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.