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## **America's Future Files Amicus Brief with SCOTUS To Safeguard The Separation of Powers Principles**

Florida – July 14, 2023 – America's Future, Inc., a national leader in the fight to preserve individual rights, promote American values and traditions, and protect the nation's Constitutional Republic, announced that it filed an **Amicus brief** with the Supreme Court of the United States (SCOTUS) in *Consumer Financial Protection Bureau, et al. v Community Financial Services Association of America, Limited, et al.*, SCOTUS Dkt. No. 22-448, a case focused on the emboldened regulatory and administrative agencies running afoul of America's prized Separation of Powers principles. The brief was filed with two other nonprofits on July 13, 2023.

The Court is asked to resolve whether the creation of the Consumer Financial Protection Bureau (CFPB) and/or its funding mechanism violates the Appropriations Clause of the U.S. Constitution, thereby contravening our nation's Separation of Powers doctrine. This case presents the SCOTUS with an opportunity to stave off further federal government overreach by affirming the October 19, 2022 **judgment** of the United States Court of Appeals for the Fifth Circuit, which ruled against the CFPB.

"Our nation's constitutional order depends on the government adhering to the principles of checks and balances inherent in the Separation of Powers Doctrine otherwise, American citizens may be left without any meaningful mechanism to ensure, among other things, that taxpayer money is used for the proper purposes with adequate oversight in place," said Mary O'Neill, Executive Director of America's Future. "We urge the Court to agree with the Fifth Circuit in this case because it is the right decision for the citizens of this country."

This case springs out of the creation and structure of the CFPB, a regulatory agency created by Congress in response to the 2007-2008 financial and housing crisis. When Congress enacted the Consumer Financial Protection Act, the CFPB was created as an independent regulatory agency housed within the Federal Reserve, funded directly by the Federal Reserve instead of Congress, and administered outside the purview of elected representatives. Minimal, if any, controls were placed on the CFPB from the start.

The CFPB, as explained in our brief, was vested by Congress with “executive, legislative, and quasi-judicial powers.” Congress’ proclivity of granting federal agencies with nearly limitless regulatory powers is not unusual, however, as noted in the brief, “the CFPB is unique because its funding mechanism is not controlled by Congress. It is not funded with periodic congressional appropriations. Instead, the Bureau receives funding directly from the Federal Reserve.” And therein lies the problem. The funding mechanism, here, lacks adequate controls, oversight, and enforcement and therefore fosters an environment vulnerable to recklessness, waste, and abuse of authority.

To read more details about this filing, along with other briefs filed by America’s Future, please visit our Law & Policy page on our website at [www.AmericasFuture.net](http://www.AmericasFuture.net).

**ABOUT AMERICA’S FUTURE, INC.**

Founded in 1946, America’s Future, Inc. is a 501(c)(3) nonprofit organization committed to protecting the individual rights of every American and our Judeo-Christian values that make America exceptional. We do our work through educational and informational initiatives, strategic partnerships, communications, and networking opportunities that empower Americans to get involved in the fight to preserve the American way of life, now and for generations to come. For information, visit [www.AmericasFuture.net](http://www.AmericasFuture.net).