United States Senate
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS
WASHINGTON, DC 20510–6075

July 22, 2026

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

Dear Acting Director Vought:

I write to request copies of any and all communications between employees of the Consumer Financial Protection Bureau (CFPB) and President Trump's nominee to serve as the CFPB Director, Brian Johnson, since November 1, 2024.

Mr. Johnson currently serves as Vice President, U.S. Card Compliance Officer, at Capital One.[1] Prior to working at Capital One, Mr. Johnson worked at the CFPB. Specifically, Mr. Johnson served as a Senior Advisor to the Director of the CFPB in 2017, CFPB's Principal Policy Director in April 2018, and Acting Deputy Director of the CFPB in July 2018.[2] In May 2019, he was officially appointed as Deputy Director, becoming the second highest CFPB official during President Trump's first term.[3]

Mr. Johnson's tenure at Capital One has overlapped with significant CFPB scrutiny of the bank's sales tactics. The CFPB sued Capital One in January 2025. According to the lawsuit, Capital One deceived millions of customers with a "360 Savings" account.[4] The bank allegedly promised that those customers would receive one of the country's "best" and "highest" interest rates – and created the impression that "360 Savings" would be the bank's only "high interest" savings product of its kind.[5] Notably, the bank "froze the 360 savings rate at 0.30%, even as savings

[1] Letter from Andy Navarrete, Executive Vice President, Head of Global Enterprise Affairs, Capital One Financial Corporation, to Ranking Member Elizabeth Warren, July 7, 2026, https://www.banking.senate.gov/imo/media/doc/2026.07.07%20Capital%20One%20Response%20on%20Johnson.pdf.
[2] LinkedIn, "Brian J," https://www.linkedin.com/in/bcjpgp/.
[3] Banking Dive, "Trump nominates CFPB's former No. 2 as director," June 10, 2026, Gabrielle Saulsbery, https://www.bankingdive.com/news/trump-nominates-cfpbs-former-number-2-director/822574/.
[4] NBC News, "CFPB sues Capital One alleging it cheated customers out of over $2 billion in interest," Russell Leung, January 14, 2025, https://www.nbcnews.com/business/consumer/cfpb-sues-capital-one-cheating-customers-2-billion-interest-rcna187623; Consumer Financial Protection Bureau, "Capital One, National Association, and Capital One Financial Corporation," February 27, 2025, https://www.consumerfinance.gov/enforcement/actions/capital-one-national-association-and-capital-one-financial-corporation/.
[5] Consumer Financial Protection Bureau, "Capital One, National Association, and Capital One Financial Corporation," February 27, 2025, p. 2, https://files.consumerfinance.gov/f/documents/cfpb_capital-one_complaint_2025-01.pdf.

account interest rates across the country rose sharply."[6] Meanwhile, according to the complaint, Capital One created a separate new "360 Performance Savings" product with an interest rate about 14 times higher – but never told 360 Savings accountholders about the new type of account and even "forbade its employees from proactively telling 360 Savings account holders about 360 Performance Savings."[7] The CFPB's lawsuit sought to provide redress to consumers who lost out on billions of dollars in potential savings interest due to Capital One's deceptive practices. But in February 2025, after President Trump returned to the White House, the CFPB dropped its lawsuit.[8]

Upon learning of Mr. Johnson's nomination to serve as CFPB Director, I was concerned—given his history at the agency—that Mr. Johnson could have played a role in internal and external discussions within Capital One regarding the dropped CFPB lawsuit. As a result, I asked Capital One on June 29, 2026, to provide "records of all correspondence relevant to the CFPB's lawsuit against Capital One between November 2024 and November 2025," including correspondence between Mr. Johnson and CFPB officials.[9] On July 7, 2026, the bank responded, stating, "[W]e are not aware of any outreach by Mr. Johnson to the CFPB on Capital One's behalf related to the CFPB's lawsuit regarding Capital One's 360 Savings product."[10]

Though Capital One's response indicates that Mr. Johnson did not reach out to the CFPB on Capital One's behalf regarding the CFPB's lawsuit, it does not clarify one way or the other whether the CFPB reached out to Mr. Johnson–on the lawsuit, or any other topic. I am therefore writing to request information from the CFPB regarding its communications with Mr. Johnson while he served as an executive at Capital One. Please provide this information no later than 5:00pm on Wednesday, July 22, 2026, ahead of Mr. Johnson's scheduled nomination hearing with the Committee.

1. Provide a list of all instances in which CFPB employees reached out to Mr. Johnson from November 1, 2024, to present. For each instance, provide:
    a. The date of the outreach.
    b. Which CFPB officials conducted the outreach.
    c. The CFPB employee or official who requested the communication.
    d. The purpose of the outreach and topics under discussion.
    e. The date of any response from, or communication with, Mr. Johnson as a result of that outreach, along with a summary of the conversation(s) that occurred.

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[6] *Id.*, p. 3.
[7] *Id.*, pp. 2-3.
[8] Consumer Financial Protection Bureau, "Capital One, National Association, and Capital One Financial Corporation," February 27, 2025, https://www.consumerfinance.gov/enforcement/actions/capital-one-national-association-and-capital-one-financial-corporation/.
[9] Letter from Senator Elizabeth Warren to Richard Fairbank, Chief Executive Officer, Capital One Financial Corporation, June 29, 2026, https://www.banking.senate.gov/imo/media/doc/20260629_letter_to_capital_one_re_brian_johnsonpdf.pdf.
[10] Letter from Andy Navarrete, Executive Vice President, Head of Global Enterprise Affairs, Capital One Financial Corporation, to Ranking Member Elizabeth Warren, July 7, 2026, https://www.banking.senate.gov/imo/media/doc/2026.07.07%20Capital%20One%20Response%20on%20Johnson.pdf.

f. Copies of the emails, texts, call records, and/or meeting records that stemmed from the outreach.

Sincerely,

Elizabeth Warren
Ranking Member
Committee on Banking,
Housing, and Urban Affairs