

SHERROD BROWN, OHIO, CHAIRMAN

JACK REED, RHODE ISLAND
ROBERT MENENDEZ, NEW JERSEY
JON TESTER, MONTANA
MARK WARNER, VIRGINIA
ELIZABETH WARREN, MASSACHUSETTS
CHRIS VAN HOLLEN, MARYLAND
CATHERINE CORTEZ MASTO, NEVADA
TINA SMITH, MINNESOTA
KYRSTEN SINEMA, ARIZONA
JON OSSOFF, GEORGIA
RAPHAEL G. WARNOCK, GEORGIA

PATRICK J. TOOMEY, PENNSYLVANIA
RICHARD C. SHELBY, ALABAMA
MIKE CRAPO, IDAHO
TIM SCOTT, SOUTH CAROLINA
MIKE ROUNDS, SOUTH DAKOTA
THOM TILLIS, NORTH CAROLINA
JOHN KENNEDY, LOUISIANA
BILL HAGERTY, TENNESSEE
CYNTHIA M. LUMMIS, WYOMING
JERRY MORAN, KANSAS
KEVIN CRAMER, NORTH DAKOTA
STEVE DAINES, MONTANA

United States Senate

COMMITTEE ON BANKING, HOUSING, AND
URBAN AFFAIRS

WASHINGTON, DC 20510-6075

LAURA SWANSON, STAFF DIRECTOR
BRAD GRANTZ, REPUBLICAN STAFF DIRECTOR

June 17, 2021

The Honorable Rohit Chopra
Commissioner
Federal Trade Commission
600 Pennsylvania Ave NW
Washington, DC 20580

Dear Commissioner Chopra:

According to press reports, the political leadership of the Consumer Financial Protection Bureau (CFPB) under the Biden administration has been taking unusual and possibly unlawful actions to push out top-level career civil servants at the CFPB in order to fill those civil service positions with hand-picked loyalists.¹ Such actions reportedly include offering employees extraordinary separation incentives to leave their posts and placing employees on administrative leave after opening up frivolous investigations against them—allegations that, if true, may violate employment and other laws.² Moreover, the CFPB notably declined to deny any of the detailed allegations in the report.³

In light of the seriousness of the allegations in this report, as well as the implication that these actions may have been undertaken to provide you with the opportunity to hire a hand-picked team of loyalists in the event that you are confirmed as Director of CFPB, I request that you provide complete answers to the following questions by no later than 10 a.m. on June 21, 2021:

1. Are you aware of whether the CFPB has taken any steps between January 20, 2021, and the present to push out, replace, or encourage any career CFPB employees to leave their positions?
 - a. If so, what specific steps are you aware of to push out, replace, or encourage career CFPB employees to leave their positions, and at whose direction were they taken?
 - b. When were you first made aware that the CFPB was attempting to push out, replace, or encourage any career CFPB employees to leave their positions?

¹ Eric Katz, *Biden Employs Aggressive Strategy to Sideline Top Career Officials at Consumer Protection Bureau*, Government Executive (Jun. 14, 2021), <https://www.govexec.com/management/2021/06/biden-employs-aggressive-strategy-sideline-top-career-officials-consumer-protection-bureau/174711/>.

² *Id.*

³ *Id.*

- c. Have you discussed any plan or decision to push out, replace, or encourage any career CFPB employees to leave their positions, and if so, with whom did you discuss this plan or decision?
2. Are you aware of whether the CFPB between January 20, 2021, and the present offered any career CFPB employees separation incentives to leave their positions?
 - a. If so, please provide a list of all career CFPB employees offered separation incentives to leave their positions (identified by their position title) and the specific terms of the separation incentives they were offered.
 - b. When were you first made aware that the CFPB had offered, or was intending to offer, any career CFPB employees separation incentives to leave their positions?
 - c. Have you discussed any plan or decision to offer career CFPB employees separation incentives to leave their positions, and if so, with whom did you discuss this plan or decision?
3. Are you aware of whether the CFPB between January 20, 2021, and the present opened an investigation into any career CFPB employee at the Associate Director or Assistant Director level?
 - a. If so, please provide a list of all such individuals (identified by their titles) and the reason for opening the investigation.
 - b. When were you first made aware that the CFPB had opened, or was intending to open, an investigation into any career CFPB employee at the Associate Director or Assistant Director level?
 - c. Have you discussed any plan or decision to open an investigation into any career CFPB employees at the Associate Director or Assistant Director level, and if so, with whom did you discuss this plan or decision?
4. Are you aware of whether the CFPB between January 20, 2021, and the present placed any career CFPB employees at the Associate Director or Assistant Director level on administrative leave?
 - a. If so, please provide a list of all such individuals (identified by their titles) and the reason for placing them on administrative leave.
 - b. When were you first made aware that the CFPB had placed, or was intending to place, any career CFPB employee at the Associate Director or Assistant Director level on administrative leave?

- c. Have you discussed any plan or decision to place any career CFPB employees at the Associate Director or Assistant Director level on administrative leave, and if so, with whom did you discuss this plan or decision?

Thank you for your attention to this matter.

Sincerely,



Pat Toomey
Ranking Member

cc: The Honorable Sherrod Brown, Chairman, Senate Committee on Banking, Housing, and Urban Affairs