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United States Senate

COMMITTEE ON BANKING, HOUSING, AND
URBAN AFFAIRS

WASHINGTON, DC 20510-6075

Laura Swanson, Staff Director
Brad Grantz, Republican Staff Director

July 29, 2021

Leandra English
Chief of Staff
National Economic Council
1650 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Ms. English:

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

Acting on these press reports, I recently sent a letter to both David Uejio, the Acting Director of the Consumer Financial Protection Bureau (CFPB), and Rohit Chopra, the President's nominee to lead the CFPB, asking about these allegations and whether they were involved in or aware of them. As a member of then President-Elect Biden's transition team, you were charged with reviewing operations at the CFPB,³ and according to recent press reports, many of the Biden administration's reversals of CFPB policies advanced during the Trump administration were carried out by Acting Director Uejio under your recommendation.⁴ Accordingly, in order to understand what, if any, knowledge or involvement you may have had regarding any effort to replace CFPB civil servants with individuals perceived as more loyal to the current administration, I request that you provide answers to the following questions by no later than August 5, 2021:

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 Rachel Siegel and Yeganeh Torbati, *Biden Taps Proponents of Stricter Wall Street Rules for His Agency Review Teams During Transition*, Wash. Post, (Nov. 11, 2020), <https://www.washingtonpost.com/business/2020/11/10/biden-transition-wall-street-regulation/>.

⁴ Kate Berry, *Harsher rules, more enforcement: What to expect from Chopra's CFPB*, American Banker (Jul. 16, 2021), <https://www.americanbanker.com/news/harsher-rules-more-enforcement-what-to-expect-from-chopras-cfpb>.

1. Are you aware of whether the CFPB has taken any steps between January 20, 2021, and the present to replace or encourage any career CFPB employees to leave their positions?
 - a. If so, what specific steps are you aware of to 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 replace or encourage any career CFPB employees to leave their positions?
 - c. Have you discussed replacing or encouraging any career CFPB employees to leave their positions, and if so, with whom did you have this discussion?
 - d. Have you discussed replacing or encouraging any career CFPB employees to leave their positions with Mr. Chopra or Mr. Uejio?
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 offering career CFPB employees separation incentives to leave their positions, and if so, with whom did you have this discussion?
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 Assistant Director level or above?
 - 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 Assistant Director level or above?
 - c. Have you discussed opening an investigation into any career CFPB employees at the Assistant Director level or above, and if so, with whom did you have this discussion?
4. Are you aware of whether the CFPB between January 20, 2021, and the present placed any career CFPB employees at the Assistant Director level or above 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 Assistant Director level or above on administrative leave?

- c. Have you discussed placing any career CFPB employees at the Assistant Director level or above on administrative leave, and if so, with whom did you have this discussion?

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Pat Toomey". The signature is written in a cursive style with a large, looping initial "P".

Pat Toomey
Ranking Member

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