

United States House of Representatives  
Committee on Financial Services  
2129 Rayburn House Office Building  
Washington, D.C. 20515

February 21, 2019

To the Dedicated Public Servants of the Consumer Financial Protection Bureau:

I am aware of the challenges you have faced in the last two years. And I understand the pride you have in your work of protecting America's consumers. When that work is challenged or undermined, morale can suffer. The reports<sup>1</sup> regarding a significant drop over the past year in the state of morale at the Consumer Financial Protection Bureau (Consumer Bureau) are troubling to me as a policymaker because the Consumer Bureau should be a place where you are not only proud of your work, but you are also confident of the value you provide in protecting the consumers of our country from unfair, deceptive, or abusive acts or practices of bad actors. I am writing to reassure you of the importance and value of your work, and to let you know, in no uncertain terms, that the anti-consumer actions mandated by Trump appointees will not be tolerated. I will work hard to ensure that you will once again be fully empowered to perform your duties on behalf of America's consumers.

The Consumer Bureau is a key part of financial reform. After the financial crisis and the subprime meltdown a decade ago, Congress recognized that Americans needed a new watchdog that could swiftly and effectively crack down on unscrupulous financial practices and products, and created the Consumer Bureau as a key part of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Since the creation of the Consumer Bureau, you have helped people around the country with their mortgages, credit cards, student loans, and other financial products and services; punished financial institutions that have harmed consumers; put money back in the pockets of consumers; and implemented consumer protections to help individuals and families take control of their economic lives.

Your work is a vital public service. Take heart in the knowledge that millions of Americans have benefitted from your efforts, and that the Consumer Bureau has many friends and allies in Congress who believe in your efforts and will stand up for you and the Consumer Bureau.

I have been concerned that actions taken, and changes made by Office of Management and Budget Director Mick Mulvaney were contrary to both the spirit and plain letter of the law and appear to be designed to frustrate the Consumer Bureau's mission.

Let me assure you that actions to weaken the Consumer Bureau from within as Director Mulvaney attempted to do will not go unchecked or unnoticed. As Chairwoman of the House Financial Services

---

<sup>1</sup> Partnership for Public Service, "Best Places to Work in the Federal Government," (Dec. 12, 2018), <https://bestplacestowork.org/rankings/detail/FRFT> and <https://bestplacestowork.org/analysis/agency-profiles/#cfpb>; see also Joe Davidson, "Report shows sharp drop in federal employee morale under Trump," WASHINGTON POST (Dec. 12, 2018), <https://www.washingtonpost.com/politics/2018/12/12/report-shows-sharp-drop-federal-employee-morale-under-trump/>. Furthermore, another employee survey showed widespread lack of respect in the Consumer Bureau's senior leadership last year. See Consumer Financial Protection Bureau, "2018 BCFP annual employee survey results," (Dec. 28, 2018), <https://www.consumerfinance.gov/data-research/research-reports/2018-bcfp-annual-employee-survey-results/>; see also Katy O'Donnell, "Nearly half of CFPB employees say they don't respect leadership," POLITICO PRO (Jan. 3, 2019), <https://subscriber.politicopro.com/education/article/2019/01/nearly-half-of-cfpb-employees-say-they-dont-respect-leadership-2429422>.



Committee, I will fight against any and all efforts to weaken the Consumer Bureau and make sure that your important work to protect consumers, as Congress intended, can continue.

As part of my duties as Chairwoman, I will also be conducting careful oversight of the agencies under the Committee's jurisdiction, including the Consumer Bureau. If, in the course of your work, you are a witness to waste, fraud, abuse or gross mismanagement, please do not hesitate to alert me and my staff. The Whistleblower Protection Act ("WPA") provides broad protections to federal employees disclosing to Congress a violation of law, rule, or regulation; gross mismanagement; fraud; or an abuse of authority.<sup>2</sup> The Committee expects that the Consumer Bureau will comply with the WPA and any other applicable whistleblower laws in response to any Consumer Bureau employee that elects to exercise their right to report instances of waste, fraud, abuse or mismanagement to Congress. In addition to the whistleblower protections granted in the WPA, Congress has passed criminal prohibitions against threatening or tampering with witnesses testifying before congressional proceedings.<sup>3</sup> The Committee will not tolerate any intimidation of or retaliation against potential witnesses by anyone at any federal agency.

Again, the Consumer Bureau is of critical importance for American families across the country. Your work is of critical importance. I am committed to working every day to make sure that the Consumer Bureau and you, its hardworking staff, can work toward its mission of protecting consumers.

Sincerely,



Maxine Waters  
Chairwoman

cc: The Honorable Patrick McHenry

---

<sup>2</sup> With respect to disclosures to entities other than the CFPB's Inspector General or the Special Counsel, the WPA protects employees provided that the disclosed information is not otherwise prohibited by law nor required to be kept secret by executive order in the interest of national defense or foreign affairs. In recognition of Congress's constitutional oversight responsibilities, however, the WPA affords special protections to federal employees who disclose even "confidential" information to Congress. 5 U.S.C. § 2302(b) (providing that the WPA is not to be interpreted to "authorize the withholding of information from the Congress or the taking of any personnel action against an employee who discloses information to the Congress"); *see also* H. Rept. 95-1717 (Conference Report) (1978) ("The provision is intended to make clear that by placing limitations on the kinds of information any employee may publicly disclose without suffering reprisal, there is no intent to limit the information an employee may provide to Congress or to authorize reprisal against an employee for providing information to Congress.").

<sup>3</sup> 18 U.S.C. § 1505 ("Whoever corruptly, or by threats of force, or by any threatening letter or communication influences, obstruct, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law...or the due and proper exercise of the power of inquiry under which any inquiry or investigation is being had by either House, or any committee of either House or any joint committee of the Congress - Shall be fined under this title, imprisoned not more than 5 years...or both.").