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

March 2, 2023

The Honorable Rohit Chopra
Director
Consumer Financial Protection Bureau
1700 G Street, NW
Washington, DC 20552

Dear Director Chopra:

Despite failing to be confirmed by a Democrat-controlled Senate for more than 18 months last Congress, President Biden has resubmitted his nomination of David Ueijo for Assistant Secretary for Fair Housing and Equal Opportunity at the Department of Housing and Urban Development. I am writing to request records of the Consumer Financial Protection Bureau (“CFPB”) during Mr. Ueijo’s tenure as Acting Director.

Prior to your confirmation, Mr. Ueijo served as Acting Director of the CFPB. In his time as Acting Director, it has been reported that Mr. Ueijo undertook various improper actions, including launching the CFPB into matters that are beyond its statutorily defined jurisdiction, returning the CFPB to the path of regulation-by-enforcement, and reportedly forcing out top-level career civil servants in order to fill those positions with hand-picked loyalists, among other instances of overt partisanship and government overreach while he led the CFPB.¹ These reported actions are concerning, and must be fully vetted to properly advise on his nomination.

Please produce the following records² in unredacted form no later than March 16, 2023:

1. All records between any CFPB employee in the Director’s Office, including but not limited to then-Acting Director Ueijo and his then-Chief of staff, and any official or

¹ See e.g., Eric Katz, *Biden Employs Aggressive Strategy to Sideline Top Career Officials at Consumer Protection Bureau*, Government Executive (Jun. 4, 2021) <https://www.govexec.com/management/2021/06/biden-employs-aggressive-strategy-sideline-top-career-officials-consumer-protection-bureau/174711/>; CFPB Press Release: *Consumer Financial Protection Bureau Issues Interpretive Rule on Authority to Resume Examinations Regarding the Military Lending Act* (Jun. 16, 2021) (announcing that the CFPB would supervise institutions for compliance with the Military Lending Act, even though the CFPB had previously acknowledged that Congress did not explicitly authorize the CFPB to conduct such supervision), <https://www.consumerfinance.gov/about-us/newsroom/cfpb-issues-interpretive-rule-on-authority-to-resume-examinations-regarding-the-military-lending-act/>; CFPB Press Release: *CFPB Rule Clarifies Tenants Can Hold Debt Collectors Accountable for Illegal Evictions* (Apr. 19, 2021) (announcing that the CFPB will be venturing into landlord-tenant issues, even though these issues are outside of the CFPB’s jurisdiction), <https://www.consumerfinance.gov/about-us/newsroom/cfpb-rule-clarifies-tenants-can-hold-debt-collectors-accountable-for-illegal-evictions/>.

² The term “records” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded or preserved, and whether original or copy.

employee in the Executive of the President's Office that were sent between January 20, 2021 and October 12, 2021.

2. All records between any CFPB employee in the Director's Office, including but not limited to then-Acting Director Uejio and his then-Chief of staff, and any official or employee at the Federal Trade Commission, including but not limited to then-Commissioner Rohit Chopra and his then-Chief of Staff Jen Howard, that were sent between January 20, 2021 and October 12, 2021.
3. All records created, sent, or received between January 20, 2021 and October 12, 2021, by any CFPB employee in the Director's Office, including but not limited to then-Acting Director Uejio and his then-Chief of staff, containing the keywords "Rohit," "Chopra," or "Jen Howard."
4. All records created, sent, or received between January 20, 2021 and October 12, 2021, by any CFPB employee in the Director's Office, including but not limited to then-Acting Director Uejio and his then-Chief of staff, relating to any effort to force out, replace, or encourage any career CFPB employees to leave their positions.
5. All records created, sent, or received between January 20, 2021 and October 12, 2021, by any CFPB employee in the Director's Office, including but not limited to then-Acting Director Uejio and his then-Chief of staff, relating to the decision to issue a CFPB rule on fair debt collection practices.³
6. All records created, sent, or received between January 20, 2021 and October 12, 2021, by any CFPB employee in the Director's Office, including but not limited to then-Acting Director Uejio and his then-Chief of staff, relating to the decision to issue a CFPB rule on Authority to Resume Examinations Regarding the Military Lending Act.⁴
7. All records created, sent, or received between January 20, 2021 and October 12, 2021, by any CFPB employee in the Director's Office, including but not limited to then-Acting Director Uejio and his then-Chief of staff, relating to the decision to rescind the CFPB's January 24, 2020 policy statement, "Statement of Policy Regarding Prohibition on Abusive Acts or Practices."⁵
8. All records created, sent, or received between January 20, 2021 and October 12, 2021, by any CFPB employee in the Director's Office, including but not limited to then-Acting

³ See CFPB Interim Final Rule: *Debt Collection Practices in Connection with the Global COVID-19 Pandemic (Regulation F)* (Apr. 19, 2021), <https://www.consumerfinance.gov/rules-policy/final-rules/debt-collection-practices-global-covid-19-pandemic-regulation-f/>.

⁴ See CFPB Interim Interpretive Rule: *Examinations for Risks to Active-Duty Servicemembers and Their Covered Dependents* (Jun. 16, 2021), https://files.consumerfinance.gov/f/documents/cfpb_risks-active-duty-servicemembers-covered-dependents_final-rule_2021-06.pdf.

⁵ See CFPB Statement of Policy Regarding Prohibition on Abusive Acts or Practices; Rescission (Mar. 11, 2021), https://files.consumerfinance.gov/f/documents/cfpb_abusiveness-policy-statement-consolidated_2021-03.pdf.

Director Uejio and his then-Chief of staff, relating to the decision to rescind BCFP Bulletin 2018-01 regarding “Changes to Types of Supervisory Communications.”⁶

Thank you for your attention to this matter.

Sincerely,



Tim Scott
Ranking Member

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

⁶ See CFPB Bulletin 2021-01: Changes to Types of Supervisory Communications (Mar. 31, 2021), https://files.consumerfinance.gov/f/documents/cfpb_bulletin_2021-01_changes-to-types-of-supervisory-communications_2021-03.pdf; BCFP Bulletin 2018-01: Changes to Types of Supervisory Communications (Sept. 25, 2018), https://files.consumerfinance.gov/f/documents/cfpb_bulletin_2021-01_changes-to-types-of-supervisory-communications_2021-03_IWrVRYz.pdf.