

December 1, 2017

Mick Mulvaney  
Director  
Office of Management and Budget  
725 17<sup>th</sup> St. NW  
Washington, DC 20503

Dear Mr. Mulvaney:

Appropriations to fund the federal government will expire and the government will be forced to shut down if the Trump Administration does not reach a funding agreement with the Republican Congress by December 8<sup>th</sup> – one week from today.

The situation has grown increasingly dire, particularly because President Trump appears to be rooting for a shutdown. He has reportedly “told confidants that a government shutdown could be good for him politically,”<sup>1</sup> and earlier this week angrily tweeted that “I don’t see a deal” happening with Democratic leaders “Chuck [Schumer] and Nancy [Pelosi].”<sup>2</sup> This “sudden shift is jeopardizing talks” that could lead to a deal to avoid a shutdown.<sup>3</sup> This is not the first time that President Trump has made these threats: earlier this year, he tweeted that “our country needs a good ‘shutdown.’”<sup>4</sup>

You are President Trump’s top budget official. As the Director of the Office of Management and Budget (OMB), you should be working full-time, non-stop, to ensure that the government is funded and does not shut down. It is also your responsibility as OMB Director, to operationalize an orderly shutdown if funds run out. Instead, you have been splitting your time between two jobs since President Trump attempted to name you as Acting Director of the Consumer Financial

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<sup>1</sup> Washington Post, Trump tells confidants that a government shutdown might be good for him (Nov. 30, 2017) ([https://www.washingtonpost.com/politics/trump-tells-confidants-that-a-government-shutdown-might-be-good-for-him/2017/11/30/e5328328-d5f5-11e7-a986-d0a9770d9a3e\\_story.html?utm\\_term=.b1b8b0efc0a9](https://www.washingtonpost.com/politics/trump-tells-confidants-that-a-government-shutdown-might-be-good-for-him/2017/11/30/e5328328-d5f5-11e7-a986-d0a9770d9a3e_story.html?utm_term=.b1b8b0efc0a9)).

<sup>2</sup> President Donald J. Trump, @realDonaldTrump, <https://twitter.com/realDonaldTrump/status/935513049729028096> (Nov. 28, 2017).

<sup>3</sup> Washington Post, Trump tells confidants that a government shutdown might be good for him (Nov. 30, 2017) ([https://www.washingtonpost.com/politics/trump-tells-confidants-that-a-government-shutdown-might-be-good-for-him/2017/11/30/e5328328-d5f5-11e7-a986-d0a9770d9a3e\\_story.html?utm\\_term=.b1b8b0efc0a9](https://www.washingtonpost.com/politics/trump-tells-confidants-that-a-government-shutdown-might-be-good-for-him/2017/11/30/e5328328-d5f5-11e7-a986-d0a9770d9a3e_story.html?utm_term=.b1b8b0efc0a9)).

<sup>4</sup> President Donald J. Trump, @realDonaldTrump, <https://twitter.com/realDonaldTrump/status/859393829505552385> (May 2, 2017).


Protection Bureau (CFPB) on November 27<sup>th</sup>, leaving you unable to focus on your primary job as the Administration's budget director.

In an email I have obtained, you told your OMB staff that you “spent most of the day over there [the CFPB]” after you were named as Acting Director, and thanked OMB staff for “working with [OMB management] as we’ve tried to manage this additional workload.”<sup>5</sup> I have also learned that your top staff – including your communications director and Chief of Staff – have spent a significant amount of their time this week at the CFPB rather than at their primary jobs at OMB. Last night, instead of working to avoid a government shutdown, you were doing interviews focused on rolling back the CFPB Director's authority to protect consumers – just the latest in a round of interviews you have given this week about your role at the CFPB.<sup>6</sup>

I understand that, for years, you have committed yourself to advancing an ideologically extreme effort to deregulate the financial industry and destroy the CFPB. However, it is inexplicable that you and your senior staff would spend a significant portion of your time on an ideologically-driven vanity project this week rather than focusing on keeping the government funded and preparing for a potential shutdown that the President is so actively provoking. Congress put in place financial protections after the 2008 crisis for a reason -- to protect consumers and prevent future economic meltdowns. And the President has a budget director for a reason too. Your sole job right now – and the job of the Administration – should be working with Congress to avoid an impending government shutdown and preparing agencies to cease operations in an organized way in case of a lapse in appropriations.

Under the terms of the Dodd Frank Act, the CFPB has a legitimate leader, Ms. Leandra English, who was Deputy Director and became Acting Director under the terms of Dodd-Frank when former CFPB Director Richard Cordray resigned. Your extreme hostility toward the Dodd-Frank Act has not only created unnecessary uncertainty in the financial industry, but it clearly now also poses an active and continuing threat to our government's functioning and the broader economy. The American people deserve better.

Sincerely,



Elizabeth Warren  
United States Senator

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<sup>5</sup> E-mail from OMB Director Mick Mulvaney to OMB Staff (Nov. 27, 2017).

<sup>6</sup> Lou Dobbs Tonight, Interview with Mick Mulvaney (Dec. 1, 2017) (<https://youtu.be/5nBUwPEwnD8>).