



1700 G Street NW, Washington, DC 20552

February 15, 2018

The Honorable Elizabeth Warren  
United States Senate  
317 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Warren:

I write in response to your letter of December 18, 2017, regarding my decision to hire certain non-career staff at the Consumer Financial Protection Bureau (Bureau).

As I am sure you are aware, appointments to positions that are policy-determining or which involve a close and confidential working relationship with the head of an agency or other key appointed officials (“Schedule C” appointments) are permissible in federal agencies under 5 C.F.R. § 213.3301. I reject your characterization of my plan to make Schedule C appointments at the Bureau as an intention to “politicize the CFPB.” As you acknowledge, other financial regulators and independent agencies have non-career staff, and these appointments are entirely appropriate.

Your letter recommends that I review the federal civil service laws related to such decisions to ensure compliance. I assure you the Bureau is well aware of, and in compliance with, the Director’s appointment authority pursuant to 12 U.S.C. § 5493 and the federal civil service laws related to federal personnel decisions, including the requirements set forth in 5 U.S.C. §§ 2301 and 2302.

Your letter lastly requests that I ensure the Bureau’s compliance with the requirement to educate Bureau employees of the rights and remedies available to them under civil service and whistleblower protections laws pursuant to 5 U.S.C. § 2302(c). The Bureau is in full compliance with this requirement, and has met all of the notification requirements necessary to complete the Office of Special Counsel’s 2302(c) compliance program.

[consumerfinance.gov](http://consumerfinance.gov)

Should you have further questions about this issue, please do not hesitate to have your staff contact Matthew Pippin in the Bureau's Office of Legislative Affairs. Mr. Pippin can be reached at (202) 435-7552.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mick Mulvaney".

Mick Mulvaney  
Acting Director