

September 19, 2018

Mick Mulvaney
Director
Office of Management and Budget
725 17th Street, NW
Washington, DC 20007

Dear Director Mulvaney:

I am writing regarding a report of your appearance at a “closed door event in New York City” in which you met with “party officials and donors” and, along with Republican National Committee chairwoman Ronna McDaniel, provided “an unusually raw assessment of [the Republican] party’s strengths and weaknesses in the midterm elections.”¹ Your appearance at this private event with Republican donors and campaign officials raises questions about your compliance with the Hatch Act and other federal laws, your judgment, and your management of the Office of Management and Budget (OMB) and the Consumer Financial Protection Bureau (CFPB).

I have previously written to you about your admission that, when you were a Member of Congress, you offered lobbyists who gave you campaign contributions special access, indicating that you would speak to them only if they “gave us money.”² In that letter I asked whether you were continuing that policy in your role at CFPB. You failed to respond to my detailed questions, claiming that your comments about lobbyists merely indicated that you were “stressing the importance of constituents petitioning their representatives in Congress.”³

The report of your meeting with top donors and campaign officials raise new questions about your behavior, and require an explanation. According to the U.S. Office of Special Counsel, under the Hatch Act, you are “prohibited from ... soliciting political contributions from any person... [and from] soliciting the political activity of persons who have business pending before their employing office.”⁴ Though the full content of your remarks and the list of attendees have not been disclosed to the public, the location of the fundraiser raises questions about whether any of the donors are regulated by the CFPB or have business pending before OMB. In addition to the Hatch Act, you are subject to CFPB ethics rules, the Federal Advisory Committee Act, and other open records and transparency laws.

In addition, by custom, top executive branch officials and independent agency heads – financial regulators in particular - steer well clear of campaign- or donor-related activity. Indeed, I could find no

¹ New York Times, “Top Trump Adviser Says Ted Cruz Could Lose Texas Senate Race,” Alexander Burns and Kenneth Vogel, September 8, 2018, <https://www.nytimes.com/2018/09/08/us/politics/republicans-midterms-ted-cruz.html>.

² New York Times, “Mulvaney, Watchdog Bureau’s Leader, Advises Bankers on Ways to Curtail Agency,” Glenn Thrush, April 24, 2018, <https://www.nytimes.com/2018/04/24/us/mulvaney-consumer-financial-protection-bureau.html>.

³ Letter from Mick Mulvaney to Sen. Warren (June 6, 2018).

⁴ Letter from Ana Galindo-Marrone, Chief, Hatch Act Unit, Office of Special Counsel, to the Honorable Mick Mulvaney (May 23, 2018).

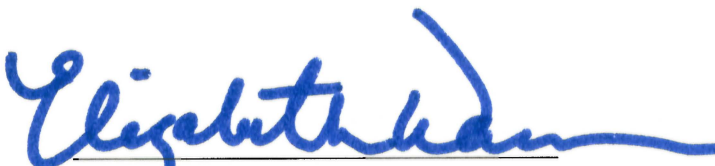
no examples of your immediate predecessors at OMB or CFPB, or of any top Securities and Exchange Commission, Commodity Futures Trading Commission, Federal Deposit Insurance Corporation, or Federal Reserve official, meeting with top political party officials and campaign donors to provide advice and insight into upcoming elections – and I do not understand how your decision to do so was consistent with your responsibilities either as OMB Director, or as Acting Director of the CFPB.

I therefore ask that you answer my questions related to this matter prior to September 29, 2018.

1. Is the New York Times report accurate? Were you at a meeting with RNC Chair Ronna McDaniel and donors in September 2018?
2. What was the nature of this event?
3. In what capacity – as an OMB official or a CFPB official – did you attend?
4. Please provide a copy of the invitation to the event.
5. How did you travel to and from this event? Was it via charter or other private air service?
 - a. Did you stay overnight in New York? If so, where did you stay?
 - b. Who paid for your costs associated with attending this event?
 - c. What were the total costs of this trip?
6. Which other individuals attended this event? Please provide a complete list of all attendees.
 - a. What criteria were used to determine which individuals were invited?
 - b. Were any of these individuals federally registered lobbyists?
 - c. Did any of these individuals, or the companies they work or lobby for, have any business pending before the CFPB or OMB?
 - d. Have you interacted with any of these individuals or their companies – or anyone lobbying on behalf of these companies – in your capacity at OMB or CFPB?
7. What specific issue and matters were discussed at this event?
8. Did you read from prepared remarks or notes at this event? If so, please provide a copy of these remarks.
9. Have you attended or do you have any plans to attend any similar events with campaign donors? If so, please provide a list of all such events and attendees.
10. Will you be posting information about your attendance at this event, or similar events that you have or will attend, on your public calendar?

Thank you for your prompt attention to this request.

Sincerely,



Elizabeth Warren
United States Senator

cc: Henry Kerner, Special Counsel, Office of Special Counsel
Emory A. Rounds, IIII, Director, U.S. Office of Government Ethics