

The CFPB Moved the Office Of Fair Lending & Equal Opportunity (OFLEO) To The Office Of Equal Opportunity & Fairness (OEOF), “A Personnel Office” With No Enforcement Power

As Of January 9, 2019, The CFPB Had A “Supervision, Enforcement & Fair Lending” Division, Which Included An Office Of Fair Lending & Equal Opportunity.

SUPERVISION, ENFORCEMENT & FAIR LENDING

Eric Blankenstein
Policy Associate Director

Christopher D’Angelo
Associate Director

[“[Bureau Structure](#),” Consumer Financial Protection Bureau via Archive.org, accessed 01/09/19]

The Division Included The Office Of Fair Lending & Equal Opportunity, Led By Assistant Director Patrice Ficklin

Division offices



Supervision Examinations

Paul Sanford, Assistant Director

The Office of Supervision Examinations, through four regional offices, supervises and examines financial services companies to protect consumers by ensuring compliance with federal consumer financial laws. [Meet our regional directors.](#)



Supervision Policy

Peggy Twohig, Assistant Director

The Office of Supervision Policy develops supervision strategy and provides subject-matter expertise to the CFPB’s examination staff on legal and policy issues.



Enforcement

Kristen Donoghue, Assistant Director

The Office of Enforcement enforces federal consumer financial laws by investigating cases of potential wrongdoing and taking legal action where appropriate.



Fair Lending & Equal Opportunity

Patrice Ficklin, Assistant Director

The Office of Fair Lending and Equal Opportunity works to ensure fair, equitable, and nondiscriminatory access to credit for all consumers.

[["Supervision, Enforcement & Fair Lending,"](#) Consumer Financial Protection Bureau via Archive.org, accessed 01/05/19]

As Of February 4, 2019, The CFPB Changed The Title Of That Same Division To Just "Supervision and Enforcement," And It No Longer Included An Office Of Fair Lending And Equal Opportunity.

SUPERVISION AND ENFORCEMENT

Eric Blankenstein
Policy Associate Director

Christopher D'Angelo
Associate Director

[["Bureau Structure,"](#) Consumer Financial Protection Bureau via Archive.org, accessed 02/04/19]

As Of February 5, 2019, The Office Of Fair Lending Was No Longer Listed Among The Division's Offices:

Division offices



Supervision Examinations

Paul Sanford, Assistant Director

The Office of Supervision Examinations, through four regional offices, supervises and examines financial services companies to protect consumers by ensuring compliance with federal consumer financial laws. [Meet our regional directors.](#)



Supervision Policy

Peggy Twohig, Assistant Director

The Office of Supervision Policy develops supervision strategy and provides subject-matter expertise to the CFPB's examination staff on legal and policy issues.



Enforcement

Kristen Donoghue, Assistant Director

The Office of Enforcement enforces federal consumer financial laws by investigating cases of potential wrongdoing and taking legal action where appropriate.

[["Supervision and Enforcement,"](#) Consumer Financial Protection Bureau via Archive.org, accessed 02/05/19]

The Office Of Fair Lending & Equal Opportunity Has Been Moved From The Division Of Supervision And Enforcement To A New Office Of Equal Opportunity & Fairness, Under The Office Of The Director.

As Of February 28, 2019, The CFPB's Bureau Structure Showed That The Office Of Fair Lending & Equal Opportunity, Still Led By Assistant Director Patrice Ficklin, Was Moved Under The Office Of Equal Opportunity & Fairness.

OFFICE OF EQUAL OPPORTUNITY & FAIRNESS

Althea Kireilis
Associate Director

Offices under this position Hide

OFFICE OF CIVIL RIGHTS**

Melissa Brand
Acting Office of Civil Rights Assistant Director

OFFICE OF MINORITY & WOMEN INCLUSION (OMWI)**

Lora McCray
Assistant Director

FAIR LENDING & EQUAL OPPORTUNITY

Patrice Ficklin
Assistant Director

[["Bureau Structure,"](#) Consumer Financial Protection Bureau, accessed 02/28/19]

In Early 2018, Former Acting Director Mick Mulvaney Announced His Intent To Move The Office Of Fair Lending & Equal Opportunity (OFLEO) To The Office Of Equal Opportunity & Fairness (OEOF), Which Is Just “A Personnel Office” With No Enforcement Power.

In Early 2018, Former Acting Director Mick Mulvaney Announced His Intent To Move The Office Of Fair Lending (OFLEO) To The Office Of Equal Opportunity & Fairness (OEOF), Which Is Part Of The Director’s Office. “[...] [I]n an email to CFPB staff obtained by The Intercept from a source inside the bureau, Mulvaney announced that he would transfer OFLEO [Office of Fair Lending and Equal Opportunity] from the Supervision, Enforcement, and Fair Lending, or SEFL, division, where it lives now, to the Director’s Office, as part of the CFPB’s Office of Equal Opportunity and Fairness.” [David Dayen, [“After Boasting About Lowering Black Unemployment, Donald Trump Undermines The Federal Unit Defending Against Housing Discrimination,”](#) *The Intercept*, 02/01/18]

The OEOF Is Just “A Personnel Office” That “Does No Enforcement At All.” “The OEOF [Office of Equal Opportunity and Fairness] is a personnel office, overseeing ‘equal employment opportunity and diversity and inclusion’ among agency employees. It does no enforcement at all.” [David Dayen, [“After Boasting About Lowering Black Unemployment, Donald Trump Undermines The Federal Unit Defending Against Housing Discrimination,”](#) *The Intercept*, 02/01/18]

- **A Law360 Analysis Argued, “The Move Likely Signals A Substantial Curtailment Of CFPB Fair Lending Enforcement Activities.”** “Despite the similar nomenclature, the priorities of the Office of Fair Lending and the Office of Equal Opportunity and Fairness are vastly different, with the latter having oversight over equal employment opportunity and diversity and inclusion initiatives within the CFPB. The move likely signals a substantial curtailment of CFPB fair lending enforcement activities.” [Melanie Brody et al., [“An Uncertain Future For Fair Lending Enforcement At CFPB,”](#) *Law360*, 03/01/18]

The CFPB’s Office Of The Director Has Little Enforcement Responsibility – A Georgetown Law Professor And Former Member Of The CFPB’s Advisory Board Said In Response To Mulvaney’s Proposed Changes, “I Can’t Imagine It Means Anything Good.” “[...] [A]lmost nothing at the CFPB sits within the Office of the Director, and certainly not anything enforcement-related. The move suggests that Mulvaney particularly wanted this element of enforcement and supervision under his thumb. “I can’t imagine it means anything good,” said Adam Levitin, a law professor at Georgetown University and former CFPB advisory board member.” [David Dayen, [“After Boasting About Lowering Black Unemployment, Donald Trump Undermines The Federal Unit Defending Against Housing Discrimination,”](#) *The Intercept*, 02/01/18]

Critics Of Mulvaney’s Proposed Restructuring Saw It As Part Of An Effort To Isolate Patrice Ficklin, The CFPB’s Head Of Fair Lending & Equal Opportunity.

It Was Feared Over A Year Ago That Assistant Director Of Fair Lending & Equal Opportunity Patrice Ficklin Would Be “Sequestered In A Separate Office, Unable To Fight Turf Battles Over Prioritizing Fair Lending Cases.” “The best guess for what this means is that OFLEO moves under the director, and the oversight and enforcement staffers either move with it and get reassigned tasks of advocacy, coordination, and education, or they stay in SEFL, where they would have a variety of duties across all levels of enforcement, not just fair lending. What’s more, the head of OFLEO, Patrice Ficklin, will be sequestered in a separate office, unable to fight turf battles over prioritizing fair lending cases.” [David Dayen, [“After Boasting About Lowering Black Unemployment, Donald Trump Undermines The Federal Unit Defending Against Housing Discrimination,”](#) *The Intercept*, 02/01/18]

Senator Elizabeth Warren (D-MA) And Consumer Advocates Warned That Mulvaney's Move Would Weaken The Fair Lending Division, Which Was Once "A Powerful Force" Charged With Enforcing Dodd-Frank's Discrimination Protections

Consumer Advocates Saw Mulvaney's Intent To Do This As "A Demotion For The Fair-Lending Division, Which Was Previously An Equal Division Alongside Supervision And Enforcement." "Acting Consumer Financial Protection Bureau Director Mick Mulvaney has stripped the agency's fair-lending office of enforcement powers in a sign that many consumer advocates see as trying to reduce oversight and penalties for firms that discriminate against borrowers. The move appeared to be a demotion for the fair-lending division, which was previously an equal division alongside supervision and enforcement, and which is now part of the office that handles internal agency concerns about employees." [Kate Berry, "[CFPB's Mulvaney strips his fair-lending office of enforcement powers](#)," *American Banker*, 02/01/18]

Senator Elizabeth Warren Warned About This Change When It Was First Announced, Arguing, "Mulvaney Is Putting the Office Of Fair Lending Under His Control So He Can Weaken It." Senator Elizabeth Warren (D-MA) "noted that the fair-lending office will now technically be under the 'director's office,' along with Office of Equal Opportunity and Fairness, giving Mulvaney greater control. 'Mulvaney is putting the Office of Fair Lending under his control so that he can weaken it — leaving neighborhoods and consumers across the country more vulnerable to bias,' Warren said in an emailed statement." [Kate Berry, "[CFPB's Mulvaney strips his fair-lending office of enforcement powers](#)," *American Banker*, 02/01/18]

The Office Of Fair Lending And Equal Opportunity Had Been "A Powerful Force" Within The CFPB Since The Bureau's Creation In 2011. "Since the Consumer Financial Protection Bureau's inception in 2011, the Office of Fair Lending and Equal Opportunity has been a powerful force within the agency. As reported by multiple sources, in late January, Acting Director Mick Mulvaney announced that the Office of Fair Lending will be transferred from where it currently resides — in the Division of Supervision, Enforcement, and Fair Lending (SEFL) — to the Office of the Director, where it will become part of the Office of Equal Opportunity and Fairness." [Melanie Brody et al., "[An Uncertain Future For Fair Lending Enforcement At CFPB](#)," *Law360*, 03/01/18]

Dodd-Frank Mandated That CFPB "Conduct 'Oversight And Enforcement Of Federal Laws Intended To Ensure The Fair, Equitable, And Nondiscriminatory Access To Credit.'" "OFLEO, by contrast, was mandated by the Dodd-Frank Act to conduct 'oversight and enforcement of federal laws intended to ensure the fair, equitable, and nondiscriminatory access to credit,' such as the Equal Credit Opportunity Act or the Home Mortgage Disclosure Act. The office works with bank examiners to monitor fair lending compliance, coordinates with Department of Justice attorneys and CFPB enforcement staff when violations are found, and communicates with the industry to preemptively prevent lending discrimination." [David Dayen, "[After Boasting About Lowering Black Unemployment, Donald Trump Undermines The Federal Unit Defending Against Housing Discrimination](#)," *The Intercept*, 02/01/18]

In The Months Before And After Former Acting Director Mick Mulvaney Proposed This Restructuring, The CFPB Did Not Enforce Fair Lending.

The CFPB "Did Not Initiate Any Fair Lending Public Enforcement Actions" In The Months Before And After Mick Mulvaney Announced His Intent To Move The Office Of Fair Lending And Equal Opportunity. "Over the past year (presumably from October 1, 2017 through September 30, 2018), the Bureau did not initiate any fair lending public enforcement actions and did not refer any matters to the DOJ with regard to discrimination." ["[CFPB issues Fall 2018 semi-annual report](#)," *National Law Review*, 02/20/19]

After Learning About Racist Blog Posts Written By Eric Blankenstein's, Former Policy Director For The CFPB's Office Of Fair Lending And Equal Opportunity, Kraninger Told Staff They Can Count On Eric Blankenstein To Lead The Supervision And Enforcement Office.

As Of January 24, 2019, Director Kathy Kraninger Had Not Named D'Angelo's Replacement, But Told Staff That They Can Look To Eric Blankenstein. "The CFPB has not officially named a replacement, though Kraninger said in her email that staff can rely on David Bleicken, the deputy associate director of supervision, enforcement and fair lending, and Eric Blankenstein, the division's policy associate director." [Kate Berry, "[CFPB's No. 3 to depart, join New York AG](#)," *American Banker*, 01/24/19]

It Was Revealed In September Of 2018 That Eric Blankenstein Had Written Racially-Charged Blog Posts. "A senior Trump appointee responsible for enforcing laws against financial discrimination once questioned in blog posts written under a pen name if using the n-word was inherently racist and claimed that the great majority of hate crimes were hoaxes." [Robert O'Harrow Jr. et al., "[Trump anti-discrimination official once called most hate crimes hoaxes](#)," *The Washington Post*, 09/26/18]

Eric Blankenstein, Former Policy Director For The CFPB's Office Of Fair Lending And Equal Opportunity, Wrote An Incendiary Blog Post Questioning The Legitimacy Of Hate Crimes And The Racial Intent Of Those That Use The N-Word

In 2004, Eric Blankenstein, Former Policy Director For The CFPB's Office Of Fair Lending And Equal Opportunity, Wrote A Blog Post Questioning The Legitimacy Of Hate Crime While Arguing That Those That Use The N-Word Aren't "Inherently Racist." "A senior Trump appointee responsible for enforcing laws against financial discrimination once questioned in blog posts written under a pen name if using the n-word was inherently racist and claimed that the great majority of hate crimes were hoaxes." [The Washington Post, [09/26/18](#)]

- "In a 2004 post, Blankenstein wrote that a proposal at the University of Virginia to impose harsher academic penalties for acts of intolerance was 'racial idiocy.' He questioned how authorities could know the motivation of someone using a racial slur. '*Fine . . . let's say they called him n-----*,' he wrote, spelling out the slur. '*. . . would that make them racists, or just a-----?*'" [The Washington Post, [09/26/18](#)]
- "Blankenstein published a lengthy post on Sept. 30, 2004, after someone wrote the n-word on the hood of a black student's car at the University of Virginia. The episode created an uproar on campus and triggered a move to make racial intolerance an honor code violation and grounds for expulsion. '*So, there is more racial idiocy at UVa.*,' egb3r wrote. '*So what's your issue with this? actually, I think it's pretty sensible to make such a form of intolerance an honor violation,*' wrote blog co-author DCD AEPi, who declined to comment when reached by The Post. '*Because, as with hate crime legislation, they are making it illegal to have a thought,*' egb3r wrote. He added: '*Until a hood wearing KKK member is caught, why should the honor system be changed?*'" [The Washington Post, [09/26/18](#)]

After These Posts Were Discovered And Reported On, Eric Blankenstein, "Responsible For Supervising Lenders And Enforcing An Array Of Consumer Protection Laws" Was Obstinate And Unapologetic, Stating That He Is Only Guilty Of "Governing While Conservative."

Eric Blankenstein Has Admitted That He Wrote The Blog Posts But Said They Have "No Bearing On His Work Today". "In a statement, Blankenstein acknowledged that he had written the posts but said they have no bearing on his work today. '*The insight to be gained about how I perform my job today - by reading snippets of 14 year old blog posts that have nothing to do with consumer protection law — is exactly zero,*' he said. '*Any attempt to do so is a naked exercise in bad faith, and represents another nail in the coffin of civil discourse and*

the ability to reasonably disagree over questions of law and policy,” he said. ‘The need to dig up statements I wrote as a 25 year old shows that in the eyes of my critics I am not guilty of a legal infraction or neglect of my duties, but rather just governing while conservative.’” [The Washington Post, [09/26/18](#)]

- **“[Eric Blankenstein] Is Responsible For Supervising Lenders And Enforcing An Array Of Consumer Protection Laws, Including The Four-Decade-Old Equal Credit Opportunity Act, Landmark Civil Rights Legislation Aimed At Protecting Blacks And Other Minorities From Discriminatory Practices And Promoting ‘Fair Lending.’”** [The Washington Post, [09/26/18](#)]

On Her First Day As Trump CFPB Director, Kathy Kraninger Refused To Say Whether She’d Fire Eric Blankenstein For His Racist Writings.

In September 2018, Media Exposed CFPB Fair Lending Division Head Eric Blankenstein’s History of Racist Writing.

Washington Post HEADLINE: Trump Anti-Discrimination Official Once Called Most Hate Crimes Hoaxes [Washington Post, [09/26/18](#)]

Wall Street Journal HEADLINE: CFPB Official Overseeing Discrimination Questioned Hate Crimes In The Past [Wall Street Journal, [09/27/18](#)]

CBS News HEADLINE: Anti-Discrimination Official Once Questioned Validity Of Hate Crimes [CBS News, [09/27/18](#)]

Daily Beast HEADLINE: Trump Appointee At CFPB Once Claimed Hate Crimes Are Hoaxes [Daily Beast, [09/27/18](#)]

The Hill HEADLINE: Trump Admin Official Once Questioned If Using N-Word Was Racist: Report [The Hill, [09/26/18](#)]

Vanity Fair HEADLINE: Of Course Trump’s Anti-Discrimination Official Thinks Using The N-Word Is N.B.D. [Vanity Fair, [09/27/18](#)]

New York Magazine HEADLINE: Trump Appointee Charged With Stopping Racist Lenders Wrote Racist Blog Posts [New York Magazine, [09/27/18](#)]

On December 11, 2018, Her First Day At The CFPB, Kraninger Said She Would Take Eric Blankenstein "At Face Value" And Resisted Calls To Fire Him.

On Her First Day At The CFPB, Kathy Kraninger Said She’d Take Eric Blankenstein “At Face Value” And Evaluate Where He Was At “Today.” On her first day at the CFPB, Kathy Kraninger was asked if she would remove Eric Blankenstein from the Bureau. Kraninger said, “So I knew that question would be coming, I can tell you that I have no intention of making any personnel decisions on my first day and I’d also tell you that, and I know that all of you would appreciate it too, personnel matters are inherently confidential. It’s pretty important if you’re talking about how this affects people’s lives to do that with the people who are affected, and to have that conversation at the appropriate time and place. And so that is certainly the way I will approach it, that’s the way I’ve always approached it in my career. But I do recognize that the concerns have been out there, again given its day one, what I know is what I’ve heard from the press and so I certainly will take stock of everything going forward on that. I think it’s important to, that I will take people at face value, again in where they are today and what they’re doing for the bureau. 1500 employees so I’m not going to go back and look at everything they may have ever written in their lives.” [Allied Progress, [12/11/18](#)]

While, Kraninger Never Publicly Fired Him, Blankenstein Did Leave The Bureau In May 2019 – To Join The Trump Department Of Housing And Urban Development, Where He Now Serves As Executive Vice President And COO Of Ginnie Mae. "The Government-Run Corporation That Promotes Homeownership."

May 15, 2019: Eric Blankenstein Announced That He Would Be Leaving The CFPB, With His Last Day Being May 31. "A senior Trump appointee forced to apologize for posts he wrote years ago questioning whether the n-word was racist and expressing skepticism about hate crimes announced Wednesday that he is stepping down. Eric Blankenstein, a policy director at the Consumer Financial Protection Bureau responsible for enforcing the country's fair lending laws, said in an email to co-workers obtained by The Washington Post that his last day would be May 31." [Washington Post, [06/20/19](#)]

June 24, 2019: Eric Blankenstein Began Working As A Senior Counsel Within The Department Of Housing And Urban Development's Office Of General Counsel. "The former private-sector lawyer is joining the Department of Housing and Urban Development, according to a person familiar with the matter. The news was first reported by Politico. Blankenstein will join HUD's Office of General Counsel as a senior counsel starting Monday, said the person, who spoke on the condition of anonymity to discuss personnel matters." [Washington Post, [06/20/19](#)]

- **"Blankenstein Will Be Working On Issues Related To Ginnie Mae, A Government-Owned Company That Buys Mortgages From Lenders And Repackages Them To Sell To Investors."** [Washington Post, [06/20/19](#)]

November 2019: Eric Blankenstein Was Promoted To "Acting Executive Vice President At Ginnie Mae, The Government-Run Corporation That Promotes Homeownership." "HUD is promoting Eric Blankenstein, the former CFPB official who's racially charged blog posts sparked an uproar last year. Blankenstein will become the acting executive vice president at Ginnie Mae, the government-run corporation that promotes homeownership, according to an internal agency email obtained by POLITICO." [Politico, [11/07/19](#)]

As Of July 20, 2020, Eric Blankenstein Serves As The Executive Vice President And Chief Operating Officer Of Ginnie Mae, Where He "Supports The Principal Executive Vice President In Overseeing All Aspects Of Business And Policy Development Related To Ginnie Mae's Daily Operations." "Eric Blankenstein joined Ginnie Mae in November 2019 from HUD's Office of General Counsel, where he worked on issues related to Ginnie Mae. In his role as Executive Vice President and Chief Operating Officer, he supports the Principal Executive Vice President in overseeing all aspects of business and policy development related to Ginnie Mae's daily operations." ["[Biography of Eric Blankenstein](#)," Ginnie Mae, accessed 07/20/20]