

The CFPB Named A Man With A History Of Working For Anti-Lgbt Organizations To Lead The Office Capable Of Exempting Companies From Anti-Discrimination Laws

Paul Watkins, Mick Mulvaney's Pick To Reduce Regulatory "Red Tape" In The CFPB's Office Of Innovation, Spearheaded The Bureau's Efforts To Grant Industry "Immunity" From Regulations Including Anti-Discrimination Laws That Protect LGBT Consumers.

Paul Watkins Led The CFPB's Office Of Innovation, Which Is Responsible For The Bureau's No-Action Letter And Product Sandbox Initiatives.

In July 2018, Then-Acting Director Mick Mulvaney Appointed Paul Watkins To Lead The CFPB's New Office Of Innovation And Reduce Regulatory "Red Tape." "Bureau of Consumer Financial Protection (Bureau) Acting Director Mick Mulvaney today announced he has selected Paul Watkins to lead the Bureau's new Office of Innovation. [...] 'I am confident that, under his leadership, the Office of Innovation will make significant progress in creating an environment where companies can advance new products and services without being unduly restricted by red tape that belongs in the 20th century.'" [Consumer Financial Protection Bureau, [07/18/18](#)]

Paul Watkins And Office Of Innovation Staff Are The Primary Contacts For The CFPB's No-Action Letter And Product Sandbox. [Federal Register, [12/13/18](#)]

The CFPB's Proposed No-Action Letter Policy Would Grant Businesses Potentially Indefinite Exemptions From Fair Lending Laws, Safe Harbor From Federal And State Enforcement Actions, And Immunity From Private Lawsuits.

The CFPB's No-Action Letter Proposal Issued Under Former Acting Director Mick Mulvaney Would Make "The Recipient Immune From Enforcement Actions By Any Federal Or State Authorities, As Well As From Lawsuits Brought By Private Parties." "By operation of the applicable statutory provision(s), the recipient would have a 'safe harbor' from liability under the applicable statute(s) to the fullest extent permitted by these provisions as to any act done or omitted in good faith in conformity with the approval; i.e., the recipient would be immune from enforcement actions by any Federal or State authorities, as well as from lawsuits brought by private parties." [Federal Register, [12/13/18](#)]

The CFPB's No-Action Letter Proposal States That The Bureau Will "Not Make Supervisory Findings Or Bring A Supervisory Or Enforcement Action Against The Recipient." "[...] the Bureau will not make supervisory findings or bring a supervisory or enforcement action against the recipient predicated on the recipient's offering or providing the described aspects of the product or service under (a) its authority to prevent unfair, deceptive, or abusive acts or practices; or (b) any other identified statutory or regulatory authority within the Bureau's jurisdiction." [Federal Register, [12/13/18](#)]

The No-Action Letter Proposal Would Grant Businesses Exemptions From "Fair Lending Laws That Prohibit Discrimination." "Among others, the policy would permit exemptions from provisions of the laws governing mortgages, credit cards, and other forms of lending; fair lending laws that prohibit discrimination; and the laws protecting bank accounts and electronic payments." [National Consumer Law Center, [12/11/18](#)]

The No-Action Letter Proposal Would "Effectively Grant Companies An Unlimited Enforcement

Reprieve" By Eliminating The Original Policy's 3-Year Limit. "The agency also would do away with the three-year time limit for companies to be protected from potential enforcement actions when testing out products. That change would effectively grant companies an unlimited enforcement reprieve for products or services permitted through the no-action letter process." [Bloomberg, [12/07/18](#)]

The National Consumer Law Center Has Argued, "The Default Assumption Will Be That The Letters Would Last Indefinitely." [National Consumer Law Center, [12/11/18](#)]

Under The CFPB's No-Action Letter Proposal, Any Letters Granted To Companies Would Need To Be Signed By Someone In the Office of Innovation. "When the Bureau decides to grant an application for a No-Action Letter, it intends to provide the recipient(s) with a No-Action Letter signed by the Assistant Director of the Office of Innovation or other members of the Office of Innovation, duly authorized by the Bureau, that sets forth the specific terms and conditions of the no-action relief provided. (42) The Bureau expects the No-Action Letter will." [Regulations.gov, accessed [06/04/19](#)]

Paul Watkins Has Said That The Proposed No-Action Letter Policy Could Shield Companies Not Only From CFPB Enforcement Of The Equal Credit Opportunity Act (ECOA), But Also From Liability To Other Agencies And Private Lawsuits.

Paul Watkins Has Explained That The Proposed No-Action Letter Policy Could Eliminate Companies' Liability "Not Just For The Bureau But Other Agencies Or Private Litigants." Paul Watkins explained on a podcast in February 2019, "There are several statutes that identify approval authority, TILA, ECOA, and EFTA, allowing the bureau to approve practices as compliant. The difference with a no action letter is when the bureau makes that determination, then there is not liability under that statute, not just for the bureau but other agencies or private litigants." ["[Bonus Episode: The CFPB Innovation Director Paul Watkins](#)," Barefoot Innovation Group, 02/04/19 (21:01)]

Paul Watkins Emphasized That Agencies Have As Much Power To Exempt Companies From Rules As They Do To Issues Those Rules In The First Place. "It does provide more of a comprehensive sandbox like safe harbor. That's a core element of the sandbox proposal. The other element, the other main element, is inherent authority that agencies have, when the agencies are granted the authority to issue rules, they're also granted the authority to exempt from those rules so long as they're not conflicting with the statute that generated the rule." ["[Bonus Episode: The CFPB Innovation Director Paul Watkins](#)," Barefoot Innovation Group, 02/04/19 (21:28)]

Rep. Maxine Waters (D-CA) Said The CFPB's Proposal To Loosen Its No-Action Letter Policy "Could Let Bad Actors That Abuse Consumers Off The Hook."

Rep. Maxine Waters (D-CA) Said She Was Concerned By The CFPB's Proposal "To Significantly Loosen Its 'No-Action Letter' Policy In A Way That Could Let Bad Actors That Abuse Consumers Off The Hook Entirely From Enforcement Action By The Agency." "[On December 11, 2018], following a Consumer Financial Protection Bureau (Consumer Bureau) proposal to weaken its 'no-action letter' policy and reduce enforcement, Congresswoman Maxine Waters (D-CA), Ranking Member of the Committee on Financial Services, made the following statement: 'I am very concerned by the Consumer Bureau proposal, issued in the last days of Mick Mulvaney's leadership, to significantly loosen its 'no-action letter' policy in a way that could let bad actors that abuse consumers off the hook entirely from enforcement action by the agency. This is yet another step to weaken the Consumer Bureau and curtail its enforcement tools. While it is important for our financial regulators to encourage responsible innovation, this is a deeply irresponsible overreach that instead encourages and abets consumer abuses by putting certain financial institutions in an enforcement-free-zone.'" [Press Release, [12/11/18](#)]

Paul Watkins Worked As An Attorney For Alliance Defending Freedom, An Anti-LGBT Hate Group That Supports Recriminalizing Homosexuality—But He’s Opted For A Gap In His Resume Rather Than Acknowledging It In His LinkedIn profile.

Paul Watkins Was Senior Legal Counsel For Alliance Defending Freedom From 2012 To 2015...

According To His Resume, Paul Watkins Was Senior Legal Counsel For Alliance Defending Freedom From 2012 To 2015. [[Paul Watkins Resume](#), Obtained Through FOIA (CFPB-2019-0276-F)]

...Even Though He Left It Off His LinkedIn Profile.

Paul Watkins Does Not List Any Employers Between 2013 and 2015 On His LinkedIn Profile. Paul Watkins’ LinkedIn Profile does not list any employers between 2013 and 2015, between his time at law firm Covington & Burling and the Arizona Attorney General’s Office. [[LinkedIn Profile for Paul Watkins](#), accessed 05/30/19]



Chief Counsel, Civil Litigation Division

Arizona Attorney General's Office

Jan 2015 – Jul 2018 · 3 yrs 7 mos

Phoenix, Arizona Area

Lead 150-person Civil Litigation Division enforcing state law related to consumer fraud, antitrust, tobacco, collections, environmental, bankruptcy, and civil rights. Civil Litigation Division also represents state agencies including Department of Financial Institutions, Insurance, Real Estate and Game & Fish.



Associate

Covington & Burling LLP

2008 – 2012 · 4 yrs

San Francisco Bay Area

Securities litigation, general commercial litigation.

Alliance Defending Freedom Is Classified As A Hate Group By The Southern Poverty Law Center For Its Homophobic Agenda.

Alliance Defending Freedom Has Been Designated A Hate Group By The Southern Poverty Law Center For Its Homophobic Agenda. Alliance Defending Freedom is an “SLPC Designated Hate Group.” [[Alliance Defending Freedom](#),” Southern Poverty Law Center, accessed 05/30/19]

- **Alliance Defending Freedom “Supported The Recriminalization Of Homosexuality In The U.S. And Criminalization Abroad” And “Claims That A ‘Homosexual Agenda’ Will Destroy Christianity And Society.”** [[Alliance Defending Freedom](#),” Southern Poverty Law Center, accessed 05/30/19]

While Paul Watkins Worked There, Alliance Defending Freedom Actively Worked To Legalize Discrimination Against LGBT Individuals And Ban Same-Sex Marriage.

While Paul Watkins Worked There, Alliance Defending Freedom Co-Wrote An Arizona Bill That Would Have Allowed Businesses To Discriminate Against LGBT Individuals.

Alliance Defending Freedom Co-Wrote An Arizona Bill Allowing Businesses, Individuals, And Groups To “Use Their Religious Beliefs As A Defense In A Discrimination Lawsuit.” “The Arizona bill, which is headed to Gov. Jan Brewer’s desk for her signature, would allow people who object to same-sex marriage to use their religious beliefs as a defense in a discrimination lawsuit. [...] The Arizona bill would broaden the state’s definition of the exercise of religion to include both the practice and observance of religious beliefs. It would expand those protected under the state’s free-exercise-of-religion law to ‘any individual, association, partnership, corporation, church, religious assembly or institution or other business organization.’ The law was written by the conservative advocacy group Center for Arizona Policy and Alliance Defending Freedom, a prominent Arizona-based Christian law firm.” [Sarah Pulliam Bailey, “[Kansas, Arizona bills reflect national fight over gay rights vs. religious liberty](#),” *The Washington Post*, 02/21/14]

- **In February 2014, Arizona Governor Jan Brewer Vetoed The Bill In Response To Public Backlash.** “Arizona Gov. Jan Brewer vetoed a bill Wednesday that would have allowed businesses that asserted their religious beliefs the right to deny service to gay and lesbian customers. The controversial measure faced a surge of opposition in recent days from large corporations and athletic organizations, including Delta Air Lines, the Super Bowl host committee and Major League Baseball.” [Catherine E. Shoichet and Halimah Abdullah, “[Arizona Gov. Jan Brewer vetoes controversial anti-gay bill, SB 1062](#),” *CNN*, 02/26/14]
- **Paul Watkins Was Senior Legal Counsel For Alliance Defending Freedom From 2012 To 2015.** [[Paul Watkins Resume](#), Obtained Through FOIA (CFPB-2019-0276-F)]

While Paul Watkins Worked There, Alliance Defending Freedom Petitioned The Supreme Court To Hear Their Case Defending A Photographer Who Refused Service To A Lesbian Couple.

In 2014, Alliance Defending Freedom Petitioned The Supreme Court To Hear Their Case Defending A New Mexico Photographer Who Refused Service To A Lesbian Couple. “The Supreme Court declined [...] to consider whether a New Mexico photographer had a right to refuse service to a same-sex couple who wanted her to record their commitment ceremony. [...] The case at the court came from Elaine and Jonathan Huguenin, whose company, Elane Photography, refused service for the 2007 commitment ceremony of a lesbian couple, Vanessa Willock and Misti Collinsworth. [...] In their petition, the Huguenins and lawyer Jordan W. Lorence of the Alliance Defending Freedom mentioned religion frequently. But their plea did not cite constitutional protection of their right to freely exercise their religion. Instead, they relied on another part of the First Amendment: their right to free speech.” [Robert Barnes, “[Supreme Court declines case of photographer who denied service to gay couple](#),” *The Washington Post*, 04/07/14]

- **Paul Watkins Was Senior Legal Counsel For Alliance Defending Freedom From 2012 To 2015.** [[Paul Watkins Resume](#), Obtained Through FOIA (CFPB-2019-0276-F)]

While Paul Watkins Worked There, Alliance Defending Freedom Defended The State Of Arizona's Same-Sex Marriage Ban.

While Paul Watkins Worked For Alliance Defending Freedom, The Group's Lawyers Were Drafted By The Arizona Attorney General To Defend Its Prohibition Against Gay Marriage In A 2014 Lawsuit.

“Attorneys for the state are telling a federal judge there’s a good reason Arizona won’t let gays marry: They can’t reproduce, at least not without the help of a third person. [...] While the lawsuit is against the state, the case is being defended by the Alliance Defending Freedom, a self-described ‘legal ministry’ formed by Christian leaders to advocate for religious liberty and marriage. Attorney General Tom Horne agreed to let that organization take the lead, naming their lawyers as special assistant attorneys general.” [Howard Fischer, “[Gays can’t have kids, shouldn’t be allowed to marry, Arizona attorneys argue](#),” *Arizona Capitol Times*, 07/23/14]

- **“‘Only Man-Woman Couples Are Capable Of Furthering The State’s Interest In Linking Children To Both Of Their Biological Parents,’ Argued Attorneys From The Alliance Defending Freedom. And They Said The Vast Majority Of Such Couples Produce Their Own Biological Children.”** [Howard Fischer, “[Gays can’t have kids, shouldn’t be allowed to marry, Arizona attorneys argue](#),” *Arizona Capitol Times*, 07/23/14]
- **Paul Watkins Was Senior Legal Counsel For Alliance Defending Freedom From 2012 To 2015.** [[Paul Watkins Resume](#), Obtained Through FOIA (CFPB-2019-0276-F)]

While Paul Watkins Was Responsible For Upholding The Civil Rights Of All Arizonans In The Attorney General’s Office, AG Mark Brnovich Repeatedly Undermined LGBT Rights.

As Arizona’s Top Civil Rights Attorney, Paul Watkins Neglected His Duty To Defend The Rights Of All Arizonans And Stood By While His Boss Threatened The Rights Of LGBT Arizonans—Sometimes In Partnership With Watkins’ Former Colleagues At Alliance Defending Freedom.

Paul Watkins Led The Arizona Attorney General’s Civil Litigation Division From January 2015 To July 2018. [[Paul Watkins Resume](#), Obtained Through FOIA (CFPB-2019-0276-F)]

- **The Division of Civil Rights Directly Fell Under Watkins’ Authority.** “The Civil Litigation Division consists of the Consumer Protection and Advocacy Section, Environmental Enforcement Section, Division of Civil Rights Section, and Bankruptcy Collection and Enforcement Section.” [“[Annual Report 2015](#),” Office of the Arizona Attorney General, 2015]

- **Watkins' First Priority Should Have Been Civil Rights.** The "Mission" of The Civil Litigation Division is: "To enforce state law against those who violate the civil rights, or threaten the economic and environmental well-being of Arizonans." [[Annual Report 2015](#)," Office of the Arizona Attorney General, 2015]

Paul Watkins Did Not Stand Up For The LGBTQ Community As His Boss Repeatedly Undermined Its Rights. "[Attorney General Mark Brnovich] joined the suit against the Obama administration's life-saving guidance protecting transgender students, as well as a brief to the Supreme Court of the United States in support of granting businesses a potentially sweeping license to discriminate against LGBTQ people. Brnovich also advised the Arizona Department of Child Safety to deny licenses to married same-sex couples seeking to jointly adopt or foster children." [Ilanthe Metzger, "[Human Rights Campaign Endorses January Contreras for Arizona Attorney General](#)," Human Rights Campaign, 02/23/18]

While Paul Watkins Worked For Him, Attorney General Mark Brnovich Signed An Amicus Brief In Support Of Masterpiece Cakeshop, The Business That Wanted To Discriminate Against Same-Sex Couples In The Landmark Supreme Court Case—And Was Represented By Watkins' Former Colleagues At Alliance Defending Freedom.

In September 2017, Paul Watkins' Boss, Attorney General Mark Brnovich, Signed An Amicus Brief To The Supreme Court Arguing That Masterpiece Cakeshop Can Discriminate Against LGBT Individuals. "The 'friend of the court' brief signed by House and Senate members expresses solidarity with Phillips, who said in his appeal to the Supreme Court that the Colorado's public accommodation law violates his 'sincerely held religious beliefs about marriage.' Among those signing the brief were Arizona Republican Reps. Trent Franks of Glendale, Paul Gosar of Prescott and Andy Biggs of Gilbert. Arizona Attorney General Mark Brnovich also joined a brief filed by [20 states](#) in support of Phillips. [Adrienne St. Clair, "[Arizona lawmakers weigh in on case pitting gay rights, religious rights](#)," *Cronkite News*, 09/08/17]

- **Alliance Defending Freedom Attorneys Represented Masterpiece Cakeshop In The Landmark Case.** Alliance Defending Freedom Attorneys David A. Cortman, Rory T. Gray, Jeremy D. Tedesco, Kristen K. Waggoner, Jordan W. Lorence, J. Caleb Dalton were listed as "Counsel for Petitioners" Masterpiece Cakeshop, Ltd. And Jack C. Phillips in a Petition for a Writ of Certiorari to the Supreme Court of the United States. [[Petition For A Writ of Certiorari Masterpiece Cakeshop, et. al](#), Supreme Court of The United States, 07/22/16]
- **The ACLU Argued That The Case Was Really About Unconstitutionally Denying Rights "Solely To One Category Of People."** "But a spokesman for the American Civil Liberties Union of Arizona disagreed, saying that while Phillips is free to his religious beliefs and free to oppose same-sex couples, 'what he's not free to do is deny a business service that he provides to everyone else solely to one category of people.'" [Adrienne St. Clair, "[Arizona lawmakers weigh in on case pitting gay rights, religious rights](#)," *Cronkite News*, 09/08/17]

While Paul Watkins Was At The Attorney General’s Office, It Joined With Alliance Defending Freedom To Fight Planned Parenthood In Court To Defend A Burdensome Abortion Restriction.

In 2015, The Arizona Attorney General’s Office Claimed That It Was Aided By Alliance Defending Freedom In A Case Against Planned Parenthood. In its 2015 Annual Report, The Arizona Attorney General’s office described its work on Planned Parenthood of Arizona et. al. v. William Humble, and claimed its Education and Health Section (EHS) “worked with the Alliance Defending Freedom (ADF) in the defense of this lawsuit.” [[Annual Report 2015](#),” Office of the Arizona Attorney General Mark Brnovich, 2015]

Planned Parenthood Was Challenging An Arizona Law That Erected Barriers Against Medication Abortions. “Arizona passed a law in 2012, and implementing regulations in 2014, whose confusing language appears to require physicians to offer medication abortion only according to an obsolete method no longer used by the great majority of doctors. Contrary to years of evidence-based medical best practices, the law seems to require any woman obtaining a medication abortion to take three times more medication than recommended by the American Medical Association and the American College of Obstetricians and Gynecologists, and bans medication abortion altogether after seven weeks of pregnancy.” [[Planned Parenthood Arizona v. Humble](#),” Center for Reproductive Rights, 05/24/18]

Paul Watkins Led The Arizona Attorney General’s Civil Litigation Division From January 2015 To July 2018. [[Paul Watkins Resume](#), Obtained Through FOIA (CFPB-2019-0276-F)]

Paul Watkins Attended Hillsdale College, A Christian School That Is Consistently Ranked Among The Least LGBT-Friendly Campuses In The Country And Rejects All Federal Funds To Avoid Complying With Diversity And Anti-Discrimination Laws.

Paul Watkins Was A Valedictorian At Hillsdale College, A Christian School Which The Princeton Review “Consistently Ranks” Among The Least LGBT-Friendly Schools.

Paul Watkins Was A Valedictorian At Hillsdale College In 2003, When He Graduated With A B.A. In Political Philosophy. [[Paul Watkins Resume](#), Obtained Through FOIA (CFPB-2019-0276-F)]

- **Hillsdale College Describes Itself As A “Nonsectarian Christian” School.** “Hillsdale, a private college of 1,400 students in southern Michigan that describes itself as ‘nonsectarian Christian’ and dedicated to ‘civil and religious liberty,’ is scarcely known in many circles. But among erudite conservatives — think progeny of William F. Buckley Jr. — it is considered a hidden gem.” [Erik Eckholm, “[In Hillsdale College, a ‘Shining City on a Hill’ for Conservatives](#),” *The New York Times*, 02/01/17]

The Princeton Review “Consistently Ranks Hillsdale Among The 20 Least L.G.B.T.Q.-Friendly Campuses,” Where “Openly Gay Or Lesbian Students Are A Rarity” And Are Not Represented By An L.G.B.T.Q. Organization. “In this isolated location, students like to form clubs, on everything from politics to cigar smoking to highland dancing. One that does not exist at Hillsdale College is an L.G.B.T.Q. organization. Openly gay or lesbian students are a rarity, and The Princeton Review consistently ranks Hillsdale among the 20 least L.G.B.T.Q.-friendly campuses.” [Erik Eckholm, “[In Hillsdale College, a ‘Shining City on a Hill’ for Conservatives](#),” *The New York Times*, 02/01/17]

Hillsdale College Does Not Allow Its Students To Accept Federal Funds So It Can Remain “Unfettered” From Requirements On Sex Discrimination And Diversity.

Hillsdale College Does Not Accept “Any Federal Or State Funds So As To Be ‘Unfettered’ By Government Mandates,” Including “Title IX Guidelines On Sex Discrimination And The Handling Of Sexual Assault Case” And “Reporting On Student Race And Ethnicity.” “Conservatives are also entranced by Hillsdale’s decision to forgo any federal or state funds so as to be ‘unfettered’ by government mandates. In 1984, in *Grove City College v. Bell*, the Supreme Court ruled that even Pell grants for needy students or G.I. Bill money for veterans subjects a college to federal regulations, and so Hillsdale students are not allowed to accept such funds (most receive institutional grants). As a result, the college does not follow Title IX guidelines on sex discrimination and the handling of sexual assault cases and it has refused to engage in the otherwise required reporting on student race and ethnicity, let alone develop an affirmative action plan. Not surprisingly, the school’s ‘race blind’ admissions policy results in an overwhelmingly white student body.” [Erik Eckholm, “[In Hillsdale College, a ‘Shining City on a Hill’ for Conservatives](#),” *The New York Times*, 02/01/17]

Hillsdale College’s Official Catalog Describes “‘Social Justice’ And ‘Multicultural Diversity’” As A “Dehumanizing, Discriminatory Trend.”

Hillsdale’s Official Catalog Condemns The “Dehumanizing, Discriminatory Trend Of So-Called ‘Social Justice’ And ‘Multicultural Diversity.’” “From the official catalog: ‘The college values the merit of each unique individual, rather than succumbing to the dehumanizing, discriminatory trend of so-called ‘social justice’ and ‘multicultural diversity.’” [Erik Eckholm, “[In Hillsdale College, a ‘Shining City on a Hill’ for Conservatives](#),” *The New York Times*, 02/01/17]

Paul Watkins Left The CFPB In August 2020, With The Office Of Innovation’s Former Deputy Counsel Edward Blatnik Now Serving As Its Acting Director.

In August 2020, Paul Watkins Left The CFPB For A Private Sector Position, With Edward Blatnik, The Former Deputy Counsel Of The Office Of Innovation, Now Serving As The Office’s Acting Director.

In August 2020, Paul Watkins Left The CFPB To “Take A Private Sector Position” Within The Washington Region. “The Consumer Financial Protection Bureau’s top official for innovation policies, Paul Watkins, is leaving the agency after two years on the job. CFPB Director Kathleen Kraninger notified staff of Watkins’ departure on Wednesday, an agency official confirmed. Watkins said he will stay in the Washington region and intends to take a private sector position in September, according to a message seen by Bloomberg Law. Watkins joined the CFPB in July 2018 from the Arizona Attorney General’s office, where he helped launch the first state-level regulatory sandbox in the U.S.” [Bloomberg Law, [08/13/20](#)]

Edward Blatnik, The Former Deputy Counsel For The CFPB’s Office Of Innovation, Currently Serves As Its Acting Director. [LinkedIn, accessed [11/18/20](#)]



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Consumer Financial Protection Bureau



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8 yrs 7 mos



Acting Director, Office of Innovation

Aug 2020 – Present · 4 mos

Washington, District of Columbia, United States



Deputy Counsel, Office of Innovation

Jun 2019 – Aug 2020 · 1 yr 3 mos

Washington D.C. Metro Area



Senior Counsel, Office of Law & Policy, Legal Division

May 2012 – May 2019 · 7 yrs 1 mo

Washington D.C. Metro Area

[LinkedIn, accessed [11/18/20](#)]