

Congress of the United States
Washington, DC 20515

August 5, 2020

Richard K. Delmar
Acting Inspector General
Office of Inspector General
U.S. Department of Treasury
1500 Pennsylvania Avenue, N.W.
Room 4436,
Washington, DC 20220

Gene L Dodaro
Comptroller General
Government Accountability office
441 G St., NW
Washington, DC 20548

Dear: Acting Inspector General Delmar and Comptroller Dodaro,

We write to express our deep concern surrounding allegations that the Office of the Comptroller of the Currency (OCC) engaged in a pattern of scuttling civil rights investigations in a possible abuse of authority and violation of its statutory responsibility. We request that the Department of Treasury's Inspector General and Government Accountability Office (GAO) initiate an immediate investigation into these allegations.

Press reports indicate that the OCC has "shelved" investigations into allegations of possible redlining and discrimination in at least six cases. ProPublica reported¹ that OCC career bank examiners uncovered discriminatory practices, which violated federal law and regulation, at Colorado Federal Bank, MB Financial, Candace Bank, Fulton Bank, Flagstar Bank and Bank of America. However, according to this report, OCC staff recommendations of fines and other penalties were overruled by senior management to protect these financial institutions. The report states that OCC engaged in practices that violated policies codified in the federal bank exam manual. It did not follow its traditional review process to have the OCC's Major Matters Supervision Review Committee scrutinize these sensitive allegations. It did not fully utilize the review research elements and platforms within the agency to identify patterns of discrimination within a financial institution. Further, in some instances when research elements were leveraged by appropriate actors within the OCC and even referred to the Department of Justice for possible criminal violations, the OCC still did not take administrative action. In the case of bank of America, sources stated that the OCC took an unusual step in assigning a legal team to scrutinize the investigation, Bank of America's lawyers were granted unusual privileges in the investigation and "the agency's investigation was halted before it could begin." These concerning patterns of circumventing policies and practices to the possible material detriment of female and minority borrowers is deeply disturbing.

Such extreme departures in supervisory practices on civil rights matters necessitates a thorough and complete investigation. We request the Inspector General and GAO initiate an immediate, comprehensive and timely investigation into these allegations. The sensitive and possible

¹ <https://www.propublica.org/article/trump-financial-regulator-quietly-shelved-discrimination-probes-into-bank-of-america-and-other-lenders>

pervasive nature of the claims alleged in these reports require objective third-party review for violations of law and policy.

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Emanuel Cleaver, II". The signature is fluid and cursive, with a large, prominent "E" at the beginning and a long, sweeping underline.

Gregory Meeks
Member of Congress

Emanuel Cleaver, II
Member of Congress

Joyce Beatty
Member of Congress