

**Senator Chuck Grassley
Questions for the Record**

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1. In response to questioning from Senator Coons about Judge Kavanaugh's opinion in *PHH Corp. v. Consumer Financial Protection Bureau*, you stated, "He would have struck down a major federal statute that was very new that set up the Consumer Financial Protection Bureau in which Congress had made a judgment about the degree of dependence and the structure of the agency" If a majority of the D.C. Circuit had agreed, would Judge Kavanaugh's opinion have led to the invalidation of the entire Consumer Financial Protection Bureau? Or the entire Dodd-Frank Wall Street Reform and Consumer Protection Act?

Heinzerling Response:

Judge Kavanaugh's opinion would have led to the invalidation of the provision of Dodd-Frank that made the Director of the Consumer Financial Protection Bureau subject to removal by the president only for "inefficiency, neglect of duty, or malfeasance in office." 12 U.S.C. § 5491(c)(3).