NOMINATION OF NEERA TANDEH

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED SEVENTEENTH CONGRESS
FIRST SESSION

NOMINATION OF NEERA TANDEN, TO BE DIRECTOR, OFFICE OF
MANAGEMENT AND BUDGET

FEBRUARY 9, 2021


Printed for the use of the
Committee on Homeland Security and Governmental Affairs
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NOMINATION OF NEERA TANDEN

TUESDAY, FEBRUARY 9, 2021

U.S. Senate,
Committee on Homeland Security
and Governmental Affairs,
Washington, DC.

The Committee met, pursuant to notice, at 9:19 a.m., via Webex, and in room SD–342, Dirksen Senate Office Building, Hon. Gary C. Peters, Chairman of the Committee, presiding.


OPENING STATEMENT OF CHAIRMAN PETERS

Chairman PETERS. The Committee will come to order.

I am honored to preside as Chairman of this Committee for the first time today, and I am looking forward to working closely with my new Ranking Member, Rob Portman, who I see on the screen here, and with all of my colleagues to tackle the really tough challenges that our Nation is now facing.

I am also excited to welcome our Committee’s two newest members, Senator Alex Padilla, great to have you with us here today and on the Committee going forward. Alex is from California, and he is joined by Senator Jon Ossoff from Georgia. We welcome you again and are thrilled to have both of you on this Committee.

This Committee has a longstanding tradition of bipartisanship, of coming together to get things done, and given the many serious challenges facing our Nation, we have a lot that we need to accomplish. I look forward to working with everyone on this Committee to find common ground, to find common-sense solutions, and to strengthen our national security, and also to ensure that government is working efficiently and effectively for all taxpayers.

Today our Committee is considering the nomination of Neera Tanden to serve as Director of the Office of Management and Budget (OMB). Welcome, Ms. Tanden, and it is certainly good to see you with us here today, and it is wonderful to see your family. I had an opportunity to meet them earlier, and it is great that they are all here to support you, not just today but in the years ahead as well.

Also, congratulations on your historic nomination, and thank you for your willingness to serve this great Nation of ours.

The Office of Management and Budget, plays a central role in developing and implementing the President’s budget and policy agen-

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1 The prepared statement of Senator Peters appear in the Appendix on page 51.
da across the entire Federal Government. To put it simply, the Director of OMB is charged with ensuring that every part of the Federal Government is effectively serving the American people.

Ms. Tanden, this is a job that, let us say, is not easy even in the best of circumstances. Once confirmed, you will step into this role while our country continues to grapple with a historic public health and economic crisis. However, after our conversations that I have had with you, I am confident that your decades of experience in public service have prepared you to tackle this incredibly vital role within our government.

You know firsthand the struggles of working and middle-class families in Michigan and across the country and the challenges that they face every single day. Your experience has taught you how much the Federal Government can help support hardworking families and create opportunities. In fact, you have devoted much of your career in public service to championing economic policy that benefits all Americans.

We are nearly one year into dealing with a pandemic that has decimated our economy and the livelihoods of too many Americans. We need strong leadership at OMB to coordinate additional support families across our country need. They need emergency relief, they need vaccines, and they need guidance to help swiftly and safely open our economy. As Director of OMB, you will play a key role in steering our country toward a national recovery.

You also are going to be responsible for coordinating efforts to address many of the long-term challenges our Nation faces, including protecting our cybersecurity infrastructure, growing domestic manufacturing jobs, and even fighting climate change. Communities in my home State of Michigan and across the country are also struggling to address widespread polyfluoroalkyl substances (PFAS) contamination. I hear from Michiganders every day about how exposure to these harmful chemicals are affecting their homes and their families, and once confirmed, you will be responsible for coordinating the Federal Government's response to this monumental problem.

You will also play a critical role ensuring that taxpayer dollars are spent responsibly. That is why I appreciate your robust commitment to transparency, accountability, and working with Congress in a bipartisan manner. Given OMB's role at the center of the Federal Government, you will be charged with ensuring government is addressing the unique needs of communities of color and most vulnerable populations.

You will also be a key player in the effort to reinvigorate the Federal workforce that has been decimated in recent years. Your perspective and your commitment will be critical to ensuring that OMB and the Federal Government is delivering for the American people each and every day. That is why you have received support from numerous organizations such as the U.S. Chamber of Commerce, and over 100 public health experts have written the Committee in support of your nomination, and without objection, I will enter those letters into the record.¹

¹Letters of support appear in the Appendix on page 170.
Today’s hearing is an important opportunity for me and my colleagues to have a thorough discussion about how you plan to lead OMB and how we can all work together in a bipartisan manner to address the very serious challenges facing our country.

Ms. Tanden, thank you again for your willingness to serve and for being with us here today. With that, I will turn the meeting over to Ranking Member Portman.

OPENING STATEMENT OF SENATOR PORTMAN

Senator Portman. Thank you, Chairman Peters, and I appreciate your holding this hearing today. We have been looking forward to having Ms. Tanden before the Committee.

Let me start by saying welcome as Chair. This is your first official responsibility as Chair of this Committee, and you mentioned earlier that we have a tradition of bipartisanship on the Committee. That is mostly true. In fact, you and I have worked on many issues together.

One indication of our relationship I suppose would be that before we knew who was going to be in the majority in the Senate, you and I had a meeting. It was several weeks ago now. And whether it was going to be me as Chair or you as Chair, we agreed to a number of items on our policy agenda, much of which you have talked about this morning, and I will mention some of it. But our Committee has this broad swatch of responsibilities, a lot of which has to do with good government oversight, some of which has to do with our homeland security and our border, and there is always room for figuring out a way forward, as you and I have done on a number of issues in the past.

I look forward to having the opportunity to work with you in your new role, and we will have our differences at times. We will do so respectfully as we disagree. But we also have a great opportunity to work together with the other Members of our Committee. It is a strong Committee. I also welcome our two new Members, Mr. Padilla and Mr. Ossoff. I think we have an opportunity here, again, with the membership of this Committee, to do a lot of good for our country over the next couple of years.

At the hearing today, we will be hearing from Ms. Tanden. I appreciated our telephone call last week. Ms. Tanden, as a former OMB Director, I know how incredibly important this role is. It is crucial that the Director have a broad understanding, including of regulatory law and government management, since those are all responsibilities at OMB. Much like this Committee, it has a broad swath of responsibilities. But you also in this job need to have a broad awareness of an array of policy issues that come before you because you have a coordinating role in so many of them. Because of that coordinating role, it is imperative that the Director can work productively both within the administration, across agencies, and with the White House, but also with Members of Congress on both sides of the aisle.

Cooperation across the aisle is especially important as we confront several crises at once. One, of course, is we need to work together to address the coronavirus disease 2019 (COVID–19) pan-

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1 The prepared statement of Senator Portman appears in the Appendix on page 53.
emic, as we have previously. In fact, we passed five legislative initiatives here over the last year in the U.S. Senate and the House of Representatives, signed into law by the President, all of which were not just bipartisan but strongly bipartisan. I am discouraged that the current administration seems not to be interested in pursuing the bipartisan solution but, rather, has moved ahead with the idea of what is called “reconciliation,” which would not require in theory working with Republicans. It is too bad, and I am part of a group that helped put together the last $900 billion package and part of a group that has made suggestions as to how we could work on a bipartisan basis going forward. My hope is that there will be a change of heart, and perhaps, Ms. Tanden, you could be part of that. We should work together. We have to work together to make it sustainable, to ensure that we are doing the right things, and good ideas come from both sides of the aisle, as we have found out again in the previous five COVID–19 packages that we have passed in this Congress.

Of course, you also will be responsible, should you be confirmed, for coordinating much of our cybersecurity, and the cyber threats are growing, both to the public sector, our government agencies, but also to the private sector. This massive cyber attack called “SolarWinds” is an example of that, and OMB’s critical coordinating role here is very important to us and the Committee, as was mentioned by Chairman Peters.

We also cooperate to build on the economic and regulatory progress we have made over the past several years. We have prioritized reviewing the efficacy of regulations and traded processes to ensure that the administrative state is engaged in rigorous cost-benefit analysis. I spoke to Ms. Tanden about this, and I know she agrees with cost-benefit analysis, and that is important because it has been one of the reasons we have seen some economic gains, particularly more opportunities in our economy. Going into this pandemic, we had not just relatively low unemployment, but we had the lowest poverty rate since we started keeping track of it back in the 1950s. So we had a number of things going right, and part of it was because of the regulatory changes that helped job creators, particularly small businesses, be able to get more people to work and keep them at work.

The Council of Economic Advisers estimated that after 5 to 10 years, the regulatory approach that was taken over the last several years would raise real incomes by $3,100 a year. I hope the new administration will build on these efforts to reduce the regulatory burden and not unduly expand government interfering in people’s businesses and their lives, because, again, it was working. A year ago February, we had the 19th straight month of increases in income of 3 percent or more on an annualized basis—the first time that has happened in a few decades in my home State of Ohio, and it was very welcome.

I hope the new administration and OMB will work with me on lifting the sunset on a bipartisan bill I offered back in 2015 called Fixing America’s Surface Transportation (FAST–41), which helped coordinate the Federal permitting process for some of the largest infrastructure projects. It has been a very successful endeavor; it has been a bipartisan endeavor from the start. My hope is we can
continue that. Again, this would allow us to gain more good jobs, and our infrastructure, of course, badly needs investment and improvement. My hope is we can work together on that as well.

Ms. Tanden, I look forward to hearing your thoughts today about these and so many other issues, and I want to hear about your goals, should you be confirmed as OMB Director. With that, I turn it back to you, Mr. Chairman.

Chairman Peters. Thank you, Senator Portman.

Today we are joined by two of our Senate colleagues who will be introducing Ms. Tanden. First, I would like to recognize Senator Klobuchar. Senator, welcome to the Committee.

OPENING STATEMENT OF HONORABLE AMY KLOBUCHAR, A UNITED STATES SENATOR FROM THE STATE OF MINNESOTA

Senator Klobuchar. Thank you very much, Chairman Peters. Thank you for your leadership. Thank you, Ranking Member Portman, for those strong words and for your work. I know together you are going to do an incredible job leading this Committee.

We all know that the oversight that we are going to see from this very important Committee and all the Members, including the new Members, is going to be so key as we look at what happened January 6th and, most importantly, how we move forward in fighting terrorism, a deadly pandemic, cyber attacks, and, of course, working toward government reform, which this Committee does every single day. So, it is an honor to appear here.

To take on all of these major responsibilities, you need a partner in the Office of Management and Budget who will put our Nation's priorities first and your priorities first. I am proud to join you today to introduce my friend Neera Tanden, a woman who is smart, organized, and tenacious. Those are good qualities for this job. And if confirmed, she will make history as the first woman of color to lead the Office of Management and Budget.

This morning I want to acknowledge a few people who have seen Neera's compassion and perseverance and, yes, her ability to balance a budget firsthand. That would be her family. I want to introduce you to her husband, Ben, as well as her 18-year-old daughter, Alina; her brother, Raj; and her mother, Maya, who is with us right behind me today. Her 15-year-old son, Jaden, could not join us in person, but I know wherever he is, he is beaming with pride.

It is an honor to tell you Neera's story. Not only is her story characterized by hard work and determination, but it actually shows the power of the American dream. Neera is the daughter of Indian immigrants and grew up in Bedford, Massachusetts. Raised by her mom, Maya, Neera learned the value of perseverance at a very young age. Determined to succeed like so many immigrants, Maya put her kids first, and as a single mom, she first relied on food stamps and public housing to make ends meet.

Maya than found new footing and began working as a travel agent, forging her family's path to the middle class. It is her mother's work ethic and resolve that all of us see in Neera, and it is those same qualities that I know will serve her well as our next Director of the Office of Management and Budget.
As she started out as a travel agent, Maya may not have ever thought that her daughter would one day be asked to serve in the Cabinet of the President of the United States. But after years of never taking no for an answer and setting high expectations for Neera, somehow we all ended up here today—Maya, Neera, her family, and all of us.

Growing up, Neera understood the circumstances of her family’s struggle and watched social programs work. Because of that personal connection, she knew from a young age that she wanted to pursue public service. She thrived as a student. After graduating from Bedford High School, she continued her studies at the University of California, Los Angeles (UCLA) and then went on to earn her law degree from Yale Law School.

I have been honored to call Neera a friend for years. Throughout her career, she has shown a passion for improving people’s lives. She brings years of government experience, unmatched policy expertise, and a personal mission to ensure that everyone can follow the American dream like her family did. Neera understands that inscribed in any budget is a set of priorities, choices about ensuring everyone gets a fair shot. She knows that the work of the Office of Budget shapes the lives of millions of American families just like her own. She is an experienced manager who will be ready to help take the helm of the Office of Management and Budget on day one.

In her near decade at the Center for American Progress (CAP), she led teams in promoting bold solutions to 21st century problems, including the pandemic. And, no, not everyone in this room will agree with every solution that she has put forth in her career. I do not agree with every solution she has put forth in her career. But what matters, my friends, is her devotion to her country and her ability to do the job. That is why President Biden picked her.

Chairman Peters, Ranking Member Portman, you have both identified bolstering the Federal coronavirus response as a crucial priority in this session. We all agree with that priority, and I am confident that this Committee will ensure that the tax dollars are used efficiently, and you will have a friend in Neera.

As President Biden puts it, she is “smart as hell.” That maybe was a simpler way to introduce her, but I had to use a few more words. I think you will find someone that knows what she is doing, who understands the Senate, who worked, by the way, as Senator Clinton’s Legislative Director, and as you know, then-Senator Clinton’s time in the Senate was marked by her bipartisanship, her accessibility, her ability to get things done across the aisle. That is the background that Neera will bring to this office. She will lead from her heart, but she will also forge practical solutions to the immense challenges facing our country.

I know all Members of this Committee can trust her to hear you out, to negotiate when necessary, and to do so in good faith. She will be a phenomenal Director, and I urge the Committee to support her nomination.

Thank you very much, Chairman Peters and Ranking Member Portman. Thank you.

Chairman Peters. Thank you, Senator Klobuchar, for those remarks.
Next we are joined virtually by Senator Booker, who has recorded a video introduction for us.

STATEMENT OF HONORABLE CORY A. BOOKER, A UNITED STATES SENATOR FROM THE STATE OF NEW JERSEY

Senator Booker. Hi to all my colleagues and, of course, Senator Peters and Senator Johnson, thank you for giving me this what I consider a really precious opportunity to introduce President Biden's nominee to serve as the Director of the Office of Management and Budget, Neera Tanden.

I want to first just be candid with you all. I have known Neera for decades. I do not like to admit that because it shows that both of us are old, but we go back a very long way. Neera is a friend in the truest and deepest sense of the word, and I want to tell you, when we first met and went to school together, she struck me as someone who had a powerful trifecta. She is a person of deep heart, authentic caring and empathy. She is a person of fierce intellect who I have learned a lot from, even back then in our days of study. And then, finally, she is a person who has this spirit, this abundance of love for this Nation, its ideals and its principles, and she has lived a life where she has been fiercely adherent to the highest ideals of patriotism, of service, of being there for others.

I know that Neera's public career has been not only impressive, but she lived a life of extraordinary impact. She was involved in both the Clinton and the Obama Administrations. She served in the White House, in the Senate, in the Department of Health and Human Services (HHS), and most recently, she has led the Center for American Progress, providing critical analysis and policy research that has informed many of my colleagues and my office itself.

Part of what has made her so impactful is that, to Neera, policy-making is not an academic exercise. It is a powerful force that has deeply personal implications on the lives of millions of people. She understands the decisions we make all have consequences, and often unintended consequences, and that we and the work we do, which she honors so much, has a potential to change life trajectories and make this Nation more real for all of her people.

Now, Neera—there is a great poem that is by Langston Hughes about a mother giving a message to her son, and she says in that poem, the line is, “For me life ain’t been no crystal stair.” In other words, life has not been easy. Neera's climb to impact and influence has been difficult. Neera was raised by a single mother who emigrated from India like so many others seeking a better life. America was a light unto her nation, in her nation, and Neera's family came here. Neera has said that when her mom could not find work, they had to rely on America’s social safety net to keep them afloat. They relied on food stamps. They relied on rental assistance. And because they had the support they needed when they were struggling, Neera’s mom was able to get them on their feet, and she got a job and she bought a house, and she achieved so much of the American dream. But as we all know, the greatest part of the American dream is seeing your children do better than you, go on to heights that you might not have thought possible.
As my mom often said, behind every successful child is an astonished parent. Neera, she went on to college and then law school with the likes of people like me. She has led a life that has given her mother great pride and maybe even a little astonishment.

Neera saw firsthand what this country can do when it invests for its people, and in her example before us today, we see what a country that invests in its people can do, can accomplish.

As leader of the Office of Management and Budget, Neera will be tasked with overseeing the office responsible for implementing the Biden administration’s agenda and making the government work for people. During a time of a dual crisis in public health and the economy, Neera will be asked to help oversee our Federal Government’s response and plan to rebuild and restore. She will be tasked with helping to ensure that the American people are being served by an accountable government, that it is transparent, and that it is truly committed to them.

If confirmed, Neera will accomplish this American mission. She will offer the kind of vision that is reflective of her brilliance, of her huge heart, and of her commitment and spirit for this country. She will continue to be truly a public servant and a servant leader. She will lead with empathy. She will lead with skill and understanding of our economy and of our country’s challenges. She will lead with love. She will lead with love of country and all of her citizens.

I urge my colleagues on the Homeland Security Committee and in the Senate to swiftly confirm Neera Tanden’s nomination.

Thank you so much for giving me this opportunity to share with you why I so believe in my friend. Thank you.

Chairman Peters. Thank you, Senator Booker.

I have been informed that Senator Booker also wishes to thank Senator Portman. The omission in his recorded video was not intentional.

Ms. Tanden, it is the tradition of this Committee to swear in witnesses, and so if you will stand and raise your right hand. Ms. Tanden, do you swear the testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Ms. Tanden. I do.

Chairman Peters. You may be seated.

Ms. Tanden, you may now proceed with your opening remarks.

TESTIMONY OF NEERA TANDEN, TO BE DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET

Ms. Tanden. Thank you so much, Chairman Peters, Ranking Member Portman, and Members of the Committee. I am humbled and honored to be here today as President Biden’s nominee to serve as Director of the Office of Management and Budget. I want to begin by thanking Senator Booker and Senator Klobuchar for their gracious introductions, and by recognizing my family: my husband, Ben; my daughter, Alina; my brother, Raj; and my mother, Maya—all of whom are here with me—as well as my son Jaden, who is supporting me from his school.

1The prepared statement of Ms. Tanden appears in the Appendix on page 56.
I owe my presence here to their love and support—and to the grit and resilience of my mother, an immigrant from India who was left to make it on her own in America with two young children after her divorce from my father.

Back then she faced a harsh choice: stay in the United States and rely on the social safety net, or return to India where she knew her children would face the stigma of divorce. She had faith in this country and made the courageous decision to stay.

We relied on food stamps to eat and Section 8 vouchers to pay the rent. At school, I remember being the only kid in the cafeteria line who used 10-cent vouchers from the Free and Reduced Lunch Program. I remember using food stamps in the grocery store.

Within just a few years, my mother found a job, and a few years later she was earning a middle-class salary. Soon she was able to buy a home, and eventually she saw her children off to college and beyond.

I spend every day grateful for a Nation, and a government, that had faith in my mother and in me, that invested in our humanity and gave me a fair shot to pursue my potential.

As I sit before this Committee, I am mindful that my path in life would never have been possible without budgetary choices that reflected our Nation’s values—many of them made in the very agency I am now nominated to lead.

That recognition and gratitude has been the North Star of my career. I have spent the past 20 years at the forefront of some of our country’s most important policy debates. For the past decade, I have led a major think tank that engages many areas that OMB handles every day—from budget plans, to regulatory proposals, to efforts to make government more effective and efficient.

My experience also extends to both the legislative and executive branches, having served in the U.S. Senate, at the White House under President Clinton, and at an agency under President Obama.

I believe that experience provides me with a strong foundation to lead OMB.

I also know that the role of OMB Director is different from some of my past positions. Over the last few years, it has been part of my role to be an impassioned advocate. I know there have been some concerns about some of my past language on social media, and I regret that language and take responsibility for it. I understand that the role of OMB Director calls for bipartisan action, as well as nonpartisan adherence to facts and evidence.

OMB will play a vital role in addressing many of the biggest challenges we face, from beating back the virus, to delivering aid that will help ensure a strong economic recovery for all families, to ensuring we build back better than before.

If I am privileged to serve as the Director, I would ensure that OMB uses every tool at its disposal to efficiently and effectively deliver for working Americans, small businesses, and struggling communities.

I would vigorously enforce my ironclad belief that our government should serve all Americans—regardless of party—in every corner of the country.
I would ensure that our budgets reflect the values of a Nation built on hard work, human dignity, common purpose, and boundless possibility.

I would work in good faith with all Members of this Committee to tackle the challenges Americans are facing; to address duplication or ineffective programs; to be responsive to you and your staff's inquiries; and to assist the Committee in its important oversight role.

Let me finally say this: As a child in line with my mom at that grocery store—feeling shy and a bit embarrassed as my mother used foods stamps instead of money—I never dreamed that one day I would be sitting in this august room, with great leaders like all of you. I am so incredibly grateful for the opportunities this country has given me. I am profoundly honored by the possibility to serve and to help ensure we provide real opportunities for those who come after us.

Thank you for inviting me before this Committee, and I look forward to your questions.

Chairman Peters. Thank you, Ms. Tanden.

Before we get started, there are three questions that the Committee asks of every need. So for the record, let me just ask you, and if you would also respond very quickly to these, it would be appreciated.

First, is there anything that you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Ms. Tanden. No, sir.

Chairman Peters. Second, do you know of anything, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Ms. Tanden. No, sir.

Chairman Peters. Last, do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Ms. Tanden. I do, sir.

Chairman Peters. Thank you, Ms. Tanden.

Now I want to turn to the pandemic, clearly on everybody's mind first and foremost. Every day I hear from Michiganders who are struggling to put food on the table, pay their bills, make ends meet because of this incredible economic and public health crisis that we are in the midst of.

President Biden has made it very clear on many occasions that we need bold action, not just action but bold action, to help families and communities who are still hurting.

Ms. Tanden, my question to you is: How important is it to deliver COVID relief immediately for families and small businesses and provide the resources needed by State and local communities to defeat this virus and to reverse this economic crisis?

Ms. Tanden. Thank you so much for your question, Chairman Peters. I think there are really two critical issues in front of the country. One is the virus itself, COVID–19, and the second is economic recovery. While the numbers have improved in the last few days, we remain in a dark winter with the virus, and so it is abso-
lutely critical to ensure that we have vaccine distribution at its highest potential. That is important for saving human lives and ending human suffering, but it is also important for us to actually economically recover and recover as aggressively as possible.

The President has put forward the American Recovery Plan (ARP) which is designed to address the COVID crisis, ensure that we are distributing the vaccine as effectively as possible, reaching as many Americans as possible, while also addressing particular challenges. As we saw from the unemployment numbers on Friday, the economy is still deeply challenged, and we have 10 million more people unemployed than we did a year ago. That is a lot of human suffering. We also are continuing to see increased small business failures, and that is also a deep challenge going forward.

The American Rescue Plan is really designed to address the virus itself and deal with the human suffering and economic challenges that families are facing every day to speed our economic recovery.

Chairman Peters. The State of Michigan is working extremely hard right now to deliver support to the struggling families that you mentioned in your answer, but it certainly needs support from the Federal Government to address this crisis. A national crisis requires a national response working closely with States.

I understand you have some experience working on COVID–19 response at the State level, working in New Jersey. Could you tell the Committee a little bit about your work? From that experience, what are some lessons that we should take?

Ms. Tanden. Thank you, Senator. I was privileged to serve on the New Jersey Restart and Recovery Commission. Its focus was on addressing COVID–19 and economically ensuring that New Jersey recovers. I learned many great lessons while I served on that commission. One is that States bear an incredible responsibility, but it is deeply challenging to have States in a sense go down this road alone. The virus does not see any State borders. States are subject to the actions of other States. So it is critical to have a national response to the virus, and it is important that we have a national plan to beat back the virus.

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States are continuing to see economic challenges, and it is important to have a partner at the Federal level who is really working to address the virus. I think that is one of the reasons why it is important to have a national vaccine plan. States are leading the efforts, but a Federal partner that can ensure vaccine distribution is happening everywhere, even in places that are harder to reach. The whole country is better off when everyone is getting vaccinated as quickly as possible.

Chairman Peters. In that answer, you mentioned a number of challenges that States are facing. Is there one thing that really stands out in your mind as to what they need from the Federal Government? What would be a priority in your mind?

Ms. Tanden. Obviously, States are concerned about resource allocation, and, I think we should recognize States are seeing very different issues, depending on their own tax base. But almost all States are seeing rises in spending that they have to make to address the crisis—spending to shore up hospitals, spending to essentially ensure testing, and spending for vaccines themselves.
I think a partner that recognizes those challenges is a Federal partner that recognizes those challenges is something that States across the board throughout the country can look forward to.

Chairman Peters. Ms. Tanden, communities of color in Michigan as well as all around the country have faced disproportionate health and economic impacts as a result of this pandemic. The evidence is clear. It is overwhelming. For example, many communities of color did not have equitable access to COVID–19 testing or relief for minority-owned small businesses. Now I am seeing similar issues arise with the disproportionately low numbers of black and Latino Americans receiving the vaccine.

If confirmed, how would you approach these inequities and ensure that communities of color have access to vaccines, to relief, and to other assistance that they so desperately need?

Ms. Tanden. Thank you, Chairman. If I am privileged to serve in this role, I would make the equity concerns a real focus, and I think that the first and foremost step is to understand the data and have a real representation of what is happening, whether it is communities of color lacking access to resources as you mentioned, both in terms of Paycheck Protection Program (PPP) but testing, vaccines, understanding what is happening, what the barriers are, and how we redress those barriers. I do think it is important as we think through issues like vaccine distribution, making sure that we have distribution in places that have been harder to reach, and communities, urban and rural, where we have less access because we have challenges around rural hospitals, for example, with rural hospitals closing we do need to take extra steps to make sure that we have vaccine all throughout the country in every corner of every State.

Chairman Peters. Thank you, Ms. Tanden. I am going to reserve some of my remaining questions for later and now turn this over to Ranking Member Portman.

Senator Portman. Great. Thank you, Mr. Chairman. I appreciate it. Ms. Tanden, again, thank you for taking time to speak with me last week. We had the opportunity to go over a number of different issues, including a bunch of policy issues.

Let me focus today at the outset on the issue that many of my Republican colleagues have raised with me. As we discussed, the OMB Director has to be able to work with Members of Congress on both sides of the aisle. This is true with Cabinet officials generally, but specifically with OMB because you have so many interactions with them, both on the budget and on the oversight responsibilities.

Typically, the OMB Director is not a partisan in particular because you have to have these kinds of relationships. I believe that the tone, the content, and the aggressive partisanship of some of your public statements have added to the troubling trend of more incivility and division in our public life. And in your case, I am concerned that your personal attacks about specific Senators will make it more difficult for you to work with them.

Just to mention a few of the thousands of negative public statements, you wrote that Susan Collins is “the worst”; that Tom Cotton is a “fraud”; that “vampires have more heart than Ted Cruz.”
You called Leader McConnell “Moscow Mitch” and “Voldemort.” And on and on.

I wonder specifically, how do you plan to mend fences and build relationships with Members of Congress you have attacked through your public statements?

Ms. TANDEN. Senator, I very much appreciate that question. I recognize the concern. I deeply regret and apologize for my language and some of my past language. I recognize that this role is a bipartisan role, and I know I have to earn the trust of Senators across the board. I will work very aggressively to meet that concern. I know the last 4 years or the last few years have been pretty polarizing, and I hope that we can work to address the country’s challenges in a bipartisan and nonpartisan manner.

I appreciate that it is upon me to prove that to this Committee and to Members, and I will work as hard to address the concerns of Republican Senators as Democratic Senators and will be accountable. I want the OMB to be accountable to Congress and work effectively with you.

Senator PORTMAN. There are media reports that during November 2020, after the election, so late last year, more than a thousand tweets were deleted from your account. Some of these public statements have been tweets. Are these media reports that you deleted more than a thousands tweets in November in advance of your nomination accurate? And if so, why did you delete them?

Ms. TANDEN. Senator, I appreciate people’s concerns about my tweets, and I have regretted them, and I deleted tweets because I regretted my tone, and I have deleted tweets over many months. But for those concerned about my rhetoric and my language, I am sorry, and I am sorry for any hurt that they have caused.

Senator PORTMAN. So you did delete the tweets. Did you delete them because you believed you might be nominated for this job or another job?

Ms. TANDEN. I deleted tweets over many months because I regretted the tone of my tweets.

Senator PORTMAN. OK. But specifically after the election, you deleted a thousand tweets, according to media reports. I take it from what you are saying today that is accurate. Is that true?

Ms. TANDEN. I do not actually know, but I completely concede the point.

Senator PORTMAN. OK. I guess the question is: Is that the right thing to do, to go back and try to cover what you had said, given that you might be in a different position, which would be a nomination for a Cabinet-level job? With the removal of more than a thousand tweets, there are still a lot of harsh partisan tweets on your account. I found through my staff there are still nine pages with tweets about Senator Ted Cruz, for example. How did you choose which tweets you wanted to delete and which ones you wanted to keep on your on your account?

Ms. TANDEN. Senator, I mean, I just thought of some of my language and deleted my tweets. But I would also just say again that, to the extent people are hurt by my language, I deeply apologize.

Senator PORTMAN. OK. Let us move on and talk about regulatory reform for a moment. We got to talk about this quite a bit on our call, and as you know, the Regulatory Accountability Act (RAA) has
been bipartisan legislation in the past that we have tried to promote as a way to create more jobs and to provide some relief, particularly for smaller businesses. When you were president of the Center for American Progress, you called the Regulatory Accountability Act “a license to kill,” among other harsh characterizations—again, a number of public statements.

Can you talk about that? Why did you think that this legislation—which, again, when you made that statement at the time, we had Democrats and Republicans on board. Do you still hold those views? And why did you say that?

Ms. TANDEN. Senator, I believe a senior fellow at CAP used that language. I personally did not use that language. I am the Chief Executive Officer (CEO) of the Center for American Progress, so I am responsible for what it puts forth, but I did not call it—I did not use the language.

I would say on the issue of regulatory reform, we want to get the balance right. Regulations do need to address the public welfare, but they also—we should continue to use cost-benefit analysis, and I look forward to working with you on regulatory reform and other issues and concerns around regulations that you may have.

Senator PORTMAN. And cost-benefit analysis, as you know, is the core of RAA. It also deals with independent agencies. Do you think independent agencies should be more accountable to OMB and to Office of Information and Regulatory Affairs (OIRA)?

Ms. TANDEN. I think the relationship between the Office of Management and Budget and the Executive Office of the President (EOP) and independent agencies is a different one from other agencies. I appreciate the concerns raised about the regulatory process with independent agencies, but I do want to recognize that independent agencies are independent for reasons and that we have to try to get that balance right between the independent nature of those agencies and the rules and regulations that they are putting forward.

Senator PORTMAN. Increasingly, regulations are coming from these independent agencies that affect jobs and the economy, and the question is: Do you think independent agencies should be subject to a cost-benefit analysis?

Ms. TANDEN. I think cost-benefit analysis is critical for the rulemaking process, and E.O. 12866 is a still very important rule or Executive Order, and so the question really is should, one question, not the only question but a question is whether OMB should be implementing cost-benefit analysis with the independent agencies. But that does not take away the importance of cost-benefit analysis for rulemaking.

Senator PORTMAN. I am over my time. I will be back in a second round. Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Portman.

I will recognize Senator Johnson for your questions.

OPENING STATEMENT OF SENATOR JOHNSON

Senator JOHNSON. Thank you, Mr. Chairman. Ms. Tanden, welcome. I appreciated the 30-minute phone call we had, and we talked a little bit about the Guidance Out Of Darkness Act (GOOD Act), which passed this Committee twice, was put into regulation
by the Trump administration, and was eliminated immediately by
President Biden now in his Executive orders. Did you get to the
bottom of exactly what the thinking was on that?

Ms. TANDEN. Senator, as the nominee, I was not part of the proc-
ess, and we did discuss what was behind it. I have not been able
to discern that.

Senator JOHNSON. OK.

Ms. TANDEN. I would just say that transparency in guidance is
an important principle and one that I think we should uphold.

Senator JOHNSON. OK. I appreciate that. Real quick, in terms of
Senator Portman’s questions on the deleted tweets, did you have
any help deleting those tweets? Did the Office of the Transition ad-
vice you on that? You just did that personally?

Ms. TANDEN. Yes, nobody advised me at all.

Senator JOHNSON. OK. As Director of OMB, speaking of regulations
and the Administrative Procedures Act (APA), do you believe
it is the responsibility of the Director of OMB to ensure that the
Administrative Procedures Act is followed with new regulations
being implemented?

Ms. TANDEN. It is my belief that they should follow the APA.

Senator JOHNSON. OK. Because this is the Committee on Home-
land Security and Government Affairs (HSGAC), we did an awful
lot of oversight on the border and the crisis we have had really
since I would consider Deferred Action for Childhood Arrivals
(DACA) was passed. DACA was ruled by the Supreme Court as vi-o-
lating the Administrative Procedures Act, and it has not gone well
ever since. I have a chart1 here I would like to provide a quick lit-
tle history lesson before I ask a couple questions.

Prior to the implementation of DACA, we were probably aver-
aging 2,000 to 3,000 unaccompanied alien children (UAC) coming
across the border illegally and being apprehended per year. It took
awhile for the coyotes to communicate that the policy had changed
in the United States, but I believe DACA was the catalyst that cre-
ated what President Obama referred to in 2014, the first peak
here, as a “humanitarian crisis.” That was the timeframe, by the
way, when then-Deputy Secretary Mayorkas was instrumental not
only in forming DACA, but also setting up the facility in McAllen,
Texas, that had the chain-link fences that folks on the other side
of the aisle always referred to as “cages.” That was done in the
Obama Administration.

That humanitarian crisis caused the Obama Administration to
do things like family detention, and it worked. You can tell. The
illegal immigration came down in terms of unaccompanied children
in red and family units in blue.

Unfortunately, a court reinterpreted the Flores decision and in-
cluded accompanied children as well. Again, it takes a little while
for that to be communicated through the coyotes, and we ended up
with a further surge. President Trump got elected in 2017, dedi-
cated to controlling the border, and the border—again, we had far
fewer people coming into this country being apprehended, coming
here illegally. But, again, when people took President Trump to
court and his actions to secure the border proved unable to—he

1The chart referenced by Senator Johnson appears in the Appendix on page 169.
was unable to really implement those things, we ended up with a crisis, I mean far greater crisis culminating in May 2019 where we had more than 3,000 people, unaccompanied children and family units, come across the border illegally and being apprehended. They basically turned themselves in—per day. That is a caravan per day. You throw in single adults, it was over 4,000 people per day. Then the Trump administration enacted policies, including building the fence, Migrant Protection Protocols (MPP), and you can see prior to COVID hitting, we were getting the border back under control, which I personally think is a good thing.

I appreciate your story. I appreciate legal immigration has made this country strong. We cannot have illegal immigration, certainly not at these levels.

I think my question is: Now that President Biden is in the midst of a massive number of Executive Orders, some of them affecting the border, one of them is suspending or potentially canceling the contracts on building the fence.

Let me give you a quick history lesson on this. The Secure Fence Act was passed in 2006. It passed the Senate by a vote margin of 80–19. Among the 26 Democrat Senators that voted for it were then-Senator Obama, Biden, Clinton, now current Senator Schumer, Feinstein, Carper, Wyden. That fence called for 700 miles—or that act called for 700 miles of double-layer fencing. In the end, only 36 miles of double-layer fencing; the rest was vehicle barriers. It was basically a sieve which allowed that type of crisis to occur.

President Trump had—and we appropriated about 700 miles of fencing. We built 450, and we have 250 miles of fencing contracted, and we will pay probably billions of dollars in penalties if we do not build that fence, which will cost the American—waste a couple billion dollars. It will put about 5,000 people out of work and leave our border less secure.

My question for you is: First of all, what is your opinion of canceling those contracts? And do you recognize the problems we have when the Administrative Procedures Act is not followed, for example, in something like DACA? It does not fix the problem. It leaves it just lingering and festering for years.

Ms. TANDEN. Senator, I would say first on DACA, I think a legislative solution to DACA is the optimal solution. That is my view, and I appreciate the challenges you are raising. I would also say that as a nominee I have not participated in the decisionmaking process so far, just to say that. I also recognize the importance of borders and having a border. I think there are some questions about technology versus other mechanisms versus a wall, but I appreciate that it is important that we ensure that we have humane immigration policies that respect the rule of law and also enforce the borders that we do have. I think there has been a robust debate in the Congress over many years of whether a wall is the most effective strategy or technology or other means. But I also appreciate the point that you are raising, which is money has been already allocated, and if I am privileged enough to be confirmed, I will examine these issues and work—and I will work with you to understand your perspective and whether we should move forward.
Senator JOHNSON. So based on the fencing with concertina wire surrounding the Capitol right now, apparently somebody thinks fencing actually works, and I would agree with that.

My final question is: Do you commit to me, as Secretary Mayorkas did, to continue to provide this Congress, this Senator, the data on exactly what is happening at the border in terms of unaccompanied children, family units, and single adults so we can kind of track what I think is—by the way, it is already a crisis. We have got 3,500 people per day being apprehended. That does not even count the got-aways and the turn-backs. This is going to be a growing crisis and another disaster based on, again, no deportations, we are not going to build the wall. The signal to the coyotes and to the people in Central America is come on into America because there will be no consequences for coming to this country illegally.

Ms. TANDEN. Senator, I absolutely believe that accurate information is important to policymakers everywhere, and so I will 100 percent commit to ensure that you have the information that you need to make good policy and that we can be a good partner—the Office of Management and Budget will be a good partner in sharing information.

Senator JOHNSON. I appreciate that.
Thank you, Mr. Chairman.
Chairman PETERS. Thank you, Senator Johnson.

Senator LANKFORD, your questions.

OPENING STATEMENT OF SENATOR LANKFORD

Senator LANKFORD. Chairman, thank you.

Ms. Tanden, thanks for being here and going through the process, all that you have done. I do want to clarify some things, though, that a couple of my colleagues have mentioned as well.

President Biden, on his very first full day in office, stood in front of the staff at the White House and said this statement: “I am not joking when I say this. If you ever work with me and I hear you treat another colleague with disrespect, talk down to someone, I promise you I will fire you on the spot. On the spot. No ifs, ands, or buts.”

The challenge you have, obviously, is walking in some of your previous statements, as you have already mentioned. You actually have tweeted more in the past 4 years than President Trump tweeted as far as just numbers, and it has been pretty hostile, obviously. You have called Republicans “criminal ignoran” “corrupt,” and “the worst.” And as you have already mentioned, over a thousand tweets have actually been deleted by you as you tried to clear. There are still a lot that is there as well.

All that is partisan. I get that. I do have a concern, though, because some of the statements that you have made seem to drift out of the partisan issues. One statement that you made about people that have the personal religious convictions about contraception, like Little Sisters of the Poor and others, called them a “successful political cudgel, helping isolate extreme advocates from the mainstream.”
That one seems to cross a different line for me, so help me understand how the personal religious beliefs of some Americans could be a successful political cudgel?

Ms. TANDEN. Senator, first of all, I want to say that for anyone offended by my language, I feel badly about that. I think in that regard, I was more speaking to people who politicize, not people who believe in religion, and political leaders who politicize religion, not people. I am a person of faith myself and deeply respect people of all faiths and all faith traditions.

Senator LANKFORD. The context did not seem to be about people that use religion as a cudgel. It seemed to be that the personal beliefs of those individuals became the cudgel. That is the part that threw me in that. So we can talk more at length on this, but obviously President Biden has talked a lot about tone. You walk into this being hired with a very different tone than what President Biden says that he is looking for on that. So that kind of stood out in this process to us, and we are hopeful that, if confirmed, that this is a very different thing. Something that this Committee has asked pretty frequently of nominees is, “Will you commit to working across the aisle?” And that is one we have to ask you a little more blunt than others because it has been pretty clear that has not been your position in the past?

Ms. TANDEN. Senator, I very much appreciate that question. I do. I want to say that I do think the last several years have been very polarizing, and I apologize for my language that has contributed to that. I would also say that in previous times I have worked across the aisle on issues like support of the transatlantic relationship, immigration, support for small businesses, worked even in the last few years with institutions like AEI and Cato on these important issues. I know it is on me to demonstrate to this Committee and to Republican members and Democratic members I can work with anyone. And that burden is on my shoulders, and it is one that I plan to take on, and I will do my best to work with you on any issue that we can and where we can make progress for the American people.

Senator LANKFORD. Great. Let us try to figure that out. Guidance documents is one of the key issues we have talked a lot about. I was quite shocked that the first week of the Biden administration they took away an Executive Order that did something pretty simple. It just told agencies to collect all their guidance documents and put them all in one place so a small business could find them. It did not seem to be partisan. It seemed to be a pretty good idea to say, “Do not hide your guidance. Put it all in one spot so a small business owner does not have to search for it; they can actually find it.”

Is that something that you would work to reinstate so small business owners do not have to play hide and seek with agencies on finding the guidance that applies to them?

Ms. TANDEN. Senator, I absolutely believe that guidance should be transparent and very easily accessible. I can commit to you that if I am privileged to be confirmed, I will try to understand the rationale behind the action taken and work with you, but it is absolutely—
Senator LANKFORD. Yes, that is one we are all pretty surprised about, to be able to figure out why suddenly good government was a bad idea. I assume just because it had Trump's name on it, but we cannot seem to figure out any other reason that would be taken away at that point. We have worked very hard to try to pass something called the “Taxpayers Right to Know.” It is a bill I have had for years. It passed unanimously in the House. It then passed at the end of the year in December both House and Senate, signed by the President.

Taxpayers Right to Know focuses on one simple thing: How do we actually expose duplication in government? How can we see each program, actually identify each program, how many staff are assigned to the program, and if it is evaluated, how it is evaluated? Obviously, this is going to take a couple of years to roll out, but that would fall on your desk to be able to get that out.

The goal is that the American people and Members of Congress could actually type in a search and to be able to see where there is duplication in government. Currently, we have to go to the Government Accountability Office (GAO), and it takes a year and a half to be able to find out what we should be able to get in 18 seconds on a quick search. This is going to be a major project, obviously, and I hope to be able to work with you on that to be able to get that done if you are finished up with your nomination and appointed on that one.

Another one that Senator Hassan and I have worked on extensively is dealing with ending government shutdowns. It is a problem that we have worked on for years. It is a problem that we think needs to be resolved on it. It is one that we would need the cooperation of OMB to be able to make sure the language is right. But every time there is a government shutdown, there is a loss of finances for the taxpayer, obviously uncertainty for everyone in the Federal family of all those Federal workers across the country. It is a very big issue that we have to be able to resolve.

The next one is an issue of budget numbers. We have to figure out how to be able to actually get numbers out to us in a transparent way. It is a challenge right now. I would tell you, working with the Biden team, we are trying to just find out how much has been spent of the $900 billion that was allocated in the December bill, how much has already been spent on that. So far we are not getting answers. They are just saying, “We need $1.9 trillion more.” But we cannot get an answer of how much still remains from the $900 billion. That cannot be that way. We have to actually know.

As you know, Larry Summers, who came on your team at Center for American Progress while you were there and that you made glowing remarks about him as a leader and as an economist, he has now made a pretty public statement to say, hey, if we put $1.9 trillion into the economy, this could actually push us over economically. We have to be able to resolve that. It is the responsibility of Congress to be able to know what has already been spent, and so we cannot spend more when there is still billions of dollars remaining. That will be on your desk, obviously, and it will be very important that we actually get rapid information and get accurate information. We would count on you for that process.

Ms. TANDEN. Chairman, may I respond?
Chairman Peters. Yes, you may.

Ms. Tanden. Thank you so much. Thank you for raising a series of issues that I think are really important. I appreciate the leadership you have shown on the Taxpayer Right to Know. It will take some period of time, but I do want to work closely with you and your staff on ensuring that OMB is doing what it needs to do, which is a central role in making sure that this law is realized.

I 100 percent believe that it is critical for policymakers and the public to have information about services, the government, where their resources are going. There has been a lot of advances with USASpending and other information that is provided at the Federal Government, but the Taxpayer Right to Know is a critical piece of work, and I look forward to working with you on that.

I also recognize that government shutdowns hurt economic growth, frankly, and really do mean significant dislocation. I would just say as we are trying to recover economically, government shutdowns are a particular problem and a sort of self-inflicted wound. I would welcome working with you, Senator Lankford, and Senator Hassan on these issues, as well as the Committee. In terms of transparency, I also would say again that I appreciate that policymakers need information to make good policy, and on COVID or any other area, I will work with the Committee to provide you with information that you need to make good decisionmaking.

Senator Lankford. Thank you.

Chairman Peters. Thank you, Senator Lankford.

Senator Hassan, you may ask your questions.

OPENING STATEMENT OF SENATOR HASSAN

Senator Hassan. Thank you, Chairman Peters, and I also want to thank Ranking Member Portman and congratulate you both on your new positions, and I look forward to continuing to work with you both over the next 2 years.

Thank you to you as well, Ms. Tanden, for your testimony today, for your willingness to serve, for taking the time to meet with me a couple of weeks ago. I want to thank your family, too, because this kind of service requires full family support, and I found your testimony about the influence of your family on you quite compelling, and I just wanted to say thank you to them as well.

I will also add that I am a cosponsor on the Taxpayer Right to Know and the End Government Shutdown bill, so I would look forward to continuing my work with Senator Lankford and others on this Committee and with you on those issues, among others.

I wanted to start my questioning today on the issue of wasteful government programs. As the lead Democrat on the Federal Spending Oversight Subcommittee, I introduced bipartisan legislation to implement several recommendations made by the Government Accountability Office to eliminate duplicative Federal programs and improve efficient spending. However, a barrier to doing more to eliminate duplicative waste is the lack of a complete Federal program inventory.

If confirmed, will you renew efforts to complete a Federal program inventory?

Ms. Tanden. I will. Thank you, Senator.
Senator HASSAN. Thank you. Will you work with me to develop legislation to better identify wasteful programs and work to eliminate them?

Ms. TANDEN. I absolutely will, Senator. I recognize that inefficient, ineffective programs really do not help anyone.

Senator HASSAN. Thank you.

Now on to our legacy information technology (IT) systems. The Federal IT infrastructure is woefully out of date. This not only opens Federal systems up to cyber attacks, but also fails to provide the level of customer service that the American people expect in the 21st century.

Of particular concern is the fact that the Federal Government spends more taxpayer dollars on maintaining old legacy IT systems than investing in new, agile, and secure systems.

So what are your top priorities when it comes to modernizing the Federal IT infrastructure?

Ms. TANDEN. Thank you, Senator, and thank you for your leadership and the leadership of this Committee on the issue of technology. Obviously, we have multiple challenges in technology. One is cybersecurity, and the recent SolarWinds incident tells us that we have a lot of work to do. I would say, if I am privileged to serve as OMB Director, one of my top priorities will be to work on the issue of cybersecurity and do so with this Committee.

It is also important that we make our government more consumer friendly. One of the big differences between the United States and other countries is the fact that our government can be woefully inefficient and ineffective because we do not really use technologies effectively. It is an irony that in the United States we have the greatest technological innovations and some of the most technologically innovative companies, and our country, our government, you still cannot access information; small businesses cannot find out if they can get access to a small business loan as efficiently and effectively as possible.

So the consumer dynamic and also the Federal Government’s ability to understand its own resources and allocate resources is also woefully inadequate. There have been innovations on technology. Funding the Technology Modernization Fund (TMF) has been a way in which we can allocate resources to pull down for these kind of modernizations, and as you know, the President in the ARP plan has proposed additional funding for the Technology Modernization Fund and ITOR because we recognize the importance of this modernization, also during a global policymaker where we need to make sure that our agencies’ information and essentially the public’s privacy is protected and protected well.

So modernizing our systems and allocating resources so that we modernize our systems is really, I believe, a way in which we can make the Federal Government much more efficient, much more effective, and much more directed to the needs of customers, the American citizens.

Senator HASSAN. Thank you. You have laid out some ways that I think Congress can help with this effort, but is there anything else that you would like to add about ways Congress can help agencies realize their modernization goals while moving away from wasteful legacy IT systems?
Ms. TANDEN. I guess I would add that, there is bipartisan legislation that has been passed to really ensure agencies can do things like move to the cloud, really move away—as you know, we have within some agencies systems that are 30, 40, or 50 years old where we spend a lot of time and energy and money kind of patching their systems rather than really fully moving those to cloud or other mechanisms.

I think the real challenge here is, frankly, it takes an investment of resources, in one year, because we do not have capital budgets or other systems that create some disincentives. But I appreciate the resources in the Technology Modernization Fund (TMF), and I think it is one of the reasons why the President has proposed a substantial increase in that, in TMF as well as ITOR.

Senator HASSAN. Great. Thank you.

The last issue I want to touch on this morning: As head of the Office of Management and Budget, you will oversee the Office of Information and Regulatory Affairs which reviews agency rule-making decisions. As the Biden administration works to undo dangerous regulatory rollbacks from the previous administration, the American people need to know that any new policies are fact-based and not politically motivated.

If confirmed, how will you work with the Office of Information and Regulatory Affairs to ensure that it reviews agency rule proposals using reliable data and science to support rulemaking decisions?

Ms. TANDEN. Senator, I think this is a critical issue. OIRA and OMB should both—the policymaking and decisionmaking process should really always be guided by facts and evidence, analysis of real impact, real impact on people's lives. I commit to Members of this Committee to ensure that that is the process going forward and that we use up-to-date evidence, the newest information, reliable science. We are committed to an evidence-based approach, and getting that evidence from all Members of Congress, regardless of party. I believe everyone's information is critical, and so I look forward to working with Members of the Committee on this.

Senator HASSAN. Thank you very much.

Thank you, Mr. Chair.

Chairman PETERS. Thank you, Senator Hassan.

Senator Padilla, you are recognized for your questions.

OPENING STATEMENT OF SENATOR PADILLA

Senator Padilla. Thank you, Mr. Chairman. Ms. Tanden, thank you for sharing your story and that of your family's journey and your willingness to serve.

The COVID–19 pandemic has made clear what many of us have known for a long time, and that is that in many ways there are really not just two Californias in my home State but two Americas—one that has the luxury of remote work, of a stock portfolio that is surging, and many other privileges; and the other that is on the front lines of this pandemic comprised of essential workers that go home, many to low-income and diverse communities, that have long suffered from lesser access to health care, to affordable housing, to good schools, healthy food, clean air and water.
I was raised in one of those communities. I was raised in Pacoima, California, which has been referred to recently as “the epicenter of this pandemic” that has ravaged communities across the Nation. Pacoima’s positivity rate, for example, is five times higher than that of Santa Monica. In fact, the death rate for Latinos in California is 21 percent higher than the statewide average. But the unequal spread of the virus among America’s communities of color is not unique to California. It can be seen in cities and States across the Nation.

Ms. Tanden, as Director of the Office of Management and Budget, how will you ensure that there will be equity when it comes to fighting this pandemic? How will you ensure that we do not see vaccine deserts in our communities like we often see food deserts, for example? More broadly, how will you ensure that Federal grants, agency actions, and new regulations actually address the glaring inequities that have been exposed by the pandemic both in California and across the Nation?

Ms. Tanden. Thank you, Senator Padilla, for your question. I very much appreciate it. I do recognize that the COVID–19 crisis has, as you said, exposed many deep inequities in our country, and it is not just on one dimension. As you outlined, it is on COVID sicknesses, COVID death rates. The economic challenges have been borne disproportionately by communities of color, and we have to carefully monitor that we do not see the same kinds of inequities in vaccine distribution, which is a matter of life and death.

So equity has been a central component of the President’s COVID response, writ large. That is why the White House has a COVID task force that has as a critical component equity issues in it, racial equity issues in it, because it is vital that our government address the needs of all communities. The President has also outlined how equity issues should be central to our policymaking process and to our rulemaking, and one of the reasons—one of the aspects of his Executive Order on the rulemaking process is to ensure issues like equity are front and center, that we should do cost-benefit analysis, but we also have to recognize how the rulemaking process can affect subpopulations, can affect particularly communities of color, underrepresented groups, and that we should be mindful of that and the impact that it has, rules and processes and policies have on the country, writ large, but also on subpopulations.

Senator Padilla. Thank you. Let me actually combine a couple of issues and questions into one. California is home to 12 percent of the U.S. population. However, under the previous administration, California often found itself being shortchanged by Federal Government grant programs, particularly those that are discretionary. For example, California received 3.6 percent of the Department of Transportation’s (DOT) BUILD grants in fiscal year (FY) 2020 and 0 percent of the Department’s Infrastructure for Rebuilding America (INFRA) grants.

I want to ask for your thoughts on ensuring that every Federal agency does not politicize the awarding of grants, especially discretionary grants, and California receives fair treatment. But let me also underscore one specific as it pertains to the Federal Emergency Management Agency (FEMA). Given the increasing threat of wildfires, floods, earthquakes, and other natural disasters facing
California, FEMA has come to play an increasing central role in the lives of my constituents, and that was even prior to this pandemic. I think I speak for all my colleagues in this room when I say that many of our cities, counties, and States are struggling to get this pandemic under control and restore the economic vibrancy of our communities.

One immediate step that the administration could take to relieve the burden on our communities would be to increase the Federal cost share of FEMA-eligible expenses from the standard 75 percent to a higher figure, maybe 90, 95, or let us shoot for 100 percent, and make it retroactive to the beginning of the pandemic.

Will you commit to taking a look at the possibility of doing that? Again, comment on FEMA and then fairness in grant and funding more broadly.

Ms. TANDEN. Thank you, Senator, for both questions. I believe the administration is committed to ensuring that FEMA is providing 100 percent of funding for COVID-related expenditures, but I will absolutely commit to working on this issue with you, if I am privileged to serve as OMB Director.

On the issue of grants and processes, let me say this: that decisions on funding, decisions on grants, it is my view—and I know the view of this administration—that it should follow the facts and evidence and the needs of States and should not matter at all the political orientation of a State or, who voters voted for. These decisions really should be guided by the needs of the State. California has many needs, and that should really determine.

I will say it is my orientation that—as I said in my remarks, it is my orientation that the Federal Government is the government for all Americans, regardless of party, regardless of State, and really should address what it is doing based on the needs of people and not their political affiliation.

Senator PADILLA. Thank you, Ms. Tanden.

Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Padilla.

Senator Sinema, you are recognized for your questions. I believe you will be coming to us remotely.

OPENING STATEMENT OF SENATOR SINEMA

Senator SINEMA. Thank you so much, Mr. Chairman.

Ms. Tanden, as Arizona’s senior Senator and the Chairwoman of the Subcommittee on Regulatory Affairs and Federal Management (RAFM), it is important that I closely examine the management, efficiency, and effectiveness of Federal agencies’ programs under regulatory process. I am interested in hearing how you will approach OMB’s mission of implementing President Biden’s policies across the government, communicating the administration’s values through the President’s budget, and your opinions on the regulatory process.

My first question: Arizona businesses have suffered greatly because of the coronavirus. Government programs such as the PPP have provided a lifeline, but this help has been uneven. To speed relief, Congress waived the rulemaking requirements of the Administrative Procedures Act and allowed the Small Business Administration (SBA) to utilize interim final rules. There have been 25 in-
interim final rules issued to govern the PPP over the last year, not counting the three rules issued in response to program changes included in the December stimulus. Most of these alterations came in the first 3 months of the program.

Sometimes these new rules clarify confusing directives, but in other cases, they altered eligibility and formulas with significant consequences for real people. For example, I have been helping an Arizona small business owner who saw the rule change after her loan had been disbursed. When she applied for a loan, the PPP did not properly account for her situation. She wrote it off as another government program that was well intentioned but missed the mark.

In January, during a meeting with my office, my staff realized something in her story did not sound right. Sure enough, if she had just waited a little longer to apply, her PPP loan amount would have increased by $70,000 due to rule changes.

Now, she did not wait around. She is trying to make the best of a situation, because that is what Arizonans do—they keep moving forward—but this is unacceptable. She did not get the help that she needed, and if it happened to her, I know it happened to others. If it is happening at SBA, it is happening at other agencies, too.

It was important to get the rule out quickly and make changes as necessary, but these changes have real consequences for business owners, and no one took the time to adequately communicate these changes to program participants.

One of OMB’s duties is interagency coordination. As Director, how will you make sure that changes in eligibility and program rules, especially those that are not required to comply with standard rulemaking requirements, are promptly and adequately articulated to the real people who are participating in these programs?

Ms. TANDEN. Thank you so much, Senator Sinema, for that question, and I appreciate your leadership and focus on the COVID response, the COVID response in particular, and the need for more resources in Arizona. I think you are highlighting a central concern that has been discussed with PPP, which is how it is actually delivering to small businesses. That is a focus for the Biden-Harris administration, to ensure that the PPP resources are going to small businesses. Guidance and information should be accessible to all consumers, to the American public, to all small businesses. You are absolutely right that as we have allocated resources relatively quickly with the Coronavirus Aid, Relief, and Economic Security (CARES Act), that guidance can be confusing, and that we need to make sure that it is as consumer friendly and really oriented toward quickly delivering resources to those in need, making sure that small businesses are in the front of the line, not in the back of the line with PPP, and ensuring that we are really getting to resources to Main Street as quickly as possible.

So my orientation is to have guidance go quickly, but really to do it in a way that is as customer friendly, as targeted to the real needs of small businesses as possible.

Senator SINEMA. Thank you. I have a couple other topics I want to get to, so I am going to ask you a series of “yes,” “no,” and short-
answer questions on the rulemaking process in order to save your time.

Ms. TANDEN. OK.

Senator SINEMA. First, the Office of Information and Regulatory Affairs functions best when it is an independent arbiter of agency regulations. There have been times when agency heads and the OMB Director have overruled the determinations of the office. When this happens, the quality of agency rules suffers.

So will you uphold the tradition of independent analysis at the Office of Information and Regulatory Affairs?

Ms. TANDEN. Yes, absolutely.

Senator SINEMA. President Biden’s Regulatory Modernization Memo tasks the Director of OMB with reviewing the regulatory process and recommending updates. In your opinion, what are the most important changes that must be made to the rulemaking process?

Ms. TANDEN. I think the orientation of the President’s memorandum is to just add to the information that is important and look across dimensions, like equity issues that have been raised by other Senators here. The idea is to not take away from cost-benefit analysis but make sure that we have a truer picture that really makes clear the impact of the rulemaking process on real people.

Senator SINEMA. This memo indicates that the OMB Director must engage stakeholders as part of the effort, so my question for you is: Will you recognize our office and this Committee as a stakeholder and work with us accordingly?

Ms. TANDEN. Absolutely, Senator. I look forward to doing so if I am privileged enough to be confirmed.

Senator SINEMA. Thanks. Last Congress, I introduced the Setting Manageable Analysis Requirements in Text Act with Senator James Lankford. We plan to reintroduce this legislation this year. Our bill requires that agencies include a framework and a timeline for regulatory review when they publish a major rule. I would like to ask you to commit to working with us so we can better ensure those rules are achieving their objectives.

Ms. TANDEN. Yes, I absolutely look forward to working with you on that issue, on that legislation, Senator.

Senator SINEMA. Great. Some policymakers have argued that we need more targeted recovery efforts that meet our country’s immediate public health and economic needs without exacerbating our long-term debt and deficit concerns. Many of my constituents in Arizona share these concerns. They balance their checkbooks, and they make tough choices to keep food on the table and pay their bills. And they expect their government to do the same.

So as OMB Director, what steps will you take to address these types of concerns?

Ms. TANDEN. I very much share those concerns, and I think one of the roles of the OMB Director is to ensure that Federal resources are targeted efficiently and effectively, that we are meeting the needs of consumers. You raised the issue of PPP. Making sure that small businesses are really receiving those resources, that the resources are targeted to the small businesses that, it is make or break whether they receive that support versus larger entities, that
is a major focus of mine. I would welcome the opportunity to work with you and all Members of this Committee on these issues.

Senator Sinema. Thank you.

Mr. Chairman, I see that my time has expired. Thank you for hosting this hearing and thanks to Ms. Tanden for appearing with us today.

Chairman Peters. Thank you, Senator Sinema.

Senator Ossoff, you are recognized for your questions.

OPENING STATEMENT OF SENATOR OSSOFF

Senator Ossoff. Thank you, Mr. Chairman, and thank you also to Ranking Member Portman. Ms. Tanden, thank you for joining us today. Thank you for the discussion that we shared prior to this hearing.

The first question for you: In Georgia, as in States across the country, working-class and middle-class families have been crushed by this pandemic and the economic crisis that has resulted from this pandemic. That is one of the reasons that I and so many members of this body have been urging that we swiftly pass the direct economic relief, the economic impact payments or stimulus checks that families are counting on to stay on their feet and avoid eviction or foreclosure, cover vital costs like extraordinary child care costs that have been incurred while schools are closed.

Will you please explain to the panel and to the public what steps you will commit to taking to ensure that once Congress does its job and passed that direct economic relief, that the Biden administration as swiftly as possible sends that relief directly to the people?

Ms. Tanden. Senator, you are absolutely right that families are suffering right now. As I mentioned earlier, the unemployment numbers on Friday demonstrate that we still have 10 million people who are unemployed, and we face a hunger crisis in this country, as many as 12 million children who are going hungry. And so that is why it is important to act, and to the extent Congress acts, I can commit to this Committee to work as expeditiously as possible to ensure those resources are going out the door as quickly as possible, recognizing the issues raised by Senator Sinema in terms of making sure our guidance and information is as transparent to the public and rational to the public as possible. But it will be a priority for us to—if I am confirmed, it would be a priority for the OMB to ensure that resources, working with agencies, resources are getting out the door as expeditiously as possible because we recognize that families are hurting right now.

Senator Ossoff. Thank you. One of the challenges is that many of those who are in the deepest economic distress right now also have difficulty accessing basic financial services. They may be experiencing homelessness. They may not have a permanent address or be in temporary housing. They may not have access to the banking system.

Will you commit to working with my office and the Treasury Department to ensure that low-income Georgians who face some of those challenges can still access the economic impact payments, the stimulus checks to which they will be entitled as U.S. citizens once Congress passes such legislation?
Ms. TANDEN. I will absolutely work with you and Members of this Committee on these issues, and I will just say, Senator Ossoff, that I know that when a family is in distress how critical that government aid is and how critical it is to making the difference, whether a family will—kids will eat that night. I understand from my own personal experience how important it is that our government work effectively and that resources are targeted to those people who need it and that those resources get delivered in a timely manner. I understand that completely.

Senator OSSOFF. Thank you, Ms. Tanden.

Georgia hosts some of the most renowned historically black colleges and universities (HBCUs) in the country, and HBCUs play a vital role not just serving the black community but as gems in our Nation's higher education system. Will you commit to working with my office to ensure that as the administration develops its budget requests in upcoming years, the needs of HBCUs are proportionally represented and well represented in the President’s budget request?

Ms. TANDEN. Senator, as a candidate, President Biden did discuss the vital role HBCUs play amongst higher education institutions, on equity, from an equity perspective in higher education, and essentially wealth building over the long term. And so it is a priority for the President and the Vice President, and I would welcome the opportunity to work with you on those issues in support of HBCUs and the vital role that they play.

Senator OSSOFF. Thank you, Ms. Tanden.

Inspectors General (IGs) throughout the Executive Branch play a vital role in identifying waste, fraud, corruption, the abuse of power. Will you, to the fullest extent that you have authority, issue direction, guidance, or memoranda to agency heads that they should instruct their employees in all cases to comply with Inspector General investigations, to promptly provide their agency IGs with such information, evidence, documentation as those Inspectors General may request?

Ms. TANDEN. Absolutely, Senator. I recognize and I really appreciate the leadership of Members on this Committee on support of Inspectors General. I recognize the role they play in ensuring agencies are fulfilling their mission and the role that they play in ensuring that resources are delivered where they need to go. I can assure this Committee that, if I am confirmed, if I am privileged enough to be confirmed, I will support the work of Inspectors General that is vital work for the American taxpayer and vital work often for Members of Congress to fully understand how our agencies are operating and achieving their mission.

Senator OSSOFF. Thank you. You will issue written guidance for agency chiefs to that effect?

Ms. TANDEN. Yes. I will obviously have to work with OMB, understand our forms and processes, but I can commit to working with you on that.

Senator OSSOFF. Thank you so much.

Just touching briefly on cybersecurity, which is something where OMB has significant responsibility and jurisdiction, we continue to see intrusions of Federal networks, attacks and intrusions of sensitive private sector networks. Can you, in the remaining 40 sec-
onds—and then I will yield my following Ms. Tanden’s remarks here, Mr. Chairman—outline some of the steps you intend to take to strengthen cybersecurity within the Federal Government across the country?

Ms. TANDEN. Absolutely, and as I said, I believe SolarWinds really demonstrates the challenge of ensuring cybersecurity. It is a high-risk area that sometimes agencies have not sufficiently focused on. GAO and others have really talked about cybersecurity as an issue year-in and year-out.

I am appreciative that the President has proposed significant resources to shore up cybersecurity. I think we all recognize that this is not just some far-off risk. It is a real risk to the American public and their own data, and it is increasingly one that other countries are weaponizing. It is a high priority. If I am privileged enough to serve, it will be a high priority, and I look forward to working with this Committee and appreciate the work this Committee and others have done to innovate in funding mechanisms for cybersecurity through the Technology Modernization Fund and other mechanisms as well.

Senator OSSOFF. Thank you, Mr. Chairman.
Chairman PETERS. Thank you, Senator Ossoff.
Senator Hawley, you are recognized to deliver your questions.

OPENING STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you, Mr. Chairman. Ms. Tanden, thank you for being here. Congratulations on your nomination.

Let me start with a question about corporate special interests, if I could. This question relates to your broad view, I think, of the economy and society. Let me just ask you, do you think that Wall Street and Big Tech companies have too much influence in our economy and society today?

Ms. TANDEN. Yes.

Senator HAWLEY. I am glad to hear you say that. I agree with you. I have talked for years now about these concentrations of power, how they stifle competition, hurt small business, and ultimately hurt working people.

I want to ask you about a report from the New York Times and other outlets suggesting that you solicited tens of millions of dollars in donations from Wall Street and Silicon Valley companies as president of the Center for American Progress, including very large contributions from Mark Zuckerberg. I understand that in early 2019 Senator Sanders actually wrote to your organization suggesting that these corporate interests may be inappropriately influencing your work.

Can you just give us a sense of, if you are confirmed as OMB Director, how you will advocate for working people given this history of soliciting tens of millions of dollars from the biggest and most powerful corporations on the planet?

Ms. TANDEN. Senator, the role of OMB is to serve the public, and I am 100 percent committed to that role. Let me say, just to be clear, that I believe that the Center for American Progress took funding from the Chan Zuckerberg Foundation, not Mark Zuckerberg directly, but I completely take the point about concerns about funding. I can commit to you that I will always uphold the
highest ethical standards. I will work with career folks at OMB to make sure I do so. But I will also say that no policy or position I have taken has been determined by the financial interests of any single person.

Senator HAWLEY. $665,000, I think, from the personal foundation of Mr. Zuckerberg; millions of dollars from Wall Street financiers, big banks, foreign governments, Silicon Valley; $1 million from the managing partner at Bain Capital; $2.5 million from the UAE—
that was between 2016 and 2018.

Given this record, how can you ensure us that you will work to see that the Silicon Valley and Wall Street firms do not exercise undue influence, frankly, influence that they have already got in the making of government policy and the control of our economy? How can you assure us that you are going to be an independent actor when you have been so close to them to raise so much money over all these years?

Ms. TANDEN. I really appreciate that question, and I would say I and the Center for American Progress aggressively take on the positions, take on the role of Facebook and tech companies, have called for higher taxes on companies, regulations of Wall Street, a financial transaction tax. I am proud of the record of the Center for American Progress and policies that will limit the power of Wall Street, limit the power of tech companies. I would welcome the opportunity to talk with you and work with you on those ideas, because I do agree with you that corporate special interests have too much power in our discourse. Whether it is a financial transaction tax or other proposals, obviously I take on—my role as OMB Director would be one in which I follow the tax policy of the President, but it is my orientation that we need to rebalance power in our economy, and I hope there are ways you and I could work together in those arenas.

Senator HAWLEY. Good. I will hold you to that. Thank you.

Let me switch topics: China and government acquisitions. Should you be confirmed, you will have a leading voice in the Federal acquisitions process. In that capacity, will you investigate and work to ensure that Chinese-based products are removed from sensitive government networks considering the security threat that these can pose due to the spying activity of the Chinese Communist Party?

Ms. TANDEN. I absolutely believe that we have to ensure real security in our supply lines from products from China—and elsewhere, but China, there are products like Huawei that there have been real concerns about security. I would welcome working with you and other Senators on ensuring the security of our supply chains.

Senator HAWLEY. Let us take TikTok as an example. TikTok is an app that I think represents a national security threat. I think that it is safe to say that has been the view of this Committee. TikTok is owned by a Chinese parent company, of course, that is subject to Chinese law under which they have to share—their intelligence-sharing law, they have to share information potentially gleaned from Americans with the Beijing government.
Do you share the view that TikTok represents a potential security risk, particularly if it is downloaded and used on government devices?

Ms. TANDEN. I think we should absolutely be concerned about any entity that takes information and shares it, private technological information and shares it with a government. To the extent TikTok is doing that, I would share that concern. But I think we should be concerned about any technology company anywhere in the world that is taking your private information of what you are looking at, what you are reading, and share it with any government.

Senator HAWLEY. Is that something you would be willing to look into, that you would commit to looking into if confirmed, TikTok in particular, but also, as you just said, any app based in or controlled by a State that we know is hostile to the United States, represents a national security risk, that may collect Americans’ data? Is that something you would look into and use your position and the Federal acquisition process to scrutinize?

Ms. TANDEN. I will definitely commit to looking at our role in the acquisition process to scrutinize. I am happy to work with your office on those issues. To the extent we have a policymaking role across the board, I would also welcome working with your office on those issues.

Senator HAWLEY. Very good. You anticipated my next question, so I will hold you to that as well in terms of finding ways to use Federal procurement policy to make sure that security risk products do not infiltrate it.

Let me ask you just in my few remaining seconds here, you said in your written testimony that our budgets should reflect the values of a Nation built on human dignity. Let me ask you about the views of human dignity held by tens of millions of Americans who consider themselves pro-life, describe themselves as pro-life. For years now, the Hyde amendment has reflected a bipartisan commitment not to spent Federal tax dollars on government-funded abortions, recognizing that Americans have different views on this issue, but one thing that overwhelmingly Americans have agreed on is we should not use Federal tax dollars to support or to fund abortions.

If you are confirmed in this role, will you advocate that the President’s budget request to Congress next year preserve the Hyde amendment?

Ms. TANDEN. President Biden has supported repeal of the Hyde amendment, and so, I will anticipate how that operates in the budget process. But that is a position that he took in the campaign and has held.

Senator HAWLEY. I want to ask you also about the Weldon amendment, another very important pro-life protection that has been widely supported. I will do that, however, for the record, Mr. Chairman, given the lack of time.

Thank you, Ms. Tanden, and thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Hawley.

Senator Scott, you are recognized to ask your questions.

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1 The information referenced by Senator Hawley appears in the Appendix on page 167.
OPENING STATEMENT OF SENATOR SCOTT

Senator Scott. Thank you very much.

Ms. Tanden, welcome to the Committee and thank you very much for your call last week.

Ms. Tanden. Yes, thank you so much, Senator.

Senator Scott. In an op-ed in December, the Director of National Intelligence (DNI), Director Ratcliffe at the time, declared China to be our No. 1 national security threat. So do you agree? Disagree? What are your thoughts—did you hear me?

Ms. Tanden. Yes, I did.

Senator Scott. OK.

Ms. Tanden. On China is our No. 1 national security threat.

Senator Scott. Right. What do you think about that?

Ms. Tanden. Senator, I would defer to the national security team, but just to say my perspective, I recognize that China is a security threat, and it is a real competitor for the United States. It is a competition that we can win, but we do have to act across domestic policy, foreign policy, and national security.

Senator Scott. I guess you have written a lot in the past, so I will ask you about one of them. In regard to President Trump’s trade deal with Communist China, you wrote, “Much like the Trump tax cut, this deal is designed to deliver for Wall Street and big companies while doing nothing for working families.”

So my concern about the trade deal is they do not comply.

Ms. Tanden. I am sorry. That they do not have to comply?

Senator Scott. No. They just do not.

Ms. Tanden. Yes. They do not.

Senator Scott. They never comply. China has never complied with anything. But can you talk a little bit about your opposition to tax cuts and then the things you would do to hold China accountable? And then what do you think about the sanctions that the Trump administration put on China, and do you believe we ought to keep those going or stop those?

Ms. Tanden. Thank you, Senator. I will try to take those in tow. Opposition to tax cuts, my view is to focus on whether those tax cuts are being effective. I would note that business investment did not dramatically increase with the tax cuts that were passed, and it is President Biden’s policies to redress some of those tax policies for upper-income Americans and, of course, leave intact everything—the tax cuts for middle-income Americans. I appreciate this might be an area of divergence in views, but I always want to be focused on facts and evidence.

I would also note that we did pass those tax cuts at a time where perhaps we should have been thinking about the impact on debt and deficit, and that was one of my criticisms. But I always want to work with Members of the Committee on issues, and if there are ways in which we can form tax policy going forward in a way that allows us to economically recover and address concerns, I welcome those ideas.

Senator Scott. So what do you think of the China trade deal and what do you think about the existing sanctions?

Ms. Tanden. My concern that I expressed on the bilateral relationship between China and the United States in the last several years is one where China did not uphold its end of the bargain, so
to speak. I do think there are questions about whether a bilateral trade mechanism is going to be effective. I do believe that it is vital that we ensure that China change course. In many ways, China benefits from the sort of—how do I say this? Both ends of the bargain and the global system. They are a large global economy but sometimes act like a mercantilist economy. And so it is important that we think that we marshal allies to put pressure on China to ensure that they have a fair trading system where American companies can truly compete in China, which has not been the case.

To the extent that our policies and practices are actually trying to accomplish that, I think that is an important goal. My questions about the bilateral trade system has been that it has not been effective. So as we think through steps going forward, whether it is sanctions or working with our allies, allies in Europe, some of whom have not been as strong on these issues——

Senator SCOTT. Almost none.

Ms. TANDEN. One could argue weaker on these issues. We need to marshal the world to make the case that it is unfair across the board what has been happening.

So, that is something that I would have to work with the U.S. Trade Rep (USTR) and other members, if I am confirmed, but I would say my orientation is that we do need to recognize how unfair the present system is, not just for American companies but for American workers as well.

Senator SCOTT. Right. What do you think about, there are a million Uyghurs in prison and taking away the basic rights of the Hong Kong citizens and threatening Taiwan and harvesting organs. How should those actions—what would you do to try to combat some of those things that are just disgusting to any American that knows about it?

Ms. TANDEN. Yes, and I would say, Senator, we discussed this, and I really appreciated our conversation. I appreciate how it is vital that American leadership express to the world how important human rights are. I would just share with the Committee that a few years ago at the Center for American Progress, we hosted some of the leaders of the Hong Kong protests, and I was really taken and struck by how the leaders of those protests really look at American leadership. They talked about Abraham Lincoln and John F. Kennedy as sort of their icons for their protests. I think that is in many ways what is at stake here, which is basic human rights and basic human protections. I am hopeful that we are seeing new generations of leadership in Hong Kong really fight for those protections.

Senator SCOTT. Thanks. We do not have much time left. We see our higher institutions, which get a lot of money from our Federal Government. They have had a lot of China infiltration through people that have relationships with the Chinese Communist Party and with the China military. What would you do to try to stop that?

Ms. TANDEN. Actually there has been, I believe, bipartisan leadership on the Committee to focus on the grantmaking process and to ensure that that kind of negative influence, particularly negative influence on issues where Americans’ innovations are at stake, should be a top concern, and that is one that I would follow through if I am privileged to serve as Director.
Senator Scott. Thank you.
Ms. Tanden. Thank you, Senator Scott.
Senator Scott. Thank you, Mr. Chairman.
Chairman Peters. Thank you, Senator Scott.
Senator Rosen, you are recognized to ask your questions.

OPENING STATEMENT OF SENATOR ROSEN

Senator Rosen. Thank you, Chairman Peters, of course, Ranking Member Portman, and Ms. Tanden for your willingness to serve our country. I really appreciate you being here today.

I want to speak a little bit about nuclear waste. Nearly four decades ago, Congress passed the Nuclear Waste Policy Act and its later amendments to select Nevada’s Yucca Mountain as the Nation’s permanent geologic repository without our consent. I just want to repeat that: without our consent.

Due to a variety of factors, including strong local opposition, due to health and safety concerns, the Yucca Mountain nuclear waste repository has not been completed. But Yucca Mountain has economic potential beyond becoming the Nation’s dumping ground for the rest of the country’s nuclear waste. Instead of wasting taxpayer money on this unsuccessful and misguided project, we should find alternative uses for Yucca that creates jobs.

That is why last Congress I introduced the Jobs, Not Waste Act, which will prohibit the Secretary of Energy from taking any action relating to licensing, planning, development, or construction of a nuclear waste repository at Yucca Mountain until the Director of OMB studies and reports to Congress on the economic viability and job-creating benefits of alternative uses of the Yucca Mountain site. The bill would also require Congress to hold public hearings on OMB’s finding.

If confirmed, will you commit to working with me and the rest of the Nevada delegation to explore alternative uses for the Yucca Mountain site?

Ms. Tanden. Absolutely, Senator. I would really welcome the opportunity to work with you on this issue, and I recognize your leadership on Yucca Mountain and the way in which we need to ensure that we are keeping the whole country safe as we think through these issues.

Senator Rosen. And so building on that, I have two yes-or-no questions. Will you commit that in future budget requests you will not propose any funding for licensing, planning, or development at Yucca Mountain and to ensure that there are no regulatory or agency barriers to researching alternatives to nuclear waste disposal that do not include storing waste in Nevada without our consent?

Ms. Tanden. Yes, I absolutely will, and, President Biden has made a similar commitment.

Senator Rosen. Thank you.

I want to move on. Now, of course, we are in the middle of a pandemic, and we know that there has been provider shortages across the medical health care spectrum. In the December COVID relief and appropriations package, Congress included a much-needed increase of 1,000 graduate medical education spots, something I have advocated for since first coming to Congress. In Nevada, we have
provider shortages in every single part of our State. Of course, it is a particular problem now during COVID. We have faced it for a long time.

Many physicians will continue to practice in communities near where they do their residencies, and so it is critical that these slots reach the areas that need them the most.

OMB has the final oversight of regulations coming out of HHS. So how do you plan to use your position to help address these critical health care issues such as ensuring a clear and equitable process for those new diabetic macular edema (DME) slots so that they are distributed across areas that need them the most like mine in Nevada?

Ms. TANDEN. Senator, thank you for raising this issue. I do recognize that during the COVID crisis we need to act—OMB would need to act expeditiously on these issues. Areas like nursing shortages, doctor shortages, doctor and nursing shortages in particular communities, rural communities, should be a top priority for moving guidance and regulations expeditiously. We will absolutely recognize how COVID–19 issues and the regulatory process around COVID–19 issues should take priority because lives are at stake. I would absolutely commit to working with you and your office on these issues and really welcome your input and feedback on how the process is working.

Senator ROSEN. Thank you. I want to build on that, too, because a lot of our physician practices across the country and in Nevada are small businesses, and we have seen many of them close during this time of COVID for many reasons. And so not only estimating a physician shortage of maybe over 135,000 physicians over the next 12 years, Nevada ranks 46th in the Nation in primary care to patient ratio, primary care doctors.

So how do you see the role of OMB to help support the stability and recovery of those physicians practices, so the ones that may have had to close or are struggling now, the small businesses, and, again, what is your role in creating new opportunities?

Ms. TANDEN. I really see the role as twofold. One is a budgetary role and thinking through how we support GME and direct support for doctors. Obviously, there are programs that have existed for doctors and nurses to go into high-need areas, and so those are two elements. Of course, there is the regulatory side as well in which we develop guidance for how dollars are spent and the rulemaking process.

So in all of those areas, I recognize that the COVID–19 crisis means that doctors and nurses are on the front lines of saving people's lives and addressing the crisis and ensuring that we do not have any communities facing dire shortages, and particularly rural communities that have faced really tough challenges all throughout this crisis as well as many urban communities would be a priority of mine. I have been proud to work in the health care sphere before. I know how important these programs are in delivering needed care all throughout the country, and I would be honored to work with your office on these issues.

Senator ROSEN. Thank you. I am going to go very quickly. Senator Hassan—and I just have a few seconds left. Many of my colleagues on this Committee, we talk about modernizing IT at every
level. It has to be a huge priority. Some of those unemployment systems across our country, they are old; they are outdated; they need to be modernized. In Nevada, of course, we have some of the highest unemployment in the Nation, and we have lots of cybersecurity issues. I am just going to kind of get right to the point. As someone who has spoken so thoughtfully about your background growing up, relying on social programs, that, of course, need to have IT to get services out there, unemployment and other things, what do you think is OMB’s role in helping Federal agencies like Department of Labor (DOL) and State agencies to upgrade their technology so we can move more quickly and we can be more nimble in times of crisis like this or potentially other natural disasters in the region, wildfires or hurricanes, whatever that is? How do we do that, and how do you see your role?

Ms. Tandem. Senator, I think this is an area which I am really excited about. I know that technology and IT systems may not seem super interesting to people, but I do think that you really drive to the central point, which is how can citizens, consumers, small businesses really understand what the government is offering them, the resource and support, and how it can do it in a very efficient and effective way, whether agencies can use apps, whether there can be bots, tech bots that really explain programs to you, small businesses. I think this is an area—I know Senator Portman has legislation on the issue of the use of artificial intelligence (AI). There is real potential for AI and the use of AI in Government programs to make sure resources are targeting where they need to go. On the other side of that, we do need to make sure that privacy is protected.

So there is a critically important arena, and as you said, I recognize the importance of how the government works for people from my background and want to ensure that we use technology to really best target resources to families, to people, to small businesses, to communities that need those resources. I think there is a real wealth of ways we can do that going forward.

Senator Rosen. Thank you so much for that. As a former programmer, I look forward to modernizing the IT with you.

Thank you, Mr. Chairman.

Chairman Peters. Thank you, Senator Rosen.

Ms. Tanden, we have completed a first round of questions from Members, although we are still expecting one other Member to come to ask his first round. So we are going to move to a second round. There are a number of Members that have additional questions. We are going to move to a second round, although when Senator Carper arrives, we will give him the floor. So I will start.

Ms. Tanden, the toxic forever chemicals, known as PFAS, are a significant health concern for communities in Michigan as well as around the country, and we spoke earlier about these chemicals. Although Michigan has over 200 sites, we expect we will be finding many more sites across the country in the years ahead. While Michigan and other States have been making progress setting drinking water standards, unfortunately the Federal Government has not set those standards. And as you know, OMB has a significant role in reviewing and clearing public health protections and supporting other PFAS actions.
So my question is: If confirmed, how will you manage the Federal Government’s response to the PFAS contamination crisis and ensure communities that have been dealing with this challenge for far too many years have the support that they need to get moving on with some cleanup?

Ms. TANDEN. Thank you, Senator. I really appreciate your leadership on this issue, and as we discussed, this is a challenge in Michigan but not Michigan alone. It is a problem and concern—PFAS is found in communities across the country, and I appreciate how Michigan has done tremendous work, ahead of the curve in many ways, to address PFAS. You are absolutely right that this is an issue for Federal concern because of the national scope. And President Biden has committed to ensuring that PFAS is designated a hazardous substance. As we look through the procurement process, we can make sure that we are looking at substitutes for PFAS and that we can make sure that we are enforcing safety, basic safety protections as we approach a regulatory process which really understands the impact of PFAS on communities, on health of people, and that the Federal Government is a real partner on this to address this real public health concern. I would very much welcome the opportunity to work with your staff and the Michigan delegation that has shown so much leadership on these issues.

Chairman PETERS. I appreciate that, and if confirmed, the commitment that I would like to hear from you right now is that we will get a quick OMB review of this current administration’s actions regarding this. Speed is of the essence.

Ms. TANDEN. Absolutely, Senator, I would look forward to a very expeditious review and working with your office.

Chairman PETERS. Thank you. To me it is common sense, particularly in the middle of this economic crisis, that when the Federal Government spends money, taxpayer money, that they should be spending that money on products that are made here in America to help support American workers and businesses, which are by far the best in the world.

I was pleased to see President Biden’s Executive Order strengthening Buy American provisions and creating a Made in America Office (MIAO) at the OMB.

If confirmed, what steps will you take to implement this incredibly important Executive Order? And what are your plans for leveraging the Made in America Office to ensure that American workers, businesses, and their families benefit by this action?

Ms. TANDEN. Senator, I really want to say how much I appreciate your leadership on Buy America and the leadership of many Members of this Committee on the issue of using Federal resources—the real idea behind the Executive Order was that when we are using Federal resources, that those resources should go to help create jobs in the United States, good-paying jobs in the United States. And so the Executive Order outlines a new office within the procurement office, the Made in America Office. There is also analysis of publishing all waivers so people actually understand, the public has an understanding of these issues, and also may create some incentive structures within agencies to ensure that they are really doing the work of trying to find American companies when we are allocating Federal resources. That is a top concern. But I
also look forward to working with you and other Members of this Committee on this topic, and to the extent we can push agencies and really create the right incentive structure for agencies to service the needs the consumers and the public have, but do it in a way that employs Americans with good-paying jobs, that is a central focus for the President, one of the reasons why the Executive Order was one of his—one of the Executive Orders he put out in his first week.

Chairman Peters. I appreciate that answer, and we will be working closely together on this very important topic.

The other issue that has been raised by a number of my colleagues and you have answered questions related to cybersecurity and how important it is. It is a major focus for us here in this Committee to make sure those systems are secure. But a challenge has been hiring qualified cybersecurity professionals to work in the Federal Government as well as ways to fully utilize the expertise that does exist in the government.

Last Congress, I introduced the bipartisan Federal Rotational Cyber Workforce Program Act which would create a program that allows cyber professionals within the Federal Government to rotate into positions with other agencies temporarily, to be able to move around, something where we have seen models in private industry and other places that have been very successful and making sure that individuals do not get siloed to wherever they may be, whether it is a Federal agency or a particular department within a large organization, a large company, for example. When they share that information, they develop new skills. It helps us attract talent because of the excitement of being able to see many different aspects of cybersecurity and allows us to retain experts as well. The bill passed the Senate unanimously, and I am going to be working to reintroduce this legislation in Congress.

My question to you is: If confirmed, will you commit to working with me to see this legislation enacted and then implemented? Second, what other steps would you take to ensure that Federal agencies are able to hire the talent that they need to deal with this growing threat?

Ms. Tanden. Senator, I really appreciate your leadership in recognizing that one of the challenges with cybersecurity has been the expertise of the workforce and the skills of the workforce, and being able to attract cyber experts, security experts into the Federal workforce is one of the ways that we can actually redress this problem. I would absolutely commit to working with you in this regard, also with your legislation that you have proposed. We have learned a fair amount from the U.S. Digital Service (USDS) that you can attract top talent to solve problems in the Federal Government. The USDS has been effective in working with agencies on what I would describe as “killer challenges” around technology, and that that has been an innovative mechanism in how we share information and actually use resources like that to affect cybersecurity, not just the delivery of services. I think it is something that I am very interested in exploring, but I really welcome the opportunity to work with you on your legislation because I do believe at the end of the day it is a manner and mechanism by which we will
actually protect our information of the agencies themselves and the information of the public.

Chairman Peters. Thank you. I know in our past conversations we have talked and I mentioned in my opening comments your focus on transparency and how we need to make sure that we are as transparent as possible. In the CARES Act, I actually worked closely with Senator Johnson to create detailed reporting requirements related to transparency in the pandemic relief spending that we are seeing. I would certainly hope that you would lean in heavily on that issue so that the American taxpayers have faith in how money is being spent for their best interests.

Ms. Tanden. Absolutely, Senator, and I will just briefly say that I very much appreciate and welcome the oversight role of this Committee, and I appreciate information is important for oversight, and so not just on CARES Act expenditures or COVID–19, but information this Committee is seeking, I will be a willing partner, and I will always—if there are, as I have said to various Senators in my meetings, if there are challenges with getting information, I will always work to—I will call you. I will talk with you directly about what those challenges are and the timelines, because I appreciate that policymakers need accurate information in order to make good policy.

Chairman Peters. Absolutely. Thank you for that statement.

Senator Portman, I know you have additional questions.

Senator Portman. Great. Thank you, Mr. Chairman. Ms. Tanden, I can guarantee you there will be some challenges getting information. There always is. And this Committee in particular, with our oversight responsibilities, needs that kind of transparency to do our work well. As I said earlier, most of what we do in that area is not just bipartisan; it is kind of nonpartisan. So we need that, and we have not always gotten it.

On the regulatory issues, we talked earlier a lot about the need for cost-benefit analysis, and you and I disagreed on independent agencies, I think, in terms of where they should fit in. But I hope you will take another look at that.

Ms. Tanden. Yes, absolutely, Senator.

Senator Portman. On permitting reform, you and I talked about this quite a bit in our conversation. This is an area where we have not been able to find that sweet spot between Republicans and Democrats. In 2015, legislation was passed—bipartisan, Senator McCaskill and myself—that creates this Federal Permitting Improvement Steering Council (Permitting Council) because it was part of the transportation bill, Section 41, and it has been amazing. It has helped a lot of good projects get across the finish line, and it saved a lot of money. It has created a lot of jobs. It saved over $1 billion in costs, we know. I know that is a very low, conservative estimate.

I will give you an example. There have been four recent projects that have saved substantial funding. They support 20,000 jobs, by the way. They have saved more than 10 years in permitting delays just these four projects in the last year. So this is one that works. I spent some time with the Council itself, and OMB plays a coordinating role here.
I appreciated your commitment on the call to work with me to ensure that we can lift this sunset that is on FAST–41 now without making policy changes to the law so that the Permitting Council could continue its good work past 2022.

Will you commit today to working with me to pass a sunset removal for FAST–41 that retains the current law?

Ms. TANDEN. Yes, Senator, and I do want to appreciate your leadership and the leadership of this Committee. You are absolutely right. This has been a very successful program, a 60-percent reduction in time for permitting, 60 percent since 2018. A 60-percent reduction in time is also a big savings in resources, a big savings of resources to the government, but also for people who are trying to build major projects. As we talked about in our discussion, I recognize that the long time it can take for permitting is actually a real challenge in the United States, and as you——

Senator PORTMAN. So at a time when we are all talking about infrastructure, it is very popular. It is very unpopular to talk about how to find the money for it, a big challenge. This helps the Federal dollar go further.

Ms. TANDEN. Absolutely.

Senator PORTMAN. So can you answer my question on whether you support taking off the sunset?

Ms. TANDEN. Yes, I do.

Senator PORTMAN. OK. Thank you.

On Buy America—we talked about this earlier—the Made in America Office and so on. I was pleased to see the Executive Order strengthening the Buy America Act. In some ways, by the way, it mimics the bipartisan Buy America Act that we would like to work with you on, which would codify some of those good ideas.

In other ways, this new E.O., though, does weaken the domestic content requirements, and it is troubling to me to see on Section 8 replacing the component test, so-called, with a new value-added test, replacing the component test whereby 50 percent of the components must be made in America. It appears contrary to the Buy America Act, which explicitly references that test.

Moreover, replacing the component test in order to count labor costs sounds nice, but it is counterproductive. Labor is already counted in the cost of the component. In this way, the E.O. risks reducing the amount of U.S. content being procured. So what sounds like a noble assist may actually end up throwing American workers under the bus.

What authority in the statute do you believe gives the Federal Acquisition Regulations the ability to replace the component test as a way to calculate the qualifications of U.S.-made goods?

Ms. TANDEN. First, let me say, Senator, that I really welcome the opportunity to work with you, and the intent here is to not weaken protections to ensure that we are creating jobs in the United States and helping companies in the United States. So if there is some way in which we can work with you on this, we would welcome that opportunity, because I want to say that the goal of the Buy America provision is to strengthen the ability of us in the procurement process to select American companies——

Senator PORTMAN. Thank you for taking a look at that.
Ms. TANDEN. But I just welcome that opportunity——

Senator PORTMAN. Yes, I think you will find this component one was running the other way, and I do not think it is advertent.

On the Buy America Executive Order that President Biden blocked on day one that President Trump had put into place, I also have concerns. This was a rule that increased the amount of content required to be made in America from 50 to 55 percent for iron and steel products, to 95 percent from 50 percent for iron and steel in particular. This was viewed as a big victory for American manufacturing, and especially for producing the steel industry. I understand a blanket regulatory freeze was put out in the beginning, but can you commit to adopting these improvements on behalf of American workers?

Ms. TANDEN. I would absolutely work with you to ensure that our Buy America provisions are as strong as possible.

Senator PORTMAN. OK. I think, again, it may have been inadvertent, but the impact of it is to hurt manufacturing here in this country.

On the IT front, we talked about the need to modernize, and we did pass this 21st Century IDEA bill to modernize our Federal websites, but we need to do much more. On the AI front you mentioned earlier, there are two issues. The previous administration launched a process at OMB, as you know, to articulate guidance for the regulation of AI in the private sector, and they also signed the AI in Government Act, which created a similar process to regulate our internal use of AI. So we have two things going on. Both were broadly supported by industry and civil society.

Would you commit to continuing these popular OMB processes so we can quickly and effectively get guidance out to agencies regarding the regulation of artificial intelligence?

Ms. TANDEN. Absolutely.

Senator PORTMAN. On cyber issues, this massive breach we talked about earlier, SolarWinds, confirms what we have known for a long time. Our Subcommittee here called Permanent Subcommittee on Investigations (PSI) did an investigation and a report that I led which was, unfortunately, a wake-up call saying that agencies have failed to comply year after year with the basic cybersecurity requirements, you know, basic hygiene, as they say, primarily with the Federal Information Security Modernization Act (FISMA), Federal agencies, to notify Congress if they experience a major incident.

OMB is charged with developing this guidance, by the way, to determine when a cyber attack is a major incident.

Unfortunately, in the area of SolarWinds, again, a massive attack, the worst breach we have ever had in the history of our country, only a handful of agencies reported major incidents, which is one reason, frankly, the U.S. Government was not on top of this sooner.

Can you look at that current standard and would you believe that it needs to be revisited?

Ms. TANDEN. Absolutely, and I would say transparency to the Congress and the public around cyber incidents is really vital. Obviously, consumers are affected, the public is affected by these attacks, and information is really a cornerstone.
Senator PORTMAN. I have more questions in that area with regard to OMB’s role on cyber, because, again, unfortunately this latest attack has just magnified the fact that we are woefully behind in our agencies, and, again, the private sector needs guidance as well.

One final question. I understand from my staff that you discussed the need for us to create an environment where we can be more honest about the problems facing Social Security. I would agree. It seems, however, that we need to build trust across the aisle in order to get people out of their partisan foxholes here to at least discuss these issues seriously.

Can you commit to me today that you will work in good faith to help us educate the American people about the problems facing Social Security and give Members of both parties some running room they need to start laying out potential solutions?

Ms. TANDEN. Yes, Senator. I would say President Biden has put forward ideas on Social Security solvency, lifting the payroll cap for families over $400,000 of income. But I appreciate the bipartisan interest in these issues, and I welcome a conversation about these and any way I can be a partner in that, I would welcome that opportunity.

Senator PORTMAN. Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Portman.

Senator Carper, you are recognized to ask your questions.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Thanks, Mr. Chairman. Ms. Tanden, nice to see you. Welcome.

Ms. TANDEN. Nice to see you, Senator.

Senator CARPER. When I was 29, I was elected State treasurer of Delaware, and a guy named Pete du Pont IV was elected Governor that same day. He turned out to be a great Governor. He assumed the leadership of the State with the highest marginal personal income tax rate in the country, 19.6 percent. We could not balance our budgets for nothing. We had no pension fund; we had no cash management system; we had no cash. What little we had was in a State-owned bank that was about to go under. We had the lowest rate of startups of new businesses in the country, and I got to be State treasurer. And people have referred to me sometimes as—well, they call me many things here, but among the kinder things, they called me a “recovering Governor.” But I am also a recovering State treasurer, and I believe if things are worth having, they are worth paying for.

We have a great partner in trying to make sure we get our dollars’ worth, the value from the tax dollars that we do spend, and one of the primary jobs of this Committee—as Senator Johnson knows well and Senator Peters knows well and Senator Portman knows well, one of our major jobs is to do oversight. And we have Subcommittees that focus on that here, and we have a great partner in GAO. We have a great partner in the Inspectors General.

Every 2 years, at the beginning of a new Congress, I think in February, GAO puts out what they call their High-Risk List, and I describe it as a “high-risk way of wasting money.” One of the things that GAO has harped on for years was improper payments,
including improper payments sending money to dead people. When we sent out the first round of direct payment checks, we sent out about $1.4 billion to dead people. And that is just one of many items on the High-Risk List for GAO. They are going to come up with a new list. I call it “my to-do list.” When I was Chairman of this Committee, I said, “This is my to-do list. We will just work together.” We had the opportunity to work with the administration, with GAO, with the Inspectors General to go after real waste. There really is waste. People say, oh, waste, fraud, and abuse, there is none of that. There is plenty of that. We know that.

I would just say one of the items on the High-Risk List is improper payments, sending money to dead people. We have done that. We actually did the legislation. I am proud of working with Senator John Neely Kennedy on that legislation, and Senator Rand Paul, a Member of this Committee.

But another issue, in addition to that, is payment integrity. Payment integrity makes sure that the monies that we are paying out are focused on where we need to focus.

Are you familiar with the High-Risk List?

Ms. TANDEN. Yes, I am, Senator, and I appreciate—I would actually think of the High-Risk List as a to-do list for OMB as well. It is a has a lot of issues we have talked about today, cybersecurity, the needs of the—specialization of the Federal workforce, other areas involved that have been on the High-Risk List, and I think it is—I should be able, as the Director of Office of Management and Budget, to ensure that list is——

Senator CARPER. Let me just interrupt you for a second. Thank you very much for that. One of the items that has been on the High-Risk List for a long time is giving the Internal Revenue Service (IRS) the resources they need so they could actually collect the taxes that they owe. I do not mind paying my fair share of taxes, and I do not think any of us do. We want to make sure that other people, including people a lot wealthier than us, are paying their fair share, and that is one of the perennial items on the High-Risk List. But before we start raising people’s taxes in order to right our financial ship, our fiscal ship, which needs to be righted, let us do a better job of collecting money that is owed by people. My hope is that we will get our colleagues to support doing that, including the Finance Committee that Mr. Portman and I serve on.

I want to mention postal reform. The Constitution, as you know, spells out the creation of the post office—calls for the creation of the post office really to unite us as a country, and the first Postmaster General was a guy named Ben Franklin, as you may recall. Over time, I remember, when I was a naval flight officer (NFO) in Southeast Asia, how important the mail was to all of us in my squadron. And for folks that are in the military and around the world, the same is true. But it is not quite like it was, 30 or 40 years ago.

Having said that, during this last election, with the pandemic and a lot of people afraid to go out of their houses in many cases, the idea that they could actually vote by mail and know that their vote would be counted, tabulated, and it would be safe is something that sort of renewed confidence that maybe the post office is an
idea that we should not relegate to the graveyard. And the idea that people could have packages, all kinds of stuff, including food, delivered to their homes gives the Postal Service the ability to deliver at the last mile, to partner with the folks at Federal Express (FedEx), at the United Parcel Service (UPS), and so forth. So there is, I think, a role for the Postal Service.

I just want to put this on your radar screen. This is something that needs to be addressed, and it can be. We have studied this to death. We have a pretty good idea what needs to be done. I would like to get some time on your schedule literally in the weeks to come and whoever you want to drag along with you to talk with us about this further. There are several others who share my interests, but every now and then you feel like there is a time when the time is ripe to address a particular issue, and I think this is the right time to do that. We would love it if you could be a good partner.

Long-term fiscal sustainability, the question I have there is: It took only 2 years after the end of World War II for our government to run an annual stimulus. Two years and they were back in the black. Given the need to effectively respond to the pandemic, it will likely take longer than 2 years to get our Nation back on a fiscally sustainable path.

What are the actions that you think we should take in the long run to return our country to a more sustainable fiscal path? Go ahead. I would say I think one of them—I had this conversation with the President-elect about a month ago, and we have a saying in Delaware: “The main thing is to keep the main thing the main thing.” And for us, the main thing is—and we actually talked about this. The main thing is to get on top of the pandemic, to make sure the vaccinations—that we have ample supply, we have the delivery systems, working with State and local governments and other entities, that we actually get people vaccinated, vaccinated, vaccinated. If we can do that, that is the main thing, and we are on our way to an economic recovery. But go ahead, please.

Ms. TANDEN. Senator, thank you for——

Chairman PETERS. Ms. Tanden, would you double-check your microphone to make sure it is on, please?

Ms. TANDEN. Oh, I am so sorry. My apologies.

Senator, I really appreciate the issues you raise, and just on the last one, I do recognize and I think the administration recognizes that economic recovery is our central obligation going forward, and, truthfully, a strong economic recovery will help the financial picture of the United States and redress long-term sustainability issues. I think there is various analysis of where we will be, but a stronger, more robust recovery will put us in a better financial footing going forward. We do have other challenges, the aging of the population; fiscal sustainability over the long term is a critical issue.

I have appreciated the bipartisan action over the last year to address the COVID crisis in the way we address crises, but I also recognize the importance of long-term sustainability. I would welcome the opportunity to work with you on the post office, IRS resources. It is critical that we have resources for the IRS so that we have
a more equitable assurance that all Americans are paying their fair share.

Senator CARPER. Mr. Chairman and colleagues, my wife says that I focus way too much time on postal issues, and she also says I do not focus nearly enough time on like planning for my death and my burial. The other day she was bugging me while driving home from church, and we stopped at a traffic light by a cemetery. I knew as soon as I saw the cemetery and we were going to be there for a few minutes, I knew where she was going to go. And she said, “I do not know where you want to be buried. I do not even know what you want on your tombstone. What do you want on your tombstone?” I said, “Martha, just drop it. Just let it go, just let it go.” She would not.

So then I said, “How about this?” I thought about and said, “How about ‘Return to Sender’?” “Return to Sender.” [Laughter.]

And that was the end of the conversation.

Ms. TANDEN. I am sorry. Is it OK that I laughed?

Chairman PETERS. Senator Carper, we all appreciate your passion for the Postal Service.

Ms. TANDEN. Yes, absolutely, sir.

Chairman PETERS. Indeed, it is wonderful.

Senator Johnson, you are recognized for your additional questions.

Senator JOHNSON. In Norway, there is a common phrase on a gravestone: “Takk for alt.” “Thanks for everything,” which I think is pretty appropriate.

Sorry I had to step away a couple minutes, but I appreciate the conversation on fiscal sustainability. The last time I checked, a couple days ago, the gross Federal debt is at $27.85 trillion; 21.7 is debt held by the public. It represents over 130 percent of our gross domestic product (GDP), the size of our economy. With the passage of another $1.9 trillion COVID relief package, that will put it up, combined with additional deficit spending this year, over $30 trillion, over 140 percent of GDP. If we just returned to our 40-year average interest rate, somewhere around 5 percent, that is going to add more than $1 trillion per year just in interest payments.

I guess my first question for you: Do you find that troubling? Is that something that concerns you? Because it concerns me a lot. It does not seem to concern a whole lot of people here in Washington, DC.

Ms. TANDEN. Senator, I think we should absolutely be concerned about—oh, sorry. Senator, I think we should be absolutely concerned about long-term fiscal health for the country. You focused on interest rates. Interest rates are currently at historic lows, and I do think we should recognize that even in 2018, 2019, where we had very low unemployment, relatively high GDP growth, particularly compared to the last several decades, really, interest rates remained low. Whether that is a new phenomenon or, an anomaly, I think I would say to you and commit to you that, as Director of the Office of Management and Budget, interest rates are something we would monitor very closely. Secretary Yellen the other day discussed the importance of monitoring interest rates very closely, but it has been the case that we have not experienced high interest rates or high inflation in many years.
Senator JOHNSON. So one of the things that can spark higher interest rates, first of all, is if we are no longer the world’s reserve currency. And as China gets larger and other people try to replace us as the world’s reserve currency, that is where we become Greece or worse overnight.

The other thing would be inflationary pressures, and there have been some pretty interesting articles written by Jason Furman, Lawrence Summers, former Treasury Secretary under President Clinton, and, of course, Jason Furman worked for President Obama. I think it is fair to say that they expressed concerns about overheating the economy. We have already passed $4 trillion in COVID relief. That is about 18 to 19 percent of our economy. We are contemplating, it looks like, another $1.9 trillion.

I thought a very interesting article was published by the Wall Street Journal by Senator Phil Gramm, and let me just quote some of the figures. Again, I find his figures very credible. The Wall Street Journal does a pretty good job of fact-checking this as well. But let me just kind of run these by you here.

Real per capita disposable income is up 5.5 percent year over year, 2020 versus 2019. Savings is up $1.6 trillion in 2020. Private business investment is up 25 percent. The Federal Reserve right now is estimating 2021 growth at 4.2 percent. The IMF has increased their estimate to 5.1 percent for the U.S. economy.

By the way, that disposable income growth of 5.5 percent is before the $900 billion COVID relief package even kicks in.

I think one of the interesting stats that was in that article is that average households in the bottom 20 percent of earnings—OK, the bottom 20 percent of earners—got on average $45,000 of transfer payments during 2020. $45,000. I imagine all that stuff was tax-free.

So, again, when you have Jason Furman, Lawrence Summers, and Phil Gramm concerned about overheating our economy, potentially sparking inflation, which then would have the spillover effect of driving up interest rates, again, there are still people suffering. There is no doubt about that. But I think that speaks more of the fact that the $4 trillion we spent was not directed very well.

I just kind of want your comment in terms of your concern about overheating the economy with another $1.9 trillion when, quite honestly, I think we probably have not spent or even obligated some of the other past COVID relief.

Ms. TANDEN. Senator, I appreciate the points you are making, and I would say the following: First, on GDP, the estimates on GDP growth that, we all hope take place are estimates that, 5-percent GDP growth for the latter half of 2021 would take place after a 2.5-percent contraction in 2020 from the COVID crisis. But I appreciate the points made about inflation, and inflation is an area that eats into wages and economic growth.

On the other hand, we have strategies to deal with interest rates and inflation. As you know, the Fed has tools that it no longer has to—it really has no tools to deal with economic growth, but it has tools to address interest rates and inflationary pressures.

Now, I will say to you, both myself, speaking for myself, but also Secretary Yellen discussed this the other day, which is we have to be concerned about inflationary pressures, but the real challenge
right now is that we can face a potential of significant scarring in this economy, and it is vital and I believe the President recognizes it is vital that we act.

Senator JOHNSON. Again, I think our economy is just poised to take off. There is such pent-up demand. There is a dramatic increase in savings and disposable income. It is going to take off on its own.

Again, there are people hurting, so I want to talk a little bit about targeting, for example, the direct payments. The first two rounds were just shotgun out to everybody, and I will give you the facts on that. The depth of the COVID recession, we were down about 25 million jobs from a record number of jobs in January 2020. Right now we are about 9 million jobs down, but those direct payment checks went out to 166 million Americans, about 115 million households. According to a study by the Federal Reserve Bank of New York, only 18 percent of that first round of stimulus checks was spent on essential items; 11 percent was spent on donations nonessential; 36 percent on savings; 35 percent on debt payments. The second round, even less would be spent on essentials.

So wouldn’t it make sense in this next round as they are crafting this bill to really target any direct payments—by the way, we spent about half a trillion dollars on direct payments, and, again, a very small percent went to essential payments, $45,000 on average to the bottom 20 percent of income earners in terms of transfer payments. Can’t we do a better job, when we are $30 trillion in debt, of targeting?

Ms. TANDEN. Senator, I hear you on some of the—there is targeted support within the American Recovery Plan around unemployment insurance, Supplemental Nutrition Assistance Program (SNAP), and other areas. I do think that one of the benefits of the CARES process is that we learned that direct payments did insulate a lot of suffering, and it is sometimes hard to target our resources to the families who are struggling.

I think what we learned in the CARES package, we were able to insulate a lot of the suffering from the actions that were quick and to some degree really directed checks to a broad swath of the public.

Senator JOHNSON. Again, I would love to work with the administration to try and target this, and, again, I know it is not easy, but I think it is essential. Thank you.

Ms. TANDEN. Thank you, Senator.

Senator JOHNSON. Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Johnson.

Senator Ossoff, for your additional questions.

Senator Ossoff. Thank you, Mr. Chairman.

Ms. Tanden, we are in the midst now of this debate, as we just heard from Senator Johnson, regarding these direct payments and what the income thresholds should be. I want to just paint a picture of a story that I think is all too common in our country right now.

A nurse in Georgia who has been working on the front lines of this pandemic for the last year, working extraordinarily long hours, at grave personal risk, many front-line health care workers who have themselves been infected, who have then had to isolate from
their own families, many front-line health care workers in Georgia like so many workers across the country who have had to bear the burden of child care obligations amidst the full or partial closures of public schools, all of the stress, anxiety, and costs that have been crushing working-class and middle-class families in this country for the last year.

According to the Bureau of Labor Statistics (BLS), the average annual salary of a registered nurse in the United States is $77,000. Do you agree with me that nurses in this country need and deserve economic relief?

Ms. TANDE. I do, Senator, and I would also just acknowledge the incredible role they have played in saving lives and keeping our society together during this COVID crisis.

Senator O SSOFF. And that working people in this country at those income levels need the kind of relief that has been promised to them? I commend the President and Vice President in their Rescue Plan for proposing to provide direct economic relief to people making incomes at those levels. Do you concur with the President’s Rescue Plan?

Ms. TANDE. Absolutely, and I do think is recognizes that families are suffering in many different ways, and that is why this support is so critical.

Senator O SSOFF. How do you think it might reflect upon this institution, if I could ask you to comment as you see fit, were we to ignore the pain and suffering of nurses in this country, teachers in this country who are making working-class and middle-class incomes, who have gone through all of the pain of the last year, were we in the Senate—were we not as public servants able to summon the will to deliver the direct relief that people so desperately need right now?

Ms. TANDE. Senator, I would just say that I think for all policymakers, the fact that the Congress has acted in the past quickly and aggressively has given some people hope, and I think we should try to continue at this very scary time for many families to provide that hope with real resources to all families that are in need.

Senator O SSOFF. Thank you so much.

I want to discuss rural health care with you for a moment. Georgia has lost nine rural hospitals in the last 10 years. The hospital in Cuthbert, Georgia, closed in October in the middle of the pandemic.

Will you commit to working with my office to determine which Federal programs are available to surge health care capacity and resources authorized by Congress for the provision of rural health care and rural health clinics in Georgia and rural communities across the country?

Ms. TANDE. I will absolutely work with you in this regard. This is an important priority also for President Biden, and if I am privileged to be confirmed, I would welcome the opportunity to work with you on this. I would also just say that rural hospitals, the importance—rural hospitals are important institutions at all times, but during the COVID crisis, to ensure that we are reaching rural communities, it is vital that we buildup the health infrastructure
in rural communities. I really welcome the opportunity to work with you on this topic.

Senator OSSOFF. Thank you so much.

I would also like to discuss the port of Savannah in Georgia. This is one of the most vital transportation infrastructure components in the United States. It handles around 10 percent of all containerized cargo in the United States. It is one of the largest and fastest growing ports in the world. It is vital to Georgia’s economy, to the U.S. economy; it is also of geopolitical and strategic significance.

The project to deepen the port of Savannah is now nearly 40 percent over budget and 2 years behind schedule, and I was just discussing this this morning with Savannah Mayor Van Johnson. It is currently scheduled to be completed in January 2022.

Will you take personal responsibility for and commit to working with my office and with Mayor Johnson and local officials in Georgia to ensure that Federal resources to complete the deepening of the port of Savannah flow is swiftly and precisely as possible?

Ms. TANDEN. If I am confirmed, I would welcome the opportunity to work with you and the mayor to ensure that we are working as expeditiously as possible on this port.

Senator OSSOFF. Thank you so much.

A final question for you, Ms. Tanden. This is about corporate influence in the regulatory process, and I think although there is a lot of partisanship in Washington and the Senate, we can agree that corporate influence in policymaking, in rulemaking, in national politics is something that is a problem when either party is in power here.

What steps will you take in your capacity as the leader of OMB, which plays such an important role in reviewing and overseeing the regulatory and rulemaking processes across the Federal Government, to ensure that new regulations do not just benefit the most powerful trade groups and entrenched interests who have lobbying and advocacy power and who can influence the rulemaking process and to ensure that regulations, whether they are new or to conduct a review of existing and past regulations, are not anti-competitive and damaging to competition in the marketplace?

Ms. TAN gen. Thank you, Senator, for raising what I consider one of—really a critical issue in the rulemaking process and one that President Biden was, I believe, trying to get to when he talked about equity in the rulemaking process. Really, to be frank in the rulemaking process, corporations, special interests have a big voice in Washington and can overwhelm the rulemaking process, and really I am absolutely committed to a rulemaking process that is focused on social welfare, the public good, ensuring rules are protecting Americans in all their spheres, and making sure that the voices of real people and their needs and their protections are primary and not secondary to corporate or special interests is a primary goal for us.

Senator OSSOFF. Thank you.

Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Ossoff, and once again, congratulations as a new Member of the Committee, and here in your first hearing you get the last word, so it is a very auspicious occasion.
Ms. Tanden, thank you for your testimony here today. We will now be closing out the hearing, and I have a little bit of housekeeping as we do that.

Ms. Tanden has made financial disclosures and provided responses to biographical and prehearing questions submitted by this Committee. Without objection, this information will be part of the hearing record, with the exception of the financial data, which are on file and available for public inspection in the Committee offices.

The hearing record will remain open until 12 p.m. tomorrow, February 10th, for the submission of statements and questions for the record.

With that, this hearing is adjourned.

Ms. TANDEN. Thank you so much, Senator.

[Whereupon, at 12:01 p.m., the Committee was adjourned.]

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1The information of Ms. Tanden appears in the Appendix on page 58.
APPENDIX

Opening Statement of Chairman Gary C. Peters
Nomination of Neera Tanden to be Director, Office of Management and Budget
February 9, 2021

I’m honored to preside as Chairman of this Committee for the first time today. I am looking forward to working closely with our new Ranking Member, Senator Portman, and all of my colleagues, to tackle the tough challenges our nation is facing.

I’m also excited to welcome our Committee’s two newest members, Senator Alex Padilla from California and Senator Jon Ossoff from Georgia.

Welcome, we are thrilled to have you here, and I look forward to working with you.

This Committee has a longstanding tradition of bipartisanship, and coming together to get things done. Given the many serious challenges facing our nation, we have a lot we need to accomplish.

I look forward to working with everyone on this Committee to find common ground, and commonsense solutions, to strengthen our national security, and ensure that government is working effectively for taxpayers.

Today, our Committee is considering the nomination of Ms. Neera Tanden to serve as the Director of Office of Management and Budget.

Welcome Ms. Tanden, good to see you, and your family, here today. Congratulations on your historic nomination. Thank you for your willingness to serve our nation.

The Office of Management and Budget, or OMB, plays a central role in developing and implementing the President’s budget and policy agenda across the federal government. To put it simply, the Director of OMB is charged with ensuring that every part of the federal government is effectively serving the American people.

Ms. Tanden, this is a job that is not easy under the best of circumstances. Once confirmed, you will step into this role while our country continues to grapple with a historic public health and economic crisis. However, after our conversations, I am confident that your decades of experience in public service have prepared you to tackle this vital role.

You know firsthand the struggles that working and middle class families, small businesses, and frontline workers in Michigan and across the country confront every day.

Your experience has taught you how much the federal government can help support hardworking families, and create opportunities. In fact, you have devoted much of your career in public service to championing economic policy that benefits all Americans.

We are nearly one year into dealing with a pandemic that has decimated our economy and the livelihoods of too many Americans.
We need strong leadership at OMB to coordinate the additional support families across the country need. They need emergency relief, they need vaccines, and they need guidance to help swiftly and safely reopen our economy. As Director of OMB, you will play a key role in steering the country towards a national recovery.

You will also be responsible for coordinating efforts to address many of the long-term challenges our nation faces, including protecting our cybersecurity infrastructure, growing domestic manufacturing jobs, and even fighting climate change.

Communities in my home state of Michigan, and across the country, are also struggling to address the widespread PFAS contamination crisis. I hear from Michiganders every day about how exposure to these harmful chemicals are affecting their homes and their families. Once confirmed, you’ll be responsible for coordinating the federal government’s response to this monumental problem.

You will also play a critical role in ensuring that taxpayer dollars are spent responsibly. That is why I appreciate your robust commitments to transparency, accountability, and working with Congress in a bipartisan manner.

Given OMB’s role at the center of the federal government, you will be charged with ensuring government is addressing the unique needs of communities of color and most vulnerable populations.

You’ll also be a key player in the effort to reinvigorate a federal workforce that has been decimated in recent years.

Your perspective, and commitment, will be critical to ensuring that OMB, and the federal government, is delivering for the American people every single day.

That is why you have received support from numerous organizations, such as the U.S. Chamber of Commerce, and over 100 public health experts, have written to this committee in support of your nomination.

Without objection, I will enter these letters into the record.

Today’s hearing is an important opportunity for me and my colleagues to have a thorough discussion about how you plan to lead OMB, and how we can all work together in a bipartisan manner to address the serious challenges we face today.

Thank you again for your willingness to serve, and for being here with us today.

With that, I will turn it over to Senator Portman.
I’m glad to join this hearing today, and Ms. Tanden, I appreciated our telephone call last week. As a former OMB Director, I know how important the role is. It’s crucial that the director have an understanding of regulatory law and government management, as well as a broad awareness of the array of policy issues that the office reviews and coordinates. And because of the coordinating role OMB plays, it’s imperative that the Director can work productively both within the administration and with members of Congress on both sides of the aisle.

Cooperation across the aisle is especially important as our nation confronts several crises at once. We have to work together to address the COVID-19 pandemic, including the effects on our public health, the economy, and students’ education. And we have to work together to counter cyber threats to the public and private sectors like the massive cyber attack, Solar Winds—OMB plays a significant role in directing our national cybersecurity strategy.
We also should cooperate to build on the economic and regulatory progress we have made over the last several years. The Trump Administration prioritized reviewing the efficacy of regulations and created processes to ensure that the administrative state engaged in rigorous cost-benefit analysis.

Many of those regulatory changes helped job creators, like small businesses, get more people working. We need those jobs as we continue to work to emerge from the pandemic. And the Council of Economic Advisers estimated that after five to ten years, that kind of restrained approach to federal regulation would raise real incomes by $3,100 a year. I hope the new administration will build on these efforts to reduce the regulatory burden and not unduly expand government interference in people’s businesses and lives.

And I hope that the new administration and OMB will work with me on lifting the sunset on a bipartisan law I authored in 2015 called FAST-41, which helped coordinate the federal permitting process for some of the largest infrastructure projects. Again—this is about good jobs, and our infrastructure badly needs improvement.
Ms. Tanden, I look forward to hearing your thoughts today about these and other issues and your goals should you be confirmed as OMB Director.
Hearing before the U.S. Senate Committee on Homeland Security and Governmental Affairs

Ms. Neera Tanden
Nominee to be Director, Office of Management and Budget
February 9, 2021

Chairman Peters, [Incoming] Ranking Member Portman, and Members of the Committee—

I am humbled and honored to be here today as President Biden’s nominee to serve as Director of the Office of Management and Budget. I want to begin by thanking Senators Booker and Klobuchar for their gracious introductions, and by recognizing my family: my husband, Ben; my daughter, Alina; my brother, Raj; and my mother, Maya—all of whom are here with me, as well as my son Jaden, who is supporting me from his school.

I owe my presence here to their love and support—and to the grit and resilience of my mother: an immigrant from India who was left to make it on her own in America with two young children after her divorce from my father.

Back then she faced a harsh choice—stay in the United States and rely on the social safety net or return to India where she knew her children would face the stigma of divorce. She had faith in this country and made the decision—I believe the courageous decision—to stay.

We relied on food stamps to eat, and Section 8 vouchers to pay the rent. At school, I remember being the only kid in the cafeteria line who used ten-cent vouchers from the Free Lunch Program. I remember using food stamps at the grocery store.

Within just a few years, my mother found a job, and a few years later she was earning a middle class salary. Soon, she was able to buy a home, and eventually see her children off to college and beyond.

I spend every day of my life grateful for a nation, and a government, that had faith in my mother and in me—that invested in our humanity and gave me a fair shot to pursue my potential.

As I sit before this Committee, I’m mindful that my path in life would never have been possible without budgetary choices that reflected our nation’s values—many of them made in the very agency I am now nominated to lead.

That recognition and gratitude has been the north star of my career. I’ve spent the past twenty years at the forefront of some of our country’s most important policy debates. And for the past decade, I’ve led a major think tank that engages many areas that OMB handles every day—from budget plans, to regulatory proposals, to efforts to make government more effective.

My experience also extends to both the legislative and executive branches, having served in the U.S. Senate, at the White House under President Clinton, and at an agency under President Obama.
I believe that experience provides me with a strong foundation to lead OMB.

I also know the role of OMB Director is different from some of my past positions. Over the last few years, it’s been part of my role to be an impassioned advocate. I understand, though, that the role of OMB Director calls for bipartisan action, as well as a nonpartisan adherence to facts and evidence.

OMB will play a vital role in addressing many of the biggest challenges we face: from beating back the virus, to delivering aid that will help ensure a strong economic recovery for all families, to ensuring we build back better than before.

If I am privileged to serve as Director, I would ensure that OMB uses every tool at its disposal to efficiently and effectively deliver for working Americans, small businesses, and struggling communities.

I would vigorously enforce my ironclad belief that our government should serve all Americans—regardless of party—in every corner of the country.

I would ensure that our budgets reflect the values of a nation built on hard work, human dignity, common purpose, and boundless possibility.

And I would work in good faith with all Members of this Committee to tackle the challenges Americans are facing, to address duplication or ineffective programs, to be responsive to you and your staff’s inquiries, and to assist the Committee in its important oversight role.

Let me finally say this. As a child in line with my mom at that grocery store—feeling shy and a bit embarrassed as my mother used foods stamps instead of money—I never dreamed that one day I would be sitting in this august room, with great leaders like all of you. I am so incredibly grateful for the opportunities this country has given me. And I am profoundly honored by the possibility to serve and to help ensure we provide real opportunities for those who come after us.

Thank you for inviting me before this Committee, and I look forward to your questions.
HSGAC BIOGRAPHICAL QUESTIONS FOR EXECUTIVE NOMINEES

1. Basic Biographical Information

Please provide the following information.

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<th>Name of Position</th>
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<td>November 30, 2020</td>
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City: Washington State: DC Zip: 20005
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## Marital Status

Check All That Describe Your Current Situation:

- Never Married
- Married
- Separated
- Annulled
- Divorced
- Widowed

- [ ] Never Married
- [x] Married
- [ ] Separated
- [ ] Annulled
- [ ] Divorced
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2. **Education**

List all post-secondary schools attended.

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<td>Yale Law School</td>
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### Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

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<tr>
<td>Jones Day</td>
<td>Summer Associate</td>
<td>Washington, DC</td>
<td>07/1994</td>
<td>08/1994</td>
<td></td>
</tr>
<tr>
<td>Education Committee,</td>
<td>Jesse Marvin Unruh Fellow</td>
<td>Sacramento, CA</td>
<td>11/1992</td>
<td>08/1993</td>
<td></td>
</tr>
<tr>
<td>California State Assembly</td>
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</tr>
<tr>
<td>California Clinton</td>
<td>California Democratic Party Fellow</td>
<td>Los Angeles, CA</td>
<td>09/1992</td>
<td>11/1992</td>
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<tr>
<td>Gore Campaign, Los Angeles</td>
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<tr>
<td>UCLA Orientation</td>
<td>Counselor</td>
<td>Los Angeles, CA</td>
<td>06/1992</td>
<td>08/1992</td>
<td></td>
</tr>
<tr>
<td>Non-government employment</td>
<td></td>
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</tr>
</tbody>
</table>
(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<table>
<thead>
<tr>
<th>Name of Government Entity</th>
<th>Name of Position</th>
<th>Date Service Began (month/year) (check box if estimate)</th>
<th>Date Service Ended (month/year) (check box if estimate)</th>
</tr>
</thead>
<tbody>
<tr>
<td>State of New Jersey Governor’s Restart and Recovery Commission,</td>
<td>Commission Member</td>
<td>04/2020</td>
<td>11/2020</td>
</tr>
<tr>
<td>CDC</td>
<td>Advisory Committee to the Director Policy Workgroup</td>
<td>09/2010</td>
<td>09/2011</td>
</tr>
</tbody>
</table>

4. Potential Conflict of Interest

(A) Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

None. I will comply with ethics requirements and Biden ethics policies regarding recusal from recent employers. My financial interests consist of diversified mutual funds, real property, and cash or cash equivalents. I do not believe that my financial interests or dealings would create a conflict, or even the appearance of a conflict of interest in carrying out my official duties.

In addition, I will comply with all applicable laws and regulations and take any steps recommended by agency ethics officials and the Office of Government Ethics in order to avoid conflicts of interest.

(B) Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.
- **Coronavirus**
  - Relief
    - Supported CARES and various relief packages
  - Efforts to fight the virus
    - Supported state-based social distancing steps early in the virus, and continued to work with states on measures to combat the virus.
    - Supported Sen. Baldwin’s legislation to require Trump to use DPA to expedite the procurement of medical equipment and other essential goods to combat the spread of the coronavirus.

- **Health Care**
  - Led CAP’s work to stop efforts to weaken or repeal the Affordable Care Act (ACA) in 2017.
    - In July of 2017, I called for a bipartisan effort to improve the health care system. Working with our colleagues at AEI, CAP co-hosted Governors John Hickenlooper (D-CO) and John Kasich (R-OH) to discuss what strategies would best support states in their effort to get people covered at the lowest possible cost. Many of their ideas, as well as those outlined in this CAP proposal, ultimately became the foundation of bipartisan Alexander-Murray marketplace stabilization legislation.

- **Combating Climate Change**
  - Support for Paris Climate Agreement
    - Opposed the Trump administration’s decision to withdraw from Paris.
    - Advocated for H.R. 9, the Climate Action Now Act, to require the U.S. to remain in the Paris agreement beyond 2020.
  - Opposed the Trump administration efforts to weaken Clean Car Standards.
  - Supported the Clean Power Plan initiated under the Obama administration and opposed its rollback under President Trump.

- **Immigration**
  - Supported passage of H.R. 6, the American Dream and Promise Act, and blocking the Trump administration from terminating DACA and TPS protections.
  - Opposed the Trump administration’s family separation/family incarceration policies.
  - Opposed the inclusion of a citizenship question as part of the U.S. Census.
  - Opposed Trump’s Muslim Ban and urged passage of the No BAN Act.
  - Supported Obama’s 2014 immigration executive orders, including expanded DACA eligibility and DAPA, after opposing the White House’s decision to delay action.
  - Vocal supporter of the bipartisan Gang of 8’s immigration reform efforts and worked with Senators on both sides to develop and pass legislation.

- **Criminal Justice Reform**
  - Endorsed the First Step Act signed by President Trump.
● Working with the Coalition for Public Safety, CAP has been a leader in championing Clean Slate legislation in Michigan, Pennsylvania, and Utah and supports the bipartisan Clean Slate bills in the U.S. House and U.S. Senate.

● I supported the Obama administration’s Office of Personnel Management rule to “ban the box” for federal jobs.

● LGBT Equality
  ○ I have advocated for the Equality Act, which CAP helped develop and build support for over many years.
  ○ In 2013, I voiced support for the Employment Non-Discrimination Act (ENDA), following the bill’s passage in the Senate.

● Gun Violence
  ○ Following the December 2012 Sandy Hook massacre, I co-authored a brief outlining legislative and executive actions to curb gun violence, including expanding background checks.
  ○ CAP advocates for passage of the common-sense gun safety package that failed in the Senate in March of 2013.

● Increasing Wages
  ○ Legislative
    ■ Advocated for passage of the Raise the Wage Act – the original $12/hour version as well as the $15/hour version that passed the House in 2019. I’ve also voiced support for state and local efforts to increase the minimum wage, like New York and Seattle.
  ○ Administrative
    ■ Supported the Obama administration’s executive action to increase the minimum wage for new federal workers to $10.10/hour. Supported Obama rule to expand FLSA protections to direct care workers to ensure they are being paid the minimum wage.
    ■ Supported the Obama administration’s efforts to expand access to overtime for more federal workers – and opposed the Trump administration’s effort to rollback the rule.

● Budgets
  ○ Co-author of CAP’s long-term deficit reduction proposal that that put both tax and spending reforms on the table to achieve a debt-to-GDP ratio below 72 percent by 2022.
  ○ I was a vocal opponent of sequestration’s budget cuts, arguing that as the deficit shrinks, jobs – not budget cuts – should be Congress’s priority. I oversaw the development of various CAP policy products that detail the impact of sequestration cuts to vital programs, like Head Start.
  ○ CAP outlined a plan to replace the sequester ahead of the 2013 bipartisan budget deal agreed to by Sen. Patty Murray and Rep. Paul Ryan, which I referred to as “a step in the right direction.”
  ○ I supported the Bipartisan Budget Act of 2015, arguing it would “avert a series of unnecessary and damaging fiscal crises that would be caused by sequestration, a default on the national debt, sharp benefit cuts for Americans with disabilities, and premium spikes for Medicare beneficiaries.”

● Support for Child Care and Expanding Access to Pre-Kindergarten
○ Advocated for the Child Care Is Essential Act, which passed the U.S. House in July 2020 with bipartisan support, to support child care providers struggling amidst the pandemic.
  ■ Hosted child care providers for an event in May 2020 to talk about how the pandemic has impacted them and call on Congress to pass relief funding for the child care industry.
○ Supported the 2018 bipartisan budget deal’s increase in funding for the Child Care Development Block Grant.
○ CAP helped conceive and has been a long-time champion for the Child Care for Working Families Act, which would limit the amount families must spend on child care to the amount HHS says is affordable for families, 7 percent of household income.

- Support for Paid Leave
  ○ Legislative
    ■ FAMILY Act
      ● I joined Sen. Kirsten Gillibrand and Rep. Rosa DeLauro in 2013 for an event to unveil their legislation the FAMILY Act, which would establish the nation’s first comprehensive paid family and medical leave system.
      ● CAP has been a long-time proponent of the legislation since.
    ■ I have supported state and local efforts to extend paid sick leave and comprehensive family and medical leave.
  ○ Administrative
    ■ I supported President Obama’s executive order to extend paid sick leave protections to nearly 300,000 federal contractors.
5. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

- American India Foundation Honoree
- Friends of Cancer Research Cancer Leadership Award
- Asian American Action Fund Catalyst Award recipient
- India Abroad Publisher’s Special Awards for Excellence
- Creating a Voice Award for dedication to public service, Project IMPACT
- Jesse Marvin Unruh Fellow
- Sam Law Leadership Award
- Phi Beta Kappa

6. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of $1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam’s Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

None.

<table>
<thead>
<tr>
<th>Name of Organization</th>
<th>Dates of Your Membership (You may approximate.)</th>
<th>Position(s) Held</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>
### 7. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?
No.

<table>
<thead>
<tr>
<th>Name of Office</th>
<th>Elected/Appointed/ Candidate Only</th>
<th>Year(s) Election Held or Appointment Made</th>
<th>Term of Service (if applicable)</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere

<table>
<thead>
<tr>
<th>Name of Party/Election Committee</th>
<th>Office/Services Rendered</th>
<th>Responsibilities</th>
<th>Dates of Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Democratic Party</td>
<td>Member of Platform Drafting Committee (volunteer role)</td>
<td>Helped Draft the Democratic Platform of 2016 as first draft that was then submitted to the Platform Committee</td>
<td>June and July 2016</td>
</tr>
<tr>
<td>Hillary Clinton Transition Team</td>
<td>Co-chair</td>
<td>Oversaw preparations for possible transition</td>
<td>August-November 2016</td>
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</tbody>
</table>
(C) Itemize all individual political contributions of $200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

<table>
<thead>
<tr>
<th>Name of Recipient</th>
<th>Amount</th>
<th>Year of Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Haley Stevens</td>
<td>$500</td>
<td>2019</td>
</tr>
<tr>
<td>Sara Gideon</td>
<td>$500</td>
<td>2020</td>
</tr>
<tr>
<td>Whitney Williams</td>
<td>$250</td>
<td>2020</td>
</tr>
<tr>
<td>Thiru Vignarajah</td>
<td>$200</td>
<td>2020</td>
</tr>
<tr>
<td>Cory Booker</td>
<td>$200</td>
<td>2019</td>
</tr>
<tr>
<td>Whitney Williams</td>
<td>$250</td>
<td>2019</td>
</tr>
<tr>
<td>Thiru Vignarajah</td>
<td>$500</td>
<td>2018</td>
</tr>
<tr>
<td>Ben Jealous</td>
<td>$200</td>
<td>2018</td>
</tr>
<tr>
<td>Haley Stevens</td>
<td>$500</td>
<td>2018</td>
</tr>
<tr>
<td>Ed Meier</td>
<td>$250</td>
<td>2017</td>
</tr>
<tr>
<td>Haley Stevens</td>
<td>$500</td>
<td>2017</td>
</tr>
<tr>
<td>Buffy Wicks</td>
<td>$200</td>
<td>2017</td>
</tr>
<tr>
<td>Bill de Blasio</td>
<td>$500</td>
<td>2017</td>
</tr>
<tr>
<td>Hillary Clinton</td>
<td>$1,400</td>
<td>2016</td>
</tr>
<tr>
<td>Hiral Tiperneni</td>
<td>$200</td>
<td>2018</td>
</tr>
</tbody>
</table>
8. **Publications and Speeches**

(A) List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet. Please provide the Committee with copies of all listed publications. In lieu of hard copies, electronic copies can be provided via e-mail or other digital format.

<table>
<thead>
<tr>
<th>Title</th>
<th>Publisher</th>
<th>Date(s) of Publication</th>
</tr>
</thead>
<tbody>
<tr>
<td>Five Paths to Global Respect</td>
<td>Democracy Journal</td>
<td>October 23, 2020</td>
</tr>
<tr>
<td>Holding Trump—and Future Trumps—Accountable</td>
<td>Democracy Journal</td>
<td>October, 2020</td>
</tr>
<tr>
<td>Neera Tanden. Like Trump, I know the pain of COVID-19, and how challenging recovery can be</td>
<td>USA Today</td>
<td>October 3, 2020</td>
</tr>
<tr>
<td>Like Kamala Harris, I'm the daughter of an Indian immigrant. We are the American story. Tanden</td>
<td>USA Today</td>
<td>August 14, 2020</td>
</tr>
<tr>
<td>Donald Trump Championed economic revival. He has achieved the opposite.</td>
<td>USA Today</td>
<td>July 17, 2020</td>
</tr>
<tr>
<td>A National and State Plan to End the Coronavirus Crisis</td>
<td>Center for American Progress</td>
<td>April 3, 2020</td>
</tr>
<tr>
<td>Deficit and Debt Shouldn’t Factor Into Coronavirus Recession Response</td>
<td>The Roosevelt Institute</td>
<td>March 19, 2020</td>
</tr>
<tr>
<td>Public Health Requires an Extraordinarily Aggressive Economic Response to Coronavirus Immediately One That’s Larger Than What Many Imagine</td>
<td>Center for American Progress</td>
<td>March 17, 2020</td>
</tr>
<tr>
<td>How partisan gerrymandering leads to more gun violence</td>
<td>CNN</td>
<td>December 19, 2019</td>
</tr>
<tr>
<td>Title</td>
<td>Source</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Trump’s tax law expanded the child tax credit to the wealthy, and left 26 million children behind</td>
<td>NBC News</td>
<td>April 2, 2019</td>
</tr>
<tr>
<td>Nancy Pelosi beat Trump at his own game — and she’ll do it again and again</td>
<td>NBC News</td>
<td>January 28, 2019</td>
</tr>
<tr>
<td>Outraged by Brett Kavanaugh confirmation? Make 2018 another Year of the Woman</td>
<td>USA Today</td>
<td>November 1, 2018</td>
</tr>
<tr>
<td>The Republican Party is now Trump’s Corruption Party. Here’s how to fix the GOP and DC</td>
<td>USA Today</td>
<td>August 30, 2018</td>
</tr>
<tr>
<td>The primaries don’t show Democrats divided. They show a party mature enough to handle debate.</td>
<td>NBC News</td>
<td>August 9, 2018</td>
</tr>
<tr>
<td>Broken Norms Should End Business-As-Usual Nominations</td>
<td>Law360</td>
<td>July 23, 2018</td>
</tr>
<tr>
<td>Supreme Court Janus case is bigger than unions. Upward mobility is at stake.</td>
<td>USA Today</td>
<td>February 26, 2018</td>
</tr>
<tr>
<td>We can do better than tax breaks for the mega rich: Neera Tanden</td>
<td>Women’s Agenda</td>
<td>February 22, 2018</td>
</tr>
<tr>
<td>Republicans’ fiscal hypocrisy is fully on display in the tax bill</td>
<td>NBC News</td>
<td>November 30, 2017</td>
</tr>
<tr>
<td>No More Complicity in Gun Violence</td>
<td>U.S. News &amp; World Report</td>
<td>October 6, 2017</td>
</tr>
<tr>
<td>Why the Fight for $15 Matters for the Millennium Generation, and for All Women</td>
<td>Teen Vogue</td>
<td>September 4, 2017</td>
</tr>
<tr>
<td>The bipartisan way to strengthen health care</td>
<td>The Washington Post</td>
<td>July 18, 2017</td>
</tr>
<tr>
<td>Title</td>
<td>Source</td>
<td>Date</td>
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<tr>
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<tr>
<td>Cruz plan isn’t the improvement the GOP wants us to think it is</td>
<td>Houston Chronicle</td>
<td>July 13, 2017</td>
</tr>
<tr>
<td>Bipartisan Legislation to Lower Premiums and Stabilize Insurance</td>
<td>Center for American Progress</td>
<td>June 29, 2017</td>
</tr>
<tr>
<td>Markets</td>
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<tr>
<td>GOP plan yanks lifesaving health care for millions</td>
<td>Orlando Sentinel</td>
<td>June 27, 2017</td>
</tr>
<tr>
<td>The Kremlin’s Election Meddling Is Paying Off</td>
<td>The Atlantic</td>
<td>June 24, 2017</td>
</tr>
<tr>
<td>Black Lives Matter: a new moment for transformation</td>
<td>The Progressive Post</td>
<td>June 18, 2020</td>
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<tr>
<td>The Secret Bill That Could Destroy Obamacare</td>
<td>Center for American Progress</td>
<td>June 15, 2017</td>
</tr>
<tr>
<td>Toward a Marshall Plan for America</td>
<td>Center for American Progress</td>
<td>May 16, 2017</td>
</tr>
<tr>
<td>What American progressives should learn from France’s Macron</td>
<td>The Washington Post</td>
<td>May 9, 2017</td>
</tr>
<tr>
<td>The health care war is far from over: Neera Tanden</td>
<td>USA Today</td>
<td>March 31, 2017</td>
</tr>
<tr>
<td>Every Single False Republican Criticism of Obamacare Applies</td>
<td>Los Angeles Times</td>
<td>March 13, 2017</td>
</tr>
<tr>
<td>Perfectly to Trumpcare</td>
<td></td>
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<tr>
<td>France Should Beware—You’re Putin’s Next Target</td>
<td>Le Monde</td>
<td>February 14, 2017</td>
</tr>
<tr>
<td>The Method to the Madness</td>
<td>Medium</td>
<td>January 26, 2017</td>
</tr>
<tr>
<td>Donald Trump Doesn’t Deserve The Support Of American Hindus</td>
<td>HuffPost</td>
<td>September 22, 2016</td>
</tr>
<tr>
<td>Healthcare for All: The Unfinished Business of a Nation</td>
<td>State of Black America</td>
<td>May 17, 2016</td>
</tr>
<tr>
<td>Topic</td>
<td>Author/Source</td>
<td>Date</td>
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<tr>
<td>What’s Shaping the Global Progressive Movement</td>
<td>The Wall Street Journal</td>
<td>March 11, 2016</td>
</tr>
<tr>
<td>America Should Be the Best Place to Raise a Child — Not the Hardest</td>
<td>The Huffington Post</td>
<td>May 2, 2016</td>
</tr>
<tr>
<td>The Hillary I Know Will Do Wonders for Women</td>
<td>POLITICO Magazine</td>
<td>February 2016</td>
</tr>
<tr>
<td>If Canada Can Have a Half-Female Cabinet, Why Can’t We?</td>
<td>Politico Magazine</td>
<td>November 11, 2015</td>
</tr>
<tr>
<td>What Washington Can Learn From Japan’s Domestic Policy Agenda</td>
<td>Center for American Progress</td>
<td>September 8, 2015</td>
</tr>
<tr>
<td>Defunding women’s health isn’t just irresponsible — it’s counterproductive</td>
<td>MSNBC</td>
<td>August 21, 2015</td>
</tr>
<tr>
<td>How to Foster Long-Term Innovation Investment</td>
<td>Center for American Progress</td>
<td>June 30, 2015</td>
</tr>
<tr>
<td>This Father’s Day, let’s find common ground for strengthening American families</td>
<td>The Washington Post</td>
<td>June 19, 2015</td>
</tr>
<tr>
<td>My Turn: State must fight against efforts to weaken unions</td>
<td>Concord Monitor</td>
<td>March 22, 2015</td>
</tr>
<tr>
<td>We Need a Federal LGBT Non-Discrimination Act</td>
<td>Newsweek</td>
<td>December 10, 2014</td>
</tr>
<tr>
<td>Title</td>
<td>Source</td>
<td>Date</td>
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<tr>
<td>Getting to the Bottom of ‘Grabergate’</td>
<td>The Wall Street Journal</td>
<td>November 14, 2014</td>
</tr>
<tr>
<td>Backfire: Republican Rhetoric in 2014 Will Be an Albatross for 2016</td>
<td>Center for American Progress Action</td>
<td>November 3, 2014</td>
</tr>
<tr>
<td>Miliband’s Visit to Washington Provides a Timely Reminder of the Post-Crisis Challenges Faced on Both Sides of the Atlantic</td>
<td>The Huffington Post</td>
<td>July 21, 2014</td>
</tr>
<tr>
<td>Washington is not (entirely) broken</td>
<td>The Hill</td>
<td>May 22, 2014</td>
</tr>
<tr>
<td>A New Management Structure for a New Phase of the Affordable Care Act</td>
<td>Center for American Progress</td>
<td>May 17, 2014</td>
</tr>
<tr>
<td>The Economic Budget Outlook for Individuals, Families, and Communities</td>
<td>Center for American Progress</td>
<td>February 27, 2014</td>
</tr>
<tr>
<td>A Short History of Republican Attempts to Repeal Obamacare</td>
<td>Politico Magazine</td>
<td>January 30, 2014</td>
</tr>
<tr>
<td>Comparing the Effectiveness of Health Care</td>
<td>Center for American Progress</td>
<td>January 24, 2014</td>
</tr>
<tr>
<td>Women: The changing face of U.S. poverty</td>
<td>Reuters</td>
<td>January 17, 2014</td>
</tr>
<tr>
<td>Preface to The Shriner Report: A Woman’s Nation Pushes Back from the Brink</td>
<td>The Center for American Progress</td>
<td>January 14, 2014</td>
</tr>
<tr>
<td>Washington ‘Centrists’ Don’t Want Obama to Target Inequality. They’re Pushing Bad Politics—And Bad Economics</td>
<td>The New Republic</td>
<td>December 15, 2013</td>
</tr>
<tr>
<td>Title</td>
<td>Author</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Proponents of austerity are out of ideas. We have the alternative</td>
<td>The Guardian</td>
<td>October 24, 2013</td>
</tr>
<tr>
<td>Hillary Clinton is no quitter</td>
<td>POLITICO</td>
<td>October 24, 2013</td>
</tr>
<tr>
<td>California can lead the way on diversity</td>
<td>San Francisco Chronicle</td>
<td>September 27, 2013</td>
</tr>
<tr>
<td>The Dirty Truth About Boehner’s ‘Clean’ Continuing Resolution</td>
<td>Center for American Progress</td>
<td>September 10, 2013</td>
</tr>
<tr>
<td>As the deficit shrinks, jobs not cuts should be the priority</td>
<td>The Washington Post</td>
<td>June 23, 2013</td>
</tr>
<tr>
<td>Striking Down DOMA Won’t Cause a ‘Backlash’ Against Gay Marriage</td>
<td>The Atlantic</td>
<td>March 27, 2013</td>
</tr>
<tr>
<td>Think That Think Tanks Can Be Bought? Not So Fast.</td>
<td>The New Republic</td>
<td>February 20, 2013</td>
</tr>
<tr>
<td>Universal Preschool Raises Bar for All</td>
<td>Politico</td>
<td>February 14, 2013</td>
</tr>
<tr>
<td>Investing in Our Children</td>
<td>Center for American Progress</td>
<td>February 7, 2013</td>
</tr>
<tr>
<td>Preventing Gun Violence in Our Nation</td>
<td>Center for American Progress</td>
<td>January 12, 2013</td>
</tr>
<tr>
<td>Reforming Our Tax System, Reducing Our Deficit</td>
<td>Center for American Progress</td>
<td>December 4, 2012</td>
</tr>
<tr>
<td>Title</td>
<td>Source</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td>President Obama’s Mandate for Fairness</td>
<td>The New Republic</td>
<td>November 7, 2012</td>
</tr>
<tr>
<td>U.S. Education Must Keep up With China’s, India’s Bold Programs</td>
<td>U.S. News</td>
<td>August 22, 2012</td>
</tr>
<tr>
<td>Why Democrats Need a Woman on the National Ticket</td>
<td>The New Republic</td>
<td>September 14, 2012</td>
</tr>
<tr>
<td>Fix the Tax Code!</td>
<td>The New Republic</td>
<td>March 14, 2012</td>
</tr>
<tr>
<td>The 1990s Roots of the Contraception Battle</td>
<td>The New Republic</td>
<td>March 12, 2012</td>
</tr>
<tr>
<td>The Case for the Individual Mandate in Health Care Reform</td>
<td>Center for American Progress</td>
<td>February 8, 2012</td>
</tr>
<tr>
<td>Census Data Underscore the Urgency of Enacting Job-Creation Measures</td>
<td>Center for American Progress</td>
<td>September 13, 2011</td>
</tr>
<tr>
<td>Romney’s Stupidest Idea of the Week</td>
<td>The New Republic</td>
<td>September 12, 2011</td>
</tr>
<tr>
<td>Health Care Hypocrisy</td>
<td>The New Republic</td>
<td>April 30, 2011</td>
</tr>
<tr>
<td>Mangled Mandate</td>
<td>The New Republic</td>
<td>April 7, 2011</td>
</tr>
<tr>
<td>Need for Speed</td>
<td>The New Republic</td>
<td>March 2, 2011</td>
</tr>
<tr>
<td>Democracy Also Means Opportunity</td>
<td>Center for American Progress</td>
<td>February 17, 2011</td>
</tr>
<tr>
<td>Interactive Assessment: Judge Vinson’s Affordable Care Act Decision</td>
<td>Center for American Progress</td>
<td>February 2, 2011</td>
</tr>
<tr>
<td>Title</td>
<td>Source</td>
<td>Date</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>-------------------</td>
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</tr>
<tr>
<td>After Tucson, A Reality Check</td>
<td>The New Republic</td>
<td>January 12, 2011</td>
</tr>
<tr>
<td>The Lame Duck Mystery</td>
<td>The New Republic</td>
<td>December 28, 2010</td>
</tr>
<tr>
<td>Affordable Care Is Constitutional</td>
<td>Center for American Progress</td>
<td>December 13, 2010</td>
</tr>
<tr>
<td>The Female Factor</td>
<td>The New Republic</td>
<td>October 28, 2010</td>
</tr>
<tr>
<td>An Idea a Day to Keep Jobs in Play</td>
<td>The New Republic</td>
<td>September 22, 2010</td>
</tr>
<tr>
<td>Put Up or Shut Up</td>
<td>The New Republic</td>
<td>August 14, 2010</td>
</tr>
<tr>
<td>Short-Sighted</td>
<td>The New Republic</td>
<td>July 10, 2010</td>
</tr>
<tr>
<td>Not off the Hook</td>
<td>The New Republic</td>
<td>June 29, 2010</td>
</tr>
<tr>
<td>Outsourced Racism</td>
<td>The New Republic</td>
<td>May 5, 2010</td>
</tr>
<tr>
<td>Owned</td>
<td>The New Republic</td>
<td>March 29, 2010</td>
</tr>
<tr>
<td>A Plea to Liberals</td>
<td>The New Republic</td>
<td>March 13, 2010</td>
</tr>
<tr>
<td>A Blue Dog Dream</td>
<td>The New Republic</td>
<td>March 3, 2010</td>
</tr>
<tr>
<td>Poll Tax</td>
<td>The New Republic</td>
<td>February 25, 2010</td>
</tr>
</tbody>
</table>
(B) List any formal speeches you have delivered during the last five years and provide the Committee with copies of those speeches relevant to the position for which you have been nominated. Include any testimony to Congress or any other legislative or administrative body. These items can be provided electronically via e-mail or other digital format.

<table>
<thead>
<tr>
<th>Title/Topic</th>
<th>Place/Audience</th>
<th>Date(s) of Speech</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Day Power Lunch: Politics of Voting</td>
<td>The Women’s Summer Experience. Virtual.</td>
<td>06/23/2020</td>
</tr>
<tr>
<td>Progressive National Security: The First 100 Days</td>
<td>Progressive National Security: The First 100 Days Conference. Washington, DC</td>
<td>01/14/2020</td>
</tr>
<tr>
<td>400 Years of Inequality: Breaking the Cycle of Systemic Racism</td>
<td>Boston University Dean’s Symposium. Boston, MA</td>
<td>10/18/2019</td>
</tr>
<tr>
<td>Opening remarks: Creating an Economy that Works for All”</td>
<td>SEIU and CAP Action Workers Fommt. Los Vegas, NV</td>
<td>04/27/2019</td>
</tr>
<tr>
<td>Opening remarks: Bold New Ideas</td>
<td>2018 CAP Ideas Conference. Washington, DC</td>
<td>05/22/2018</td>
</tr>
<tr>
<td>Event</td>
<td>Location</td>
<td>Date</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>The Cleaver Lecture – “Election Reflection”</td>
<td>Cleaver Program at the St. Paul School of Theology, Kansas City, MO</td>
<td>04/13/2017</td>
</tr>
<tr>
<td>The Strategic Implications of the U.S. Debt</td>
<td>Testimony before the Senate Foreign Relations Committee, Washington, DC</td>
<td>04/6/2016</td>
</tr>
<tr>
<td>20th Annual ITUP Conference Keynote</td>
<td>Insure the Uninsured Project, Sacramento, CA</td>
<td>02/9/2016</td>
</tr>
<tr>
<td>The Renewal Awards: Celebrating America’s Local Innovators Keynote Address</td>
<td>The Renewal Awards, Des Moines, IA</td>
<td>01/26/2016</td>
</tr>
<tr>
<td>City Year Women’s Leadership Breakfast Keynote Address</td>
<td>City Year, Boston, MA</td>
<td>11/6/2015</td>
</tr>
<tr>
<td>Remarks to the Japan Institute of International Affairs</td>
<td>Japan Institute of International Affairs, Tokyo, Japan</td>
<td>06/10/2015</td>
</tr>
</tbody>
</table>
(C) List all speeches and testimony you have delivered in the past ten years, except for those the text of which you are providing to the Committee.

<table>
<thead>
<tr>
<th>Title</th>
<th>Place/Audience</th>
<th>Date(s) of Speech</th>
</tr>
</thead>
<tbody>
<tr>
<td>YWCA Annual Convention Keynote</td>
<td>YWCA, Washington, DC</td>
<td>06/13/2014</td>
</tr>
<tr>
<td>Women’s Changing Role in the Workplace: How Gender Demographics Should Inform Public Policy</td>
<td>Testimony before the Senate Committee on Health, Education, Labor and Pensions, Washington, DC</td>
<td>05/20/2014</td>
</tr>
<tr>
<td>Kansas College Conference on Inequality: Keynote</td>
<td>Kansas College Conference on Inequality, Kansas, KS</td>
<td>04/11/2014</td>
</tr>
<tr>
<td>WIN’s Young Women of Achievement Awards: Keynote</td>
<td>Women’s Information Network, Washington, DC</td>
<td>02/27/2014</td>
</tr>
<tr>
<td>The Economic Budget Outlook for Individuals, Families, and Communities</td>
<td>Testimony before the Senate Budget Committee, Washington, DC</td>
<td>02/25/2014</td>
</tr>
<tr>
<td>William J. Clinton Distinguished Lecturer Address</td>
<td>Clinton School of Public Service, Little Rock, AR</td>
<td>02/24/2014</td>
</tr>
<tr>
<td>Introduction of President Barack Obama</td>
<td>An Address by The President of the United States on Jobs and the Economy, Center for American Progress, Washington, DC</td>
<td>12/4/2013</td>
</tr>
<tr>
<td>The Progressive Movement</td>
<td>Speech for the Brookings Institute Annual Summer Gala Lunch, Ottawa, Canada</td>
<td>05/22/2013</td>
</tr>
<tr>
<td>Perspective on the Near- and Long-term Health Care Policy Opportunities and Challenges</td>
<td>America’s Health Insurance Plan, Washington, DC</td>
<td>03/07/2012</td>
</tr>
<tr>
<td>Fairness, Inequality and the Presidential Debate of 2012</td>
<td>Yale Law School, New Haven, CT</td>
<td>03/07/2012</td>
</tr>
</tbody>
</table>
9. Criminal History

Since (and including) your 18th birthday, has any of the following happened?

• Have you been issued a summons, citation, or ticket to appear in court in a criminal proceeding against you?
  (Exclude citations involving traffic infractions where the fine was less than $300 and did not include alcohol or drugs.)
  No

• Have you been arrested by any police officer, sheriff, marshal or any other type of law enforcement official?
  No

• Have you been charged, convicted, or sentenced of a crime in any court?
  No

• Have you been or are you currently on probation or parole?
  No

• Are you currently on trial or awaiting a trial on criminal charges?
  No

• To your knowledge, have you ever been the subject or target of a federal, state or local criminal investigation?
  No

If the answer to any of the questions above is yes, please answer the questions below for each criminal event (citation, arrest, investigation, etc.). If the event was an investigation, where the question below asks for information about the offense, please offer information about the offense under investigation (if known).

A) Date of offense:
a. Is this an estimate (Yes/No):

B) Description of the specific nature of the offense:

C) Did the offense involve any of the following?
   1) Domestic violence or a crime of violence (such as battery or assault) against your child, dependent, cohabitant, spouse, former spouse, or someone with whom you share a child in common: Yes / No
   2) Firearms or explosives: Yes / No
   3) Alcohol or drugs: Yes / No

D) Location where the offense occurred (city, county, state, zip code, country):

E) Were you arrested, summoned, cited or did you receive a ticket to appear as a result of this offense by any police officer, sheriff, marshal or any other type of law enforcement official: Yes / No
   1) Name of the law enforcement agency that arrested/cited/summoned you:
   2) Location of the law enforcement agency (city, county, state, zip code, country):

F) As a result of this offense were you charged, convicted, currently awaiting trial, and/or ordered to appear in court in a criminal proceeding against you: Yes / No
   1) If yes, provide the name of the court and the location of the court (city, county, state, zip code, country):
   2) If yes, provide all the charges brought against you for this offense, and the outcome of each charged offense (such as found guilty, found not-guilty, charge dropped or “nolle pro,” etc.). If you were found guilty of or pleaded guilty to a lesser offense, list separately both the original charge and the lesser offense:
   3) If no, provide explanation:

G) Were you sentenced as a result of this offense: Yes / No

H) Provide a description of the sentence:

I) Were you sentenced to imprisonment for a term exceeding one year: Yes / No

J) Were you incarcerated as a result of that sentence for not less than one year: Yes / No

K) If the conviction resulted in imprisonment, provide the dates that you actually were incarcerated:

L) If conviction resulted in probation or parole, provide the dates of probation or parole:

M) Are you currently on trial, awaiting a trial, or awaiting sentencing on criminal charges for this offense: Yes / No

N) Provide explanation:
10. Civil Litigation and Administrative or Legislative Proceedings

(A) Since (and including) your 18th birthday, have you been a party to any public record civil court action or administrative or legislative proceeding of any kind that resulted in (1) a finding of wrongdoing against you, or (2) a settlement agreement for you, or some other person or entity, to make a payment to settle allegations against you, or for you to take, or refrain from taking, some action. Do NOT include small claims proceedings.

No

<table>
<thead>
<tr>
<th>Date Claim/Suit Was Filed or Legislative Proceedings Began</th>
<th>Court Name</th>
<th>Name(s) of Principal Parties Involved in Action/Proceeding</th>
<th>Nature of Action/Proceeding</th>
<th>Results of Action/Proceeding</th>
</tr>
</thead>
</table>

(B) In addition to those listed above, have you or any business of which you were an officer, director or owner ever been involved as a party of interest in any administrative agency proceeding or civil litigation? Please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

To my knowledge, neither CAP nor CAP Action has ever been party to any civil litigation. In the past ten years, CAP and CAP Action have been involved in several administrative proceedings. None of these proceedings involved a specific allegation of an act or omission on my part.

<table>
<thead>
<tr>
<th>Date Claim/Suit Was Filed</th>
<th>Court Name</th>
<th>Name(s) of Principal Parties Involved in Action/Proceeding</th>
<th>Nature of Action/Proceeding</th>
<th>Results of Action/Proceeding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date</td>
<td>NA</td>
<td>DC Attorney General's Office</td>
<td>Letter or inquiry regarding CAP's 2018 IRS Form 990</td>
<td>CAP has submitted a response to the AG's office explaining our IRS filing</td>
</tr>
<tr>
<td>------------</td>
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<td>------------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>12/16/2019</td>
<td>NA</td>
<td>DC Office of Human Rights</td>
<td>Complaint of retaliation against an employee</td>
<td>Ongoing confidential proceedings at DC OHR</td>
</tr>
<tr>
<td>6/20/2019</td>
<td>NA</td>
<td>DC Office of Human Rights</td>
<td>Complaint of discrimination against an employee</td>
<td>Dismissed by DC OHR</td>
</tr>
<tr>
<td>5/16/2017</td>
<td>NA</td>
<td>Internal Revenue Service</td>
<td>Audit of CAP Action and CAP Tax Year 2014</td>
<td>Payment by CAP Action to settle disputed FUTA and UBIT issues.</td>
</tr>
<tr>
<td>2/1/2016</td>
<td>NA</td>
<td>DC Office of Human Rights</td>
<td>Complaint of discrimination against a contractor</td>
<td>Confidential settlement following mediation with DC OHR</td>
</tr>
<tr>
<td>2011</td>
<td>NA</td>
<td>DC Office of Human Rights</td>
<td>Complaint of discrimination against an employee</td>
<td>Confidential settlement following mediation with DC OHR</td>
</tr>
</tbody>
</table>

(C) For responses to the previous question, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.
11. Breach of Professional Ethics

(A) Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, professional association, disciplinary committee, or other professional group? Exclude cases and proceedings already listed.

No.

<table>
<thead>
<tr>
<th>Name of Agency/Association/Committee/Group</th>
<th>Date Citation/Disciplinary Action/Complaint Issued/Initiated</th>
<th>Describe Citation/Disciplinary Action/Complaint</th>
<th>Results of Disciplinary Action/Complaint</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

(B) Have you ever been fired from a job, quit a job after being told you would be fired, left a job by mutual agreement following charges or allegations of misconduct, left a job by mutual agreement following notice of unsatisfactory performance, or received a written warning, been officially reprimanded, suspended, or disciplined for misconduct in the workplace, such as violation of a security policy?

No.

12. Tax Compliance

(This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee’s files and will be available for public inspection.)
13. **Lobbying**

In the past ten years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

No.

14. **Outside Positions**

[Box with options]

- X See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

For the preceding ten calendar years and the current calendar year, report any positions held, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

<table>
<thead>
<tr>
<th>Name of Organization</th>
<th>Address of Organization</th>
<th>Type of Organization (corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)</th>
<th>Position Held</th>
<th>Position Held From (month/year)</th>
<th>Position Held To (month/year)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Center for American Progress</td>
<td>1333 H Street NW, Washington, DC 20005</td>
<td>Non-Profit (corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)</td>
<td>President &amp; CEO</td>
<td>02/2010</td>
<td>Present</td>
</tr>
<tr>
<td>Center for American Progress Action Fund</td>
<td>1333 H Street, NW, Washington, DC 20005</td>
<td>Non-Profit (corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)</td>
<td>CEO</td>
<td>02/2010</td>
<td>Present</td>
</tr>
<tr>
<td>Justice in Aging</td>
<td>1444 Eye Street NW Suite 1100, Washington, DC 20005</td>
<td>Non-Profit (corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)</td>
<td>Board Member</td>
<td>06/2011</td>
<td>06/2020</td>
</tr>
<tr>
<td>University of Chicago Institute of Politics</td>
<td>5707 S Woodlawn Ave, Chicago, IL 60637</td>
<td>Educational Institution</td>
<td>Advisory Committee Member</td>
<td>12/ 2012</td>
<td>11/ 2020</td>
</tr>
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</tr>
<tr>
<td>Yale Law School</td>
<td>127 Wall St, New Haven, CT 06511</td>
<td>Educational Institution</td>
<td>Executive Committee</td>
<td>07/ 2011</td>
<td>07/ 2016</td>
</tr>
<tr>
<td>National Abortion and Reproductive Rights Action League</td>
<td>1725 Eye Street, NW Suite 900, Washington, DC 20006</td>
<td>Non-Profit</td>
<td>Board Member</td>
<td>06/ 2001</td>
<td>06/ 2003</td>
</tr>
<tr>
<td>Protect Our Care</td>
<td>1201 Connecticut Avenue NW, Washington, DC 20036</td>
<td>Non-Profit</td>
<td>Advisory Board</td>
<td>02/ 2010</td>
<td>02/ 2013</td>
</tr>
<tr>
<td>CDC</td>
<td>1600 Clifton Road, NE, Atlanta, GA 30333</td>
<td>Federal Agency</td>
<td>Advisory Committee to the Director Policy Work group</td>
<td>09/ 2010</td>
<td>09/ 2013</td>
</tr>
</tbody>
</table>

15. Agreements or Arrangements

☐ X See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3) continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits.

<table>
<thead>
<tr>
<th>Status and Terms of Any Agreement or Arrangement</th>
<th>Parties</th>
<th>Date (month/year)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Status and Terms of Any Agreement or Arrangement</th>
<th>Parties</th>
<th>Date (month/year)</th>
</tr>
</thead>
</table>
16. Additional Financial Data

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

REDACTED
SIGNATURE AND DATE

I hereby state that I have read the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

[Signature]

This 12 day of January 2021
January 6, 2021

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Neera Tanden. President-Elect Biden has announced his intention to nominate Neera Tanden for the position of Director, Office of Management and Budget.

We have reviewed the report and have obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

EMORY
ROUNDS

Emory A. Rounds, III
Director

Enclosures

REDACTED
January 4, 2021

Ms. Laurie E. Adams  
Alternate Designated Agency Ethics Official  
Office of Management and Budget  
725 17th Street, NW  
Washington, D.C. 20503

Dear Ms. Adams:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Director of the Office of Management and Budget. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION I – GENERAL COMMITMENTS

As required by the criminal conflicts of interest law at 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the particular matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me:

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee; and
- Any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

In the event that an actual or potential conflict of interest arises during my appointment, I will consult with an agency ethics official and take the measures necessary to resolve the conflict, such as recusal from the particular matter or divestiture of an asset.

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the regulatory exemption for diversified mutual funds and unit investment trusts at 5 C.F.R. § 2640.201(a) or obligations of the United States.
I will receive a live ethics briefing from a member of the ethics office after my
confirmation but not later than 15 days after my appointment pursuant to the ethics program
regulation at 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will submit my
Certification of Ethics Agreement Compliance which documents my compliance with this ethics
agreement.

I understand that as an appointee I will be required to sign an Ethics Pledge that will
impose additional ethics commitments. I agree to sign the Pledge, and I acknowledge that I will
be bound by it.

I will not modify this ethics agreement without your approval and the approval of the
U.S. Office of Government Ethics pursuant to the ethics agreement requirements contained in the
financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – RESIGNATIONS

Upon confirmation, I will resign from my positions with the following entities:

- Center for American Progress
- Center for American Progress Action Fund

I also resigned from my position on the board of directors of Justice in Aging in April 2020.
Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my
resignation from each of these entities, I will not participate personally and substantially in any
particular matter involving specific parties in which I know that entity is a party or represents a
party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 3 – SPOUSE EMPLOYMENT

My spouse is a self-employed artist. For as long as my spouse continues to provide these
services, I will not participate personally and substantially in any particular matter that to my
knowledge has a direct and predictable effect on my spouse’s compensation or contracts, unless I
first obtain a written waiver, pursuant 18 U.S.C § 208(b)(1). Pursuant to the impartiality
regulation at 5 C.F.R. § 2635.502, I also will not participate personally and substantially in any
particular matter involving specific parties in which I know a client of my spouse is a party or
represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).
SECTIONS 4 – PUBLIC POSTING

I have been advised that this ethics agreement and the Certification of Ethics Agreement Compliance will be posted publicly, consistent with the public information law at 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

Neera Tanden
U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Neera Tanden
to be Director, Office of Management and Budget

I. Nomination Process and Conflicts of Interest

1. Did the President give you specific reasons why he nominated you to be the next Director of the Office of Management and Budget (OMB), and if so, what were they?

The President believed my experience growing up relying on the social safety net shaped my understanding of how crucial it is for government to deliver effectively for people. He also thought my decades of experience working across a broad range of public policy issues—from economic policy to domestic policy to national security—prepare me well for the breadth and depth of issues that fall within OMB’s mandate.

2. Were any conditions, expressed or implied, attached to your proposed nomination? If so, please explain.

No.

3. Have you made any commitments with respect to the policies and principles you will attempt to implement as Director? If so, what are they, and to whom were the commitments made?

No. My only commitment has been to serve the American people, and to work on their behalf with Democrats, Republicans and Independents alike.

4. Are you aware of any business relationship, dealing, or financial transaction that can result in a possible conflict of interest for you or the appearance of a conflict of interest? If so, please explain what procedures you will use to recuse yourself or otherwise address the conflict. And if you will recuse yourself, explain how you will ensure your responsibilities are not affected by your recusal.

No, but I will consult regularly with the career ethics staff at OMB and heed their counsel to avoid any potential conflicts of interest. If I have the privilege to serve as OMB Director, I intend to uphold the highest ethical standards for both myself and the agency.

5. Please provide the name of any individual, law firm, consulting firm, lobbying firm, public relations firm, or other entity you have formally retained or contracted with regarding this nomination, including any amounts paid in fees or otherwise.
I have not formally retained or contracted with any individuals or entities regarding my nomination.

II. Background of the Nominee

6. Why do you want to serve as OMB Director?

OMB plays a central role in implementing the President’s vision and ensuring that the government works effectively on behalf of all Americans. Its budgetary, regulatory and management responsibilities also connect it to policymaking across the federal government that directly touches the lives of millions of Americans.

I’ve known the impact of these policies and programs in my own life. Growing up, my family relied on food stamps to eat and Section 8 housing vouchers to pay the rent for a time, until my mom was able to make her way to the middle class. I understand the stakes of ensuring that government works effectively for those it serves in very personal terms. And I am humbled and excited about the opportunity to draw on my decades of public policy experience – in the White House, in the Senate, at an agency and at a think tank – to help ensure the Biden-Harris Administration delivers results for all of America’s families.

7. What specific background, experience, and attributes affirmatively qualify you to be OMB Director?

I have spent more than two decades working at the forefront of some of our country’s most important policy debates. That work has included roles in the White House, the Senate, a federal agency, and as the leader of the Center for American Progress, which I have overseen for nearly ten years. Across these experiences, I have worked on a broad spectrum of issues, from economic and health care policy, to family policy and national security. My experience also includes work on important issues that are core to OMB’s mission and mandate, including budget policy, regulatory policy and procurement policy. As the president of a leading think tank, I have also directly engaged in many of the budget debates that have animated congressional action over the last decade or so.

I also understand what it means to rely on federal programs – food stamps, the Free and Reduced lunch program, Section 8 housing, welfare – to survive as my family relied on these programs for a time when I was growing up. Those programs made the difference for my family and opened doors of opportunity that would have otherwise been closed to me. My own lived experience gives me a very concrete understanding of why it’s so important that the federal government delivers effectively for families.

8. Please describe:

   a. Your leadership and management style.
I work to be an inclusive, collaborative and responsive leader. I include staff with relevant experience, without regard to rank, in deliberative discussions – always welcoming divergent views and ensuring people feel comfortable disagreeing. Testing ideas ultimately makes for better decisions. I also believe the best way to address a hard problem is with a great team, and so I work to assemble competent, capable leaders who are motivated to problem-solve.

b. Your experience managing personnel.

I have overseen one of the largest research and policy organizations in Washington, D.C., the Center for American Progress, for close to a decade. It has a budget of more than $50 million and employs more than 300 staff. CAP has consistently improved its rankings by peer organizations during my tenure, and has continually received a 4-star rating from Charity Navigator.

c. What is the largest number of people that have worked under you?

343 employees

9. Please give examples of times in your career when you disagreed with your superiors and aggressively advocated your position. Were you ever successful?

I have advocated for positions that run contrary to my superior’s position and in those times, I’ve always made the best case I can for the decision, marshalling facts and evidence. I believe it’s the job of policy makers to assess the best policy to address the needs of people. However, when the final decision is made, I work to support that decision.

Early in my career, I worked in the Domestic Policy Council of the Clinton White House. I found compelling evidence that quality after school programs improved the educational outcomes for children. I made the case to increase investments in the program, 21st Century Learning Centers, which was then a $20 million a year program. Initially my superiors did not agree with me, but over time, I marshalled additional evidence about how the program had the potential to decrease juvenile crime, since the highest rate of crime amongst juveniles occurred in the after-school hours in the 1990s. After marshalling both arguments, my superiors agreed to ramp up investments to $200 million and allowed it to serve a real need; eventually the program would near $1 billion. Today, that program has an annual budget of over $1 billion.

10. Do you seek out dissenting views and encourage constructive critical dialogue with subordinates? Please provide examples of times in your career when you have done so.

Absolutely. When I state my views in a meeting that I’m running, I invite people to disagree. I believe good leaders go out of their way to give people space to raise competing
ideas. Leaders who fail to do so often suffer from tunnel vision that leads to poor decision making. The best decisions are tested by dissent and argument.

That’s the approach I’ve brought to my work at CAP and every position of leadership I’ve held – soliciting views on policies and areas of research we conducted, particularly when those views diverged from my own.

At CAP, I instituted office hours and had regular meetings with various cross sections of the organization, from junior staff to midlevel staff to managers. That allowed me to see how our work and strategic goals were impacting various sectors of CAP. I solicited feedback on how to make CAP work better from all corners of the institution. As a result of these efforts, we developed new strategies around retention, new support for leaders to improve their managements skills, and new initiatives to address diversity at CAP.

11. Please list and describe examples of when you made politically difficult choices that you thought were in the best interest of the country.

Throughout my career, I’ve made choices and taken positions that I believed were the right thing for the country regardless of whether they were politically popular. Later those issues became more popular. I’ve supported universal health care throughout my career and worked on a health care plan the mid 2000s that became the basis of the Affordable Care Act. Many counseled not pushing forward in health care at that time, but I believed it was the right thing to do. I also publicly supported marriage equality well before many leaders did, at a time it was not politically popular, but because it was the right thing to do.

12. What would you consider your greatest success as a leader?

In March of 2020, as New York faced exponential growth in COVID-19 cases and before there was any federal social distancing guidance, I convened the Center for American Progress health team and public health experts to produce guidance on social distancing measures for states. We engaged with the leadership of California and they immediately adopted social distancing measures, and New York and other states followed suit. I believe our quick work helped shape action at the state level to curb the spread of the virus at a time when it was surging. This work may have saved lives, and I can think of no higher impact of public policy.

13. What do you consider your greatest failure as a leader? What lessons did you take away from that experience?

Like any leader, I have made mistakes and in each case, I have tried to immediately acknowledge those mistakes, make amends and learn from them going forward. I consider failures to be wider ranging than mistakes.
In 2019, CAP established a strategic goal for the organization to develop a framework for America’s relationship – and competition – with China. The premise of this idea is that the 21st century will be a competition between democratic systems and authoritarian systems and that America must strengthen itself internally and strengthen its global leadership to compete and win in the 21st century. That means investing in human capital in the United States, just as China has been doing, as well as focusing on research to maintain our competitive edge. While CAP produced important reports, I do not think we sufficiently affected the national debate and policymaking structure, in part because I did not focus sufficiently to ensure that we did so. The lesson I drew is that for any institution to succeed on key goals it’s critical that its leadership persistently work to ensure the institution is making progress and having impact against the goal.

14. Please describe how you build trust and credibility among staff as a leader.

I believe the best way to build trust and credibility among staff is to role model integrity, accountability and inclusiveness. It is important to demonstrate the qualities you want to see in others. That means not just including but inviting divergent views to help arrive at the best decisions, and always treating opposing opinions with respect and openness. It also means seeking out ideas about how to innovate from all corners of an organization – not just from those in positions of leadership. And finally, I focus on running processes that are consistent, fair and help produce the best answers to solve problems.

15. During your career, has your conduct as a federal employee ever been subject to an investigation or audit by an agency Inspector General, Office of Special Counsel, Department of Justice, agency Equal Employment Opportunity office or investigator, or any other federal investigative entity? If so, please describe the nature of the allegations/conduct and the outcome of the investigation(s) or audit(s).

No.

III. Role of the OMB Director

16. Please describe your view of OMB’s mission and what you would consider to be your role and responsibilities, if confirmed as Director.

I believe OMB’s mission is to ensure the federal government is delivering effectively for the American people. OMB serves not just the President, but the presidency and the country. It has three primary roles: running the budget process for the President and the Administration, overseeing regulations and rulemaking for the Administration and improving the management of the federal government. All are central responsibilities of the agency and the OMB Director. If confirmed, I believe it would be my responsibility to ensure in all of these tasks that the federal government is working effectively for the public,
that we are responsible stewards and that programs under OMB’s purview address the needs of the public.

17. If confirmed, what would be the highest priority issues you would focus on? What do you hope to accomplish during your tenure?

My highest priority would be ensuring that the federal government is effectively responding to the COVID-19 crisis. OMB has a central role to play in that effort, including through its budget responsibility to ensure the federal government is providing sufficient resources to fight the virus and that agencies are spending their additional resources in the most effective way possible. OMB also has management responsibility to ensure that federal agencies are adopting policies and practices that will help battle COVID-19 as well as regulatory authority to address the needs of working families through this struggle against the virus. Over the longer term, OMB will also play a multifaceted role in supporting a strong economic recovery. However, in all its work, I am focused on ensuring that OMB is promoting the effective delivery of services to the public.

18. If confirmed, what do you anticipate will be your greatest challenges as OMB Director

There are many overlapping challenges facing the country: COVID-19, an economic crisis, the climate crisis and the deep need for racial justice. Ensuring the federal government is effectively addressing these challenges so that we as a country can build back better is a significant task, and will require that OMB remain focused and effective in carrying out its mission.

19. What do you believe are the most important actions the Director should take to strengthen the overall management of OMB?

If confirmed, there are two important actions I would take to strengthen management of OMB. First, I would ensure that we have the best team in place from top to bottom, and that we are leveraging the skills and experience of that team to carry out our mission. The career professionals at OMB are an incredible asset, and as a Director, I will establish clear lines of communication and information sharing to ensure that OMB is fully utilizing its very capable career staff. Second, I will work to improve integration across OMB’s functions—budget, management, regulatory, and policy. A better integration of OMB’s management and budget functions can strengthen OMB’s management capabilities across agencies. These functions must work together to ensure OMB is fulfilling its role, especially at a time of overlapping crises.

20. If confirmed, what qualities will you look for in recommending candidates for OMB leadership positions to the President? What positions would be your highest priority to fill? What level of input would you expect on the appointees selected for leadership roles?
I look for people with integrity, expertise, the ability to lead and who are mission oriented. Our work is to serve the President, the Presidency and the country and I look for people who recognize that we must work in a bipartisan or nonpartisan manner to address the country’s great challenges. The Deputy Director and Deputy Director for Management are critical roles as is the OIRA Administrator, and General Counsel. I expect to have a fair amount of input into these leadership roles.

21. How do you view the responsibilities of the Deputy Director and the Deputy Director for Management, and how do you plan to delegate responsibilities to those positions, if confirmed?

I view the Deputy Director as the Deputy for the entire agency; nevertheless, I expect the Deputy Director to play a critical role in the budget process and other related matters. I view the Deputy Director for Management as the lead person on working to improve the performance of the federal government. However, I expect to work closely with the Deputy Director for Management on this task.

22. What do you see as the most important management challenges facing the federal government? If confirmed as OMB Director, what would you do to address those challenges?

If confirmed as Director, I look forward to working with the Committee to prioritize the set of management challenges the federal government faces. From an external perspective, there are four challenges that stand out. First, as with any organization, effective performance starts with people. The federal workforce has faced high attrition rates and low morale over recent years, combined with longer-standing challenges of ensuring agencies have personnel with the necessary skillsets to meet the challenges of today and tomorrow. We have incredible, dedicated public servants across the federal government, and I plan to work with agencies to reenergize our federal workforce. Second, the services provided by the federal government to ordinary people are not as intuitive, efficient, and easy-to-use as they should be. While there has been progress over the last decade, there is more to be done. A major element of this challenge is ensuring we are advancing technology to deliver services effectively and efficiently, treating the users of services from federal agencies as customers. Third, ensuring that the federal government is appropriately addressing cybersecurity. The recent breaches of federal government systems have demonstrated that we are not where we need to be. That is why President Biden proposed a substantial investment as part of the recent relief package through the Technology Modernization Fund as well as additional steps. Fourth, the crises our country is facing require multi-agency implementation, information-sharing, and delivery. This challenge requires a strong OMB that can ensure the necessary coordination, performance measurement, and transparency necessary to address the overlapping crises, starting with responding to COVID and the resulting economic crisis.
IV. Policy Questions

Budget

23. Do you support biennial budgeting? Please explain why or why not.

I understand the impulse behind biennial budgeting. There have been clear challenges in the budgeting process such as widespread reliance on continuing resolutions. So I welcome ideas on how to address those problems and make our budgeting process more rational. I’m open to all ideas to improve the process. At the same time, it’s also important that the appropriations process allow both Congress and the President to appropriately respond to changing need and circumstances.

I really welcome all ideas to improve the budget process. The Biden Harris Administration is committed to working as good partners with Congress to return the budget to a more rational, orderly path.

24. If confirmed, what steps will you take to minimize risks surrounding debt-ceiling negotiations and ensure the federal government does not threaten default?

Investing in the United States of America is the safest, most stable investment anyone can make. The economic harm and havoc that breaching the debt limit would cause is unthinkable and entirely avoidable. It is encouraging that, in recent years, Congress has, on a bipartisan basis, regularly suspended the debt limit. I fully support efforts to minimize—and perhaps even remove—any risks associated with the debt limit as early as possible. If confirmed, I will work to make clear the dangers of risking our country’s economic health, the human cost of doing so, and the ease with which we could avoid any harm. Debates that involve threats of default threaten America’s economic credibility and if confirmed, it would be a top priority of to address the debt ceiling as well work with Members on both sides of the aisle to address this issue. Given the state of the economy, I hope we can move expeditiously to tackle the debt ceiling.

25. In the 116th Congress, this Committee passed bipartisan legislation to ensure that federal congressional budget justifications are available on a single, central website every year, as well as easily accessible on agency websites. The legislation also required OMB to maintain an updated list of agencies expected to submit budget justifications, in addition to other relevant information. Do you support these efforts? Please explain your views.

I strongly support these efforts. While the federal budget can be complex, we should be doing everything in our power to make it as transparent and clear as we possibly can to the public. The government is accountable to the public and the public has a right to know how its resources are allocated, and why investments are made. I commend this committee's commitment to ensuring that the American people can find the information they need as
easily as possible. If confirmed, I will work within OMB and with all agencies towards these goals. I will also look forward to working with the Committee to advance these goals.

26. Do you believe that federal agencies should be required to report Antideficiency Act violations identified by the Government Accountability Office (GAO) to Congress, as required by OMB Circular No. A-11 prior to OMB’s June 28, 2019 revision? Please explain.

I am aware that the prior Administration made this change to OMB Circular A-11. I look forward to closely studying this issue and consulting with my OMB colleagues prior to determining what the requirements in Circular A-11 should be. If I’m confirmed, my approach is to respect Congress’ role in directing the expenditure of government resources and look forward to returning to the traditional relationship between the Congress and Executive Branch on issues like expenditures and obligations.

27. How will you leverage OMB’s budget function to support environmental justice communities, Native American communities, and rural communities?

In line with President Biden’s Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, I will identify opportunities to promote equity and take bold action to advance a comprehensive agenda to support environmental justice communities, Native American communities, and rural communities through President Biden’s budget, including:

- targeting 40% of the overall benefits of clean energy and climate investments to disadvantaged communities that have been historically marginalized and overburdened, including Native American and rural communities;
- ending disparities in healthcare access and education funding, strengthening fair housing, and
- restoring Federal respect for Tribal sovereignty through launching a review that seeks to understand chronic funding shortfalls and deliver recommendations to fund the federal government’s trust and treaty obligations.

And additional actions to ensure that everyone across America has the opportunity to fulfill their potential.

28. In order to fight the COVID-19 pandemic, we have been forced to increase our deficits. What sort of measures will you recommend that the next president pursue in order to ensure the budget is on a sustainable path?

Right now, the economic and public health crisis we face demands that we use every tool at our disposal to respond effectively. The risk of doing too little far outweighs the risk of doing too much, as economists across the political spectrum have emphasized.
While we have to always be mindful of long term sustainability, it’s also the case that interest rates on our debt are at historic lows, and therefore, the cost of debt has declined. In addition, the degree we boost the economy into a stronger position, we will have increased our fiscal capacity.

That said, the underlying long-term fiscal challenges remain. The aging of the population, rising health care costs, and insufficient revenue combine to produce a long-term trajectory that should give us all pause. The President is committed to paying for new, permanent initiatives and has proposed ways to modernize our tax code so that it raises more revenue to meet the coming challenges.

29. In your view, what is a reasonable debt for the American government to hold?

I do not believe that there’s a single marker for reasonable debt. One important metric is the cost of debt and the extent to which interest payments are crowding out other investments and taxpayer resources. It is the case that over the past fifteen years, even as our debt level has increased dramatically, interest rates and therefore interest costs have declined substantially. Moreover, inflation has remained at or near historic lows. I am persuaded by the many respected economists who now argue that there is likely not a specific threshold at which debt becomes unreasonable. Indeed economists who once made such claims have since shifted their thinking.

That said, the underlying long-term fiscal challenges remain. The aging of the population, rising health care costs, and a tax code that does not generate sufficient revenue combine to produce a long-term trajectory that should give us all pause. These are challenges that I hope we can work in a bipartisan basis to address.

30. Many economists view government shutdowns as dangerous to economic growth. Various members have introduced legislation to end government shutdowns and allowing the government to operate under a series of automatic continuing resolutions. Will you commit to providing OMB’s perspective if and when such legislation is introduced this Congress and if it contains something relevant to OMB?

I look forward to helping OMB play a constructive role in these important discussions. If I am confirmed, I will certainly work with my colleagues there to both provide our perspective and useful analysis.

31. A major driver of our fiscal challenges is the so-called off balance sheet items. As we learned during the financial crisis, there is a limit that these can be used to hide fiscal problems before they come to the surface. What would you recommend be done to ensure a proper accounting of these items so the American people can understand the true nature of our fiscal situation?
I am committed to transparent budgeting. I believe that the more the American people know about and understand their federal budget, the better our policies will be. It is true that the federal budget can be very complicated and I am eager to work with Congress to find ways to make federal fiscal policy more digestible, understandable and clear.

32. The government has made promises against many of our trust funds. Do you have concerns that our trust funds may not be strong enough to meet their obligations to the American people? How can Congress strengthen these funds?

I am concerned that several of our most important trust funds—Social Security and Medicare chief among them—are projected to exhaust their reserves. In the case of Social Security, specifically, the combination of an aging population and rising income inequality means that there are more beneficiaries even as more and more of the wage base that supports the program is exempt from paying in. I support the President’s proposal to apply the Social Security payroll tax to higher income earners. That will help shore up the Social Security Trust Fund.

These challenges have developed over decades and I hope we can work on a bipartisan basis to address them.

COVID-19

33. What is your understanding of OMB’s role in the federal government’s response to the COVID-19 pandemic?

The OMB will play a critical role in the federal government’s response to the COVID-19 pandemic. The President has announced a budget request for COVID-19 relief, including direct response to the pandemic as well as economic relief. With respect to the direct COVID-19 response, the request includes such critical funding as $20 billion for a national vaccination program, $50 billion for testing, and $130 billion to help schools reopen safely. OMB will provide support for these requests; develop additional requests as needed; assist with coordination of federal agencies in executing the COVID-19 response; assist the White House Coordinator of the COVID-19 Response with policy analysis and development; monitor the performance of federal agencies, programs, and policies related to the COVID-19 response; fast-track regulations and guidance related to the COVID-19 response; and ensure that federal agencies “speak with one voice” in a national coordinated COVID-19 response. OMB has played a particularly important role in ensuring agencies are allocating their resources effectively towards addressing the COVID crisis and if confirmed, I will focus significant attention on this issue.

34. Do you believe OMB was well-equipped to respond to a pandemic of this scale?
I believe the exceptional career staff of the Office of Management and Budget were well-equipped to respond to a pandemic of this scale. I cannot speak to all aspects of OMB. I will leave to others to determine whether OMB developed the right budget requests to address the COVID crisis or provided sufficient guidance to agencies on how to address the virus.

If confirmed, I will provide focused leadership to the staff. Incoming appointees have expertise in COVID-19 policy and will be fully integrated with the White House Office of the Coordinator of the COVID-19 Response. I served on the New Jersey Reopening and Recovery Commission and understand the state perspective on COVID and the deep need for federal government leadership, across the board, to address the crisis.

35. If confirmed, what actions will you take to ensure OMB is better positioned to identify, address, and respond to future pandemics, if confirmed?

Preventing and mitigating future biological threats and pandemics is a high priority of this administration. Internally at OMB, I would ensure that appointees have the expertise needed and that Resource Management Offices and senior staff are well coordinated. If confirmed, I will direct OMB staff to develop policies and budget requests to ensure that federal agencies have the resources and plans in place to respond to future pandemics. OMB staff will work closely with federal agencies, the National Security Council’s newly re-established Directorate for Global Health Security and Biodefense, and the White House COVID-19 response team to coordinate a national epidemic and pandemic preparedness plan.

If confirmed, among other policies and budget requests, I will prioritize domestic and global disease surveillance systems; adequate infrastructure for the Centers for Disease Control and Prevention to rapidly develop and field reliable tests; investments through the Biomedical Advanced Research and Development Authority to build manufacturing capacity for personal protective equipment, tests, therapeutics, and vaccines and to expand the capacity of laboratories; and investments to build the National Strategic Stockpile. In addition, because disease threats are global and require international solutions, I will prioritize investments in early warning, global health security, and health systems to build country capacity for COVID-19 and emerging and future biological threats. To better address future pandemics, we need to strengthen our public health infrastructure at the federal level and support great investment at the state level as well.

36. The Coronavirus Aid, Relief, and Economic Security (CARES) Act directs federal agencies to report on significant COVID-19 related spending (“large covered funds”) provided for in the CARES Act and other relief legislation. Before passage of the Consolidated Appropriations Act, 2021 (P.L. 116-260), the prior Administration took the position that this reporting requirement excludes Division A of the CARES Act, which includes significant spending such as the Paycheck Protection Program.
a. If confirmed, what steps will you take to ensure agencies retroactively collect and report on significant spending in Division A of the CARES Act that preceded passage of P.L. 116-260 in an accurate, comprehensive manner?

Retroactive reporting and accountability are important across all programs, especially to learn lessons about program design. All CARES related programs should be subject to reporting requirements to ensure accountability for decision making, ensure that programs are meeting the needs they were intended to address and build public trust in the government’s actions. The timing of retroactive reporting must be balanced against current program operations.

b. If confirmed, what steps will you take to ensure agencies’ COVID-19 spending data, as reported to the Pandemic Response Accountability Committee (PRAC) and the public, is comprehensive and accurate?

Transparency and accountability are governing principles of this administration. If confirmed, I will direct the Deputy Director for Management to take all necessary steps to ensure that agency reporting is timely, comprehensive, and accurate. Through the process of apportionment, OMB can enforce agency compliance with reporting requirements. During the crisis, the federal government innovated in some of its response to COVID and its economic impact and we can learn valuable lessons of how these programs worked.

37. Do you believe additional funding will be necessary to support continuing efforts to combat the public health threat and economic impact of the COVID-19 pandemic? Please explain.

Yes absolutely. We face a continuing challenge to fight and beat the virus itself and address the deep economic challenge the virus has wrought. We are both experiencing a surge in case across the country and large increased unemployment as the virus has surged. The President has announced a $1.9 trillion American Rescue Plan to provide emergency funding for the COVID-19 response and immediate economic relief for working families. This package includes funding for a national vaccination program, testing and tracing, paid sick leave, and investments to safely reopen the majority of K-8 schools in the first 100 days. It also provides $1,400 checks to households, housing and nutrition assistance, expansions of child care and health care, an increase in the minimum wage, extended unemployment insurance, and support to the hardest-hit small businesses. If confirmed, I will work as hard as I can to help enact this critical package, which will turn the course of the pandemic and build a bridge to the nation’s economic recovery. I look forward to working with Members on both sides of the aisle on these critical challenges that face the country. I have been so impressed by the bipartisan leadership in Congress that has stepped forward in this crisis over the last year to pass much-needed legislation.
38. What is your opinion of the rulemaking process?

I believe that the rulemaking process provides an important tool to confront the urgent challenges facing the nation and address the needs of families. The rulemaking process is necessary to interpret the laws that Congress passes. Our regulatory system must protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation. It must be based on the best available science. It must allow for public participation and an open exchange of ideas. It must promote predictability and reduce uncertainty. It must identify and use the best, most innovative, and least burdensome tools for achieving protection of the public.

39. Please describe your views on cost benefit analysis and its use in the regulatory process.

Under E.O. 12866, which President Biden reaffirmed, cost benefit analysis is part of the rulemaking process. Agencies should use the best available techniques to quantify anticipated present and future benefits and costs as accurately as possible with up-to-date analysis. How regulations affect citizens and the economy are critical data points for decision making.

40. Please describe your views on retrospective review in the regulatory process. Specifically, what role, if any, should OMB play in this process?

President Biden issued a memorandum that reaffirmed EO 13563, including its call for agencies to consider how to promote retrospective reviews. OMB’s OIRA should play a role in assisting agencies in planning for these reviews.

41. Are there any major reform proposals of the regulatory process for proposing, adopting, or reviewing federal regulations that you would like to see enacted by Congress or fulfilled through executive action or OMB guidance?

President Biden’s Memorandum on Modernizing Regulatory Review directs me, if confirmed, to conduct a process with the goal of producing a set of recommendations for improving and modernizing regulatory review. In this process, I will ask the agencies to focus on how the regulatory process can promote public health and safety, economic growth, social welfare, racial justice, environmental stewardship, human dignity, equity, and the interests of future generations. We must never lose sight of the impact of rules on citizens and the goal of rulemaking should be to improve the general welfare. I look forward to sharing with you the outcome of that process.
42. If confirmed, what steps will you take to evaluate existing regulatory policies and practices? 

Please see the answer to Q.41

43. Please describe your views on OMB Circular A-4. Specifically, do you believe that agencies “should look beyond the direct benefits and direct costs of [their] rulemaking and consider...” ancillary benefits? Please explain.

If confirmed, I look forward to following through on President Biden’s direction to identify ways to modernize and improve the regulatory review process, including through revisions to OMB’s Circular A-4, to ensure that the review process promotes policies that reflect new developments in scientific and economic understanding, fully accounts for regulatory benefits that are difficult or impossible to quantify, and does not have harmful anti-regulatory or deregulatory effects.

44. Should OMB have an increased role in reviewing guidance and regulations promulgated by independent agencies? Please explain.

I do not know to what extent during the Trump Administration OMB has reviewed guidance and regulations promulgated by independent agencies so I cannot opine on whether the role should be increased.

OMB’s relationship with independent agencies is different than other agencies across multiple dimensions. I would like to examine this issue and understand how it would affect the overall relationship between the Office of the Presidency and independent agencies.

45. Please describe how you view the mission and role of the Office of Information and Regulatory Affairs (OIRA).

I believe OIRA’s mission and role is to oversee a regulatory process that meets the needs of the citizens of the country. That process must assess the economic impact of rules but also understand how rules affect the general welfare. OIRA should be the repository of expertise concerning regulatory issues, including methodologies and procedures that affect more than one agency, E.O. 12866 and 13563 and the President’s regulatory policies. OIRA also has a role in the agencies’ regulatory planning processes. Finally, OIRA has statutory responsibilities under SBREFA and the Paperwork Reduction Act.

46. What steps will you take to ensure a swift and transparent regulatory review process?

President Biden’s Memorandum on Modernizing Regulatory Review directs me, if confirmed, to conduct a process to identify reforms that will promote the efficiency,
transparency and inclusiveness of the review process. I am committed to an expeditious review process at OIRA. I look forward to sharing with you the outcome of that process.

47. OMB is statutorily required to annually submit an “accounting statement” to Congress reflecting an estimate of the total federal regulatory benefits and costs of the most recent fiscal year, as well as estimates of expected benefits and costs for future years. What steps will you take to ensure this report is completed and submitted to Congress in a timely fashion and reflects complete and consistent estimates from each contributing agency?

If confirmed, I look forward to working with the OMB career staff to ensure that the agency meets all of its statutory responsibilities, including submitting the annual accounting statement. My goal is to ensure that OMB is accountable to Congress and the public and I plan to be responsive to Congress’ reporting requirements and any additional questions or concerns Congress has.

48. What steps would you take to ensure that regulatory proposals adequately account for impacts on vulnerable populations, such as environmental justice communities, economically disadvantaged communities, the elderly, and children?

President Biden’s Memorandum on Modernizing Regulatory Review directs me, if confirmed, to conduct a process to propose procedures that take into account the distributional consequences of regulations, including as part of any quantitative or qualitative analysis of the costs and benefits of regulations, to ensure that regulatory initiatives appropriately benefit and do not inappropriately burden disadvantaged, vulnerable, or marginalized communities. The Memorandum allows us to ensure the regulatory process takes into account the possible differential impact on vulnerable communities. I look forward to sharing with you the outcome of that process.

49. On January 20, 2021, President Biden issued an executive order revoking: Executive Order 13771 of January 30, 2017 (Reducing Regulation and Controlling Regulatory Costs), Executive Order 13777 of February 24, 2017 (Enforcing the Regulatory Reform Agenda), Executive Order 13875 of June 14, 2019 (Evaluating and Improving the Utility of Federal Advisory Committees), Executive Order 13891 of October 9, 2019 (Promoting the Rule of Law Through Improved Agency Guidance Documents), Executive Order 13892 of October 9, 2019 (Promoting the Rule of Law Through Transparency and Fairness in Civil Administrative Enforcement and Adjudication), and Executive Order 13893 of October 10, 2019 (Increasing Government Accountability for Administrative Actions by Reinigorating Administrative PAYGO). Are there any elements of these executive orders you believe are important to reinstate? Please address each revoked executive order separately.

I share the President’s commitment to empowering agencies to use appropriate regulatory tools to achieve the goals of the Administration and improve the lives of the American people. Pursuant to the President’s Memorandum on Modernizing Regulatory Review, if confirmed, I will work with the heads of Executive Departments and Agencies to produce a
A set of recommendations for improving and modernizing regulatory review, which would include consideration of all elements of the rulemaking process. I look forward to updating you about this process as it moves forward.

**Management**

50. What is your opinion of the current status of government performance management, as implemented under the Government Performance Review Modernization Act? How do you believe it can be improved?

Overall, I believe it is critical that government programs effectively deliver on their mission and tools that allow the public to understand how they are performing are important. I understand there is some evidence from agencies and academics showing that the performance management routines established by the Government Performance and Results Act Modernization Act (GPRAMA) are contributing to positive outcomes. I also understand that the Act’s Cross-Agency goal framework has been used to support the implementation of various President’s Management Agenda (PMA) efforts, which can be an important tool in driving agencies to adopt key policy and operational priorities. I do think there are ways to better implement performance data by focusing on key priorities of agencies and working to ensure that the metrics fully capture impact. If confirmed, I am committed to continuing to improve the government’s performance management approach including increasing senior leadership engagement at agencies; reducing burden and improving usefulness of performance reporting; and better supporting decision-making using data and evidence.

51. What steps will you take to ensure the quality, accuracy, and full implementation of data reporting requirements for federal agencies established under the Digital Accountability and Transparency Act of 2014?

I am grateful for the leadership of Senators Warner and Portman in coauthoring the DATA Act. I believe access to quality and accurate Federal spending data is important to good government management of taxpayer dollars. If confirmed, I will review implementation of such high-priority legislation to understand the current process and where improvements can be made. I look forward to working with Senators Warner and Portman as well as all Members of the Committee to ensure we are meeting the goals of the legislation. And it will be a priority of mine to ensure we are doing so.

52. What steps will you take to ensure the Grant Reporting and Agreements Transparency Act implementation stays on track?

If confirmed, I will promptly work to ensure that OMB is meeting the critical goals of the legislation to modernize grant reporting requirements, reduce compliance costs to grantees
so they can focus on their responsibilities and improve accountability through public reporting. This is important legislation and I look forward to working to ensure its proper implementation.

53. What do you believe OMB’s role should be in improving financial management within the federal government?

OMB’s role is critical to improving financial management across the Federal government. OMB is the cornerstone of the Federal government’s financial management and is uniquely positioned to drive cross-agency transformation and improvements in accountability and transparency. I believe OMB should set the strategic vision and government-wide priorities for federal financial management, and guide continuous improvements in execution across agencies, consistent with the law, to maximize value for the American people. If I am confirmed, ensuring programs are delivering effectively for the public and that we are strong stewards of federal resources are important goals of mine.

54. How do you view OMB’s role in addressing agency high-risk or duplicative programs highlighted in the Government Accountability Office’s (GAO) annual “High Risk List?”

Given the cross-cutting nature of the issues identified by GAO, OMB has an important role to play. I understand that OMB has historically convened meetings between senior leadership at GAO and agencies identified on the high-risk list to discuss status updates and drive progress on addressing the identified risks. If confirmed, I anticipate OMB will continue this practice as needed to ensure progress.

a. Of the areas identified by GAO as “high risk,” which do you find to be the most concerning and why?

I understand that GAO undertakes a rigorous process to narrow their “High Risk” report to those areas with the potential for the greatest impact on the outcomes and operations of the government. If confirmed, I look forward to hearing from GAO, OMB, and agencies on opportunities to reduce and mitigate the impacts of these risks. The report’s focus on cyber security is incredibly helpful; this is a critical national security issue and one that can have intense national impact. Ensuring that the federal government is shoring up its systems is a vital priority. I will also note that, in particular, high risk areas related to information technology and strategic human capital management are two areas that likely impact many of the other high-risk areas identified by GAO, so I will want to learn more about that.

b. Are there any specific recommendations from GAO’s High Risk report that you plan to pursue if confirmed?

If confirmed, I plan to begin by considering GAO’s recommendations to OMB, and I look forward to reviewing GAO’s latest update to their “High Risk” report, which I
believe is expected in the coming weeks. The entire High Risk report is an important document for improving effectiveness and reliability of important programs in the federal government and OMB can help agencies drive improvements to their management capabilities so that the list is High Risk list is narrowed over time.

55. What is OMB’s appropriate role with respect to developing, implementing, and ensuring compliance with federal workforce policy? What is the ideal relationship between OMB and the Office of Personnel Management?

The OMB works to ensure Federal workforce policy is aligned and integrated with legislative, management, and budget proposals, including the President’s Management Agenda. The management role of OMB deeply intersects with policies related to the workforce, after all, a more productive, supported federal workforce is a key part of effective management of federal resources. In support of this, I believe OMB and OPM should partner together in elevating Federal workforce issues with agency leadership and partner with key stakeholders.

56. What steps can OMB take to address skills gaps in the federal government?

The American people deserve a federal government that effectively administers program to address their needs. Skills gaps in federal services can mean poorer performance for the public, so we all have a stake in ensuring the federal workforce has the needed mix of skills, which can be highly specialized. OMB, through leadership of the President’s Management Agenda, can facilitate partnerships between agencies and other stakeholders to support agency efforts to close existing and minimize forecasted skill gaps. We also need to ensure that agencies that require a specialized workforce should have the resources needed to attract top talent. Furthermore, I believe OMB is uniquely positioned to identify opportunities for administrative, regulatory, legislative, or budget proposals to support agency efforts.

57. What role should OMB play in efforts to improve human capital management across the federal government?

I understand that one of the most bipartisan, long-term, high-risk topics GAO has identified is strengthening Federal human capital management. I believe OMB is uniquely positioned to ensure the Administration is pursuing legislative, regulatory, administrative, and budget proposals to address human capital management challenges. In particular, OMB can use the President’s Management Agenda to spread leading practices across agencies and hold agencies accountable for improvements in key metrics. If confirmed, I look forward to working across OMB’s to address recruitment, retention, and other workforce challenges and opportunities.
58. What do you believe are the three most important issues facing the federal workforce today?

The federal workforce is a critical asset that we need to support and develop, and President Biden is committed to ensuring that our federal workforce has the skills, tools, and support needed to do their important jobs in meeting mission goals and delivering results for the American people.

To ensure that we are focused in the right areas, if confirmed, I will want to talk with the agencies’ Chief Human Capital Officers, senior leaders at the Office of Personnel Management, and the workforce itself to ensure we: (1) improve the full cycle of recruitment, development, and retention, (2) meet the modern workforce needs of federal agencies, and (3) make federal service available, desirable, and inspiring to a broader workforce that has a diversity of backgrounds, experience, talent, and abilities, in line with President Biden’s commitment to advancing diversity, equity, and inclusion across federal agencies.

59. Do you believe that the right of employees to organize, bargain collectively, and participate through labor organizations of their own choosing in decisions which affect them: (1) safeguards the public interest; (2) contributes to the effective conduct of public business; and (3) facilitates and encourages amicable settlements of disputes between employees and their employers involving conditions of employment?

Absolutely. President Biden has committed to reinstate and expand protections for federal employees and to ensure that the federal government serve as a role model for employers to treat their workers fairly. It is my hope that labor unions, non-union members, and management work together to accomplish our shared mission. I believe a strong relationship improves productivity and it is my hope that working with union partners can help us resolve barriers to effective organizational performance.

60. What is your opinion on telework in the federal workforce?

Telework is a valuable tool that can help agencies meet their missions and serve the American people, while also reducing the carbon footprint, supporting work-life balance, and ensuring continued services in emergency situations. At this particular point in time, telework is an important tool to keep our Federal workforce safe from COVID-19 risks. There are also valuable aspects to in-person work, including greater collaboration and more innovation. As we move past the COVID crisis, we should keep in mind lessons learned from teleworking and other forms of work.

61. What do you believe is the biggest obstacle to safely returning federal employees back to their work sites? What steps do agencies need to take to ensure a safe return for their employees?
Currently, community health metrics and prevalence of COVID-19 in our communities are not in a place where mass return to workplaces is warranted – particularly since most of our Federal workforce is yet to be vaccinated. We are closely monitoring health and safety metrics, and will be working with the health professionals and scientists at the Centers for Disease Control and Prevention, and on the COVID-19 Task Force and the newly created Safer Federal Workforce Task Force, to guide any return to work plans.

62. If confirmed, what will your top priorities be for OMB’s Personnel and Performance Management Office?

The mission of OMB’s Office of Performance and Personnel Management includes a diverse portfolio, covering performance improvement, human capital management, and management coordination. If confirmed, I look forward to working with the Deputy Director for Management, once confirmed, and the PPM team to identify clear priorities which I expect will include the following:

- Developing evidence-based Federal personnel policies to strengthen the Federal workforce and support achieving Administration priorities.
- Leading the development and implementation of the President’s Management Agenda.
- Leading on key cross-agency reform and modernization priorities; and

63. OMB sets government-wide standards for maintaining, collecting, and presenting federal data on race and ethnicity. These standards were last revised in 1997, and since then OMB and other agencies have reviewed how improved standards could enhance the quality of federal information and programs. In 2015, the Census Bureau found that adding a “Middle Eastern or North African” race and ethnicity category elicited higher quality data on that population. In September 2016, OMB announced “possible limited revisions” to the 1997 standards, including the addition of a Middle Eastern or North African reporting category. However, in 2018, the Trump Administration failed to move forward with these revisions. If confirmed, do you commit to having OMB resume a review of the “Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity” to ensure federal programs collect accurate information to serve the public?

Yes, we are committed to collecting robust and accurate information to serve the American people. If confirmed, I will commit to the review of the government-wide Race and Ethnicity Standards. More accurate data can provide a better assessment of how programs are addressing the needs of all communities.

64. In 2019, the Committee’s Permanent Subcommittee on Investigations published a report detailing findings from its year-long investigation into threats posed by China to the United States’ science and research enterprise. On the basis of the report and subsequent oversight
hearing, the Committee passed the bipartisan Safeguarding American Innovation Act, to improve the United States’ ability to combat foreign threats to its science and research enterprise. The bill would establish a council within the OMB to improve the grant application process and assess security risks to the scientific community. If confirmed, how would you address foreign threats posed to the scientific and research community?

Science and technology advance faster in an open and collaborative research and development ecosystem. For example, open international collaborations have helped scientists rapidly study and combat COVID. However, some nations are seeking to take advantage of our open research processes and it is important to take steps to protect their integrity and security. Indeed it is vitally important that we safeguard our scientific innovations and our research assets. I look forward to working with Congress to achieve the appropriate balance between research openness and security.

65. For fiscal year (FY) 2019, improper payment estimates across the federal government totaled approximately $175 billion, an increase of approximately $24 billion over FY 2018. Additionally, GAO found in FY 2018, only half of the 24 Chief Financial Officer Act agencies complied with the requirements established by the Improper Payments Elimination and Recovery Act of 2010. If confirmed, what is your view of OMB’s role to improve agencies’ compliance with improper payments laws and OMB guidance?

If confirmed, I will use OMB’s authorities to work closely with the Inspector General (IG) community to ensure agencies are following relevant laws and guidance. Also, I believe the agency reports required under the Payment Integrity Information Act of 2019 (PIIA) will be a helpful tool for agencies and OMB to identify areas for improvement.

Acquisition and Federal Property Management

66. What are your priorities for the Office of Federal Procurement Policy (OFPP)?

The Federal Government is the world's largest and most impactful buyer. We must use this power responsibly and effectively to successfully support the critical missions of our agencies. President Biden has made clear the important role that procurement will have in strengthening the U.S. economy to support recovery. For example, OFPP has a vital role to play in implementing President Biden’s commitment to make “Buy American” real and make a historic procurement investment in American products, services, supply chains, and transportation of goods, increasing the amount of U.S. jobs supported by federal government procurement. If confirmed, I will work closely with the Administrator for Federal Procurement Policy to help our American businesses compete more effectively, focus on small businesses, build the resiliency of our domestic supply chains, enable workers to thrive, increase supplier diversity in the federal marketplace, combat climate change and meet everyday needs using modern business practices and technologies to deliver better value for the taxpayer.
67. What do you see as the appropriate relationship between OFPP and the acquisition policy functions of the General Services Administration?

This is an area where I want to work to understand the existing equities. In general, OFPP establishes government-wide policy and supports government-wide implementation. In order for these efforts to be fully effective, OMB needs to collaborate closely with GSA, which has extensive expertise in acquisition, including in helping the government coordinate in the acquisition of common goods and services, develop the skills of the civilian acquisition workforce, and other acquisition activities required for a responsive and effective acquisition system.

68. What role do you believe OMB should play in determining the size of the federal government’s property portfolio?

OMB’s role is to provide policy and guidance to agencies that moves agencies’ real property portfolios toward optimum size, cost, and mission capability to best serve the taxpayers. If I am confirmed, I will review existing policy and guidance and take any needed actions to move agencies toward this goal, and determine how the government’s real property portfolio can be employed to address the Administration’s four budget values. We want to ensure that we are managing the government’s property portfolio effectively and that we are good stewards of federal resources.

69. The Federal Property Management Reform Act and the Federal Assets Sale and Transfer Act both became law in 2016. Do you believe the laws have been successfully implemented? What additional steps do you think are necessary to improve the government’s management of its property portfolio?

I am generally familiar with both of these statutes but I have not had the opportunity to review their implementation status. I understand FRPMA increases transparency and accountability for agencies’ real property management efforts, and that FASTA pilots a new mechanism to identify and execute projects. If I am confirmed, I look forward to reviewing the implementation status of both statutes and considering potential opportunities for further improvement.

70. What role do you believe OMB should play in helping agencies leverage the federal procurement process to combat climate change?

As the single largest purchaser in the world, the Federal Government is in a unique position to lead efforts to combat climate change through procurement processes. OMB can play two major roles: (1) playing a leadership role through OMB’s Office of Federal Procurement Policy as chair of the Federal Acquisition Regulatory Council to implement
administration policy to tackle the climate crisis and create good paying jobs through the power of procurement, and (2) supporting the council of environmental quality in setting agency sustainability targets and monitoring progress towards each agencies achievement.

71. What role do you believe OMB should play in helping increase energy efficiency at federal buildings in order to save taxpayer dollars on energy costs and address climate change?

I believe OMB has a role in setting policy to increase energy efficiency of federal buildings to help meet the Administration’s goals working closely with agencies and GSA. OMB encourages agencies to improve energy efficiency in Federal buildings by working with CEQ to set governmentwide policy and tracking agency performance in Sustainability Scorecards. If I am confirmed as Director, OMB will work closely with agencies to ensure the President’s Budget reflects investments that align with Administration’s priorities improve energy efficiency, save taxpayer dollars on energy cost, and address climate change.

*Cybersecurity and Information Technology*

72. What do you view to be the most significant current and emerging cyber security threats facing our nation? What role does OMB have in addressing these threats?

Cybersecurity is a top priority for this Administration, and recent events have shown that adversaries continue to target our Federal systems. Indeed, SolarWinds demonstrates this is a critical issue that must be prioritized. OMB’s role, as established by the Federal Information Security Modernization Act, is to develop and oversee the implementation of government-wide cybersecurity policies. I understand that OMB also requires agencies to implement cybersecurity protections and oversees their compliance. If confirmed, I would work closely with the Federal Chief Information Officer (CIO) and the Chief Information Security Officer (CISO) to ensure that the Administration’s cybersecurity priorities are reflected throughout government.

73. If confirmed, what steps would you take to ensure that federal agencies are taking the steps necessary to hire the cyber talent they need to meet the growing threat our country faces in cyberspace?

I understand that Federal agencies are experiencing a critical skills shortage and that the Federal Government has a growing number of cybersecurity positions that agencies are unable to fill. If confirmed, I would work with Federal agencies to identify the flexibilities that they need to attract and retain top cybersecurity talent. I believe that OMB can partner with other agencies, such as OPM, to ensure that the Federal Government is a competitive employer for top cybersecurity talent. Given the scale of risk, this is an area that may call for additional investment. The American Rescue Plan announced by President Biden...
includes support to expand and improve the Technology Modernization Fund, support for
the Information Technology Oversight and Reform fund to hire cybersecurity and digital
service experts, resources for the Technology Transformation Services at GSA, and funding
for the Cybersecurity and Infrastructure Security Agency.

74. Much of federal cybersecurity today is grounded in compliance activity and controlling
the boundaries of systems, rather than presuming a potential compromise which assume an
adversary may already be present in an enterprise’s cybersecurity infrastructure. While
pockets of the Federal government are moving towards this more advanced approach, that
transition is not widespread. Given OMB’s role in Federal cybersecurity, if confirmed, how
would you modernize the way agencies implement cybersecurity protections, and how
would you approach agency budget requests to institute these changes?

I understand that current cybersecurity law and OMB guidance to agencies require a risk-
based approach to cybersecurity, and I’ve learned that OMB works with NIST and other
agencies to set standards for approaches like Zero Trust Architecture. However, it is
absolutely the case that our systems are being targeted by adversaries and to protect the
public, we need to ensure we are using state of the art cybersecurity processes and
mechanisms. If confirmed, I will work with the Federal CIO, the Federal CISO, and the
CIO Council to help agencies mature their identity, credential, and access management
capabilities, while maturing their cybersecurity programs to take advantage of zero-trust
techniques. Protecting the public has to be one of OMB’s top priorities.

75. The recent SolarWinds compromise highlights the importance of addressing supply chain
security. The Federal Acquisition Security Council (FASC), housed within OMB, is
responsible for supporting federal agencies though a number of actions, including
identifying and issuing guidance to address supply chain risks. If confirmed, how would
you work to address federal government-wide supply chain risk management?

The Administration is committed to protecting the Federal information and communications
technology supply chain. I understand that OMB’s role, through the FASC, is to coordinate
the activities of the Federal Government, ensuring a cohesive strategy to identify, address,
and – if necessary – remove components that pose an unacceptable risk to the Federal
Government. I also understand that OMB has a role, through the Administrator for Federal
Procurement Policy and in partnership with the FAR Council (GSA, DOD and NASA), in
overseeing government-wide implementation of supply chain risk protections in the federal
acquisition system. If confirmed, I look forward to working with both communities to
ensure that the government builds a secure supply chain so that we are strengthening its risk
management capabilities.

76. For many years, GAO has placed cybersecurity on the High Risk List, and every year we
see incremental improvement, at best. What are your goals for improving Federal
cybersecurity and addressing those known deficiencies, and if confirmed, how would you
go about achieving them?
The Biden Administration is committed to protecting against future cybersecurity attacks through, among other efforts, the modernization of Federal information technology. As noted above, the American Rescue Plan introduced by President Biden includes support to expand and improve the Technology Modernization Fund, support for the Information Technology Oversight and Reform fund to hire cybersecurity and digital service experts, resources for the Technology Transformation Services at GSA, and funding for the Cybersecurity and Infrastructure Security Agency. If confirmed, I look forward to working with the OFCIO and the agency IT community to address GAO’s concerns and improve the government’s cybersecurity posture. This is a crucial means to protect the public and it is vital we advance our systems forward so that they are better protected going forward.

77. What is your view of the role of the Chief Information Officer at federal agencies?

I believe that as technology has taken on an increasingly important role in driving agencies’ ability to deliver their missions, and the importance of the Chief Information Officer role has increased. CIOs should be strategic members of their Agency leadership teams in order to support agency missions and deliver high-quality, secure solutions to increasingly complex problems. While they can focus on how agency systems operate, they should also be considering how agencies deliver results for the people. I understand that OMB’s Office of the Federal CIO engages regularly with agency leadership to help connect agency CIOs and program offices, and, if confirmed, I look forward to working with that community to ensure that CIOs are able to meet their complex responsibilities.

78. What is your view of the role of the U.S. Digital Service (USDS) at OMB and 18F at the General Services Administration in helping recruit private sector technology talent to assist federal agencies?

USDS, as well as 18F within GSA’s Technology Transformation Services, plays an essential role in attracting technologists from diverse backgrounds to work on high-priority, short-term technology challenges in the Federal Government. They have been very successful in attracting top talent. I believe the Federal Government needs a mix of technology talent, including both term-limited and career employees, with a deep understanding of agency missions and how technology can enable them to better serve the American people. If confirmed, I look forward to working with the USDS team, as well as OFCIO, on this effort.

79. If confirmed, what steps, if any, would you take to bolster USDS and its capability to assist federal agencies?

If confirmed, I will ensure USDS efforts across the Government align to the service delivery and technology modernization priorities of the Administration. I will work with USDS’s senior leadership team and those of the agencies seeking their services to ensure
that USDS is able to support the efforts, as outlined in the President's American Rescue Plan and other stated Administration priorities.

80. What is your view of OMB’s role in supporting and accelerating federal IT modernization? How can the Technology Modernization Fund (TMF) help federal agencies retire legacy technology?

I understand that OMB plays a critical role in supporting and accelerating Federal IT modernization by ensuring the President’s budget is aligned to Administration priorities, and by leading and coordinating government-wide modernization activities.

I view the Technology Modernization Fund as an innovative funding model for Federal technology modernization projects that gives agencies additional ways to deliver secure and efficient services to the American public. I understand that funding is a major challenge when retiring legacy technology, and the Technology Modernization Fund can be a critical tool to help agencies reduce the number of outdated and insecure systems, and transition to modern solutions.

If confirmed, I look forward to continuing to support and accelerate Federal IT modernization efforts, and I look forward to working with Congress to find additional ways to further promote technology modernization through the Technology Modernization Fund as outlined in the President’s American Rescue Plan.

81. What is your view of OMB’s role to ensure appropriate guidance, oversight, and accountability for federal agency acquisitions of artificial intelligence capabilities and services?

I understand that OMB is responsible for issuing guidance to Federal agencies and conducting management oversight to ensure that the acquisition and use of information technologies is consistent with Federal law and Administration priorities including artificial intelligence. I also believe OMB has a role, in partnership with the Office of Science and Technology Policy and Federal agencies, in implementing the established principles that should guide Federal use of artificial intelligence technologies. If confirmed, I would work across the Federal government to ensure that AI is designed, developed, acquired, and used appropriately and that the use of AI is lawful, safe, and secure and supports ethical principles of transparency, accountability, and equity.

82. In May 2018, OMB published the Federal Cybersecurity Risk Determination Report and Action Plan. The report found the cybersecurity programs of 71 percent of federal agencies assessed were at risk or high risk due to inefficiencies in agencies’ allocation of limited cybersecurity resources. In the 116th Congress, bipartisan legislation that would require OMB, in coordination with the Cybersecurity and Infrastructure Security Agency, to develop a standardized model for risk-based cybersecurity budgeting at federal agencies
was introduced. If confirmed, would you support the creation and implementation of risk-based budgeting for cybersecurity?

If confirmed as OMB Director, I look forward to working with Congress to evaluate appropriate actions that need to be taken to better allocate resources to address aging IT infrastructure and address cybersecurity gaps across agencies. I understand that the Technology Modernization Fund can substantially help agencies address both their modernization and cybersecurity gaps.

83. Over numerous administrations, federal agencies have failed to comply with cybersecurity requirements under the Federal Information Security Modernization Act (“FISMA”). If confirmed, what would you do at OMB to address these long-standing vulnerabilities?

I understand the Administration has made improving the cybersecurity posture of Federal Agencies one of its top priorities. If confirmed as OMB Director, I will work with the Federal Chief Information Officer and the Chief Information Security Officer to carry out my statutory responsibility to develop and oversee the implementation of information security policies and practices, and to ensure agency resources are aligned to Administration priorities.

84. Following the SolarWinds attack, what additional protections can be more widely implemented to better respond to attacks of this nature and magnitude?

If confirmed as Director of OMB, I will work with agencies to understand the resources needed to improve their cybersecurity capabilities, strengthen their abilities to identify threats, defend and prevent incidents, and quickly recover from incidents. The Administration’s focus on building robust cybersecurity support – including supporting the Technology Modernization Fund and other efforts to improve security monitoring and incident response, and develop new cybersecurity professionals – will boost U.S. capability to secure IT and networks.

85. Under the National Defense Authorization Act of 2021, Congress established a National Cyber Director and an accompanying office in the White House. What is your plan for coordinating OMB’s current responsibilities with the new Cyber Director to prevent confusion and duplication?

Cybersecurity protection and resilience is a team effort. To be successful requires coordination, partnership, and collaboration across many offices, agencies, and components. If confirmed as OMB Director, I will work with the Federal Chief Information Officer and the Federal Chief Information Security Officer to ensure that OMB collaborates with the National Cyber Director to best address cybersecurity priorities, eliminate confusion, and avoid duplication of effort.
86. In November 2020, OMB published its *Guidance for Regulation of Artificial Intelligence*. This document, produced pursuant to EO 13859 Maintaining American Leadership in Artificial Intelligence, guides federal agencies as they develop regulations for the private sector use of AI. Federal agencies are currently drafting plans to comply with OMB’s Guidance. Do you plan to continue the process specified in the OMB Guidance?

The development and use of AI in the private sector raises many important issues and challenges for federal agencies. If confirmed, I will carefully review the November 2020 guidance and make a decision concerning its implementation, with the expectation that OMB will continue to work with agencies as they address this important issue.

**Improper Payments and Government Transparency**

87. If confirmed, how do you anticipate OMB ensuring agencies are in compliance with improper payment laws and following OMB guidance in this area?

If confirmed, I will use OMB’s authorities to work closely with the Inspector General (IG) community to ensure agencies are following relevant laws and guidance. Also, I believe the agency reports required under the Payment Integrity Information Act of 2019 (PIIA) will be a helpful tool for agencies and OMB to identify areas for improvement.

88. What are the top challenges to combatting improper payments across the government? How would you combat improper payments across the federal government?

I believe the most imminent challenges to combatting improper payments are two-fold. First, OMB will want to continue to play a key role in guiding agencies to combat improper payments as the government disburses urgent relief related to the pandemic. If confirmed, I will prioritize preventing improper payments before they occur in part through sharing data, applying new technologies, scaling best practices more broadly, and providing guidance on how to optimize processes to serve urgent policy objectives with low rates of improper payments.

Second, I believe OMB will want to focus on implementing the Payment Integrity Information Act of 2019 (PIIA), which provides new tools and authorities to OMB to combat improper payments. If confirmed, I will use these authorities to further streamline improper payment guidance to balance policy and payment controls and will also ensure OMB continues to reduce waste in payment systems, strategically targeting the most significant sources of loss to the taxpayer.
During the COVID crisis, we need to ensure federal programs are quickly delivering desperately needed support to people who are struggling. At the same time, we all want to ensure that these resources are reaching their intended beneficiaries.

89. Currently, information on recipients of federal grants, contracts, and loans is required to be posted online for public review, pursuant to the Transparency Act. Do you support making subcontracts and sub grants transparent in the same manner?

Transparency into Federal spending is essential to good Federal management of taxpayer funds. If confirmed, I would review the existing requirements and implementation to better understand how to make improvements while weighing any burden increase on recipients, including small businesses, or others.

90. Do you agree with the importance of publicly disclosing the federal government’s performance goals and the results achieved?

Yes. The GPRA Modernization Act established processes by which agencies set clear goals, conduct regular internal management reviews, and report publicly through Performance.gov and agency Annual Performance Plans and Reports. The public disclosure of results achieved against the performance goals and objectives of the Government is an important component of the GPRA Modernization Act and critical for ensuring external accountability and transparency. These are critical tools to ensure government services are delivering effectively for the public and to ensure faith and trust in these programs.

91. If confirmed, how would you improve transparency of federal programs and performance?

Transparency into the performance of federal programs is essential to effectively target taxpayer dollars and making the performance results of Federal programs available to the public is important to me. If confirmed, I will build upon the efforts of GPRAMA and the GREAT Act to ensure the American public is able to view the performance results of the Federal government’s programs. Agency prioritization of their key priorities with real, up-to-date analysis of how they are performing can improve transparency. Improving our public-facing systems like USAspending.gov can help direct agencies work towards more effectively delivery of results and create greater accountability.

Environment

92. What is the role of OMB in addressing the PFAS contamination crisis?

President Biden is committed to improving water quality for all in a science-based manner by reducing the exposure to, and, the use of PFAS, including:

- Designating PFAS as a hazardous substance;
- setting enforceable limits for PFAS in the Safe Drinking Water Act;
- prioritizing substitutes through procurement, and accelerating toxicity studies and research on PFAS.

OMB will play an important role in achieving the President’s commitments. The Office of Information and Regulatory Affairs will work with the Environmental Protection Agency (EPA) to finalize a hazardous substances designation for PFAS and enforceable limits in a timely manner using the best available science. The Office of Federal Procurement Policy will ensure that we are taking a whole-of-government approach to identifying and procuring substitutes to PFAS. And our FY22 budget will make meaningful investments in improving water quality and PFAS research.

93. If confirmed, do you commit to support the phasing out of the Department of Defense’s use of fluorinated fire-fighting foam?

Yes, I will work, in collaboration with the Secretary of Defense, to phase out DOD’s use of fluorinated fire-fighting foam. In fact, many states have already banned PFAS in fire-fighting foam. These include Colorado, Minnesota, New Hampshire, California, and New York.

94. What is the role of OMB in addressing climate change?

Through the President’s budget request, advancing ambitious but achievable regulations, and leveraging the power of procurement, OMB will implement a proactive agenda to tackle the climate crisis while empowering American workers and businesses and creating good paying union jobs. A few examples include:

- Prioritizing investments in carbon-pollution free electricity and clean energy innovation;
- Advancing an ambitious and science-based regulatory agenda to reduce emissions, clean up our air and water, and to create good paying jobs;
- Leveraging the power of procurement to increase demand for American-made, American-sourced clean vehicles; and
- Working in collaboration with the Council of Environmental Quality to ensure that disadvantaged communities that have been marginalized and overburdened receive 40% of overall benefits of clean energy and climate change investments.

V. Accountability

Whistleblower Protections

95. Protecting whistleblowers and their confidentiality is of the utmost importance to this Committee.
a. Please describe any previous experience with handling whistleblower complaints. What steps did you take to ensure those individuals did not face retaliation and that their claims were thoroughly investigated?

I have never had an occasion to see a whistleblower complaint, but it’s vital to have systems in place to protect whistleblowers, including strict rules against retaliation. It’s also important to have processes in place like anonymous reporting and multiple avenues for complaints through trusted leaders who are trained in appropriately handling whistleblower claims.

b. If confirmed, what steps will you take to ensure that whistleblower complaints are handled appropriately at OMB?

I will communicate with OMB staff the importance of full compliance with legal protections of whistleblowers. I will consult with staff regarding current practices and policies, and I will work with them to make such changes as are necessary to ensure that whistleblower complaints are handled appropriately.

c. If confirmed, what steps will you take to ensure that whistleblowers at OMB do not face retaliation, that whistleblower identifiers are protected, and that complaints of retaliation are handled appropriately?

I will communicate with OMB staff the importance of protecting the identity of whistleblowers, protecting them against retaliation, and processing complaints of retaliation fully and fairly. I will consult with staff regarding current practices and policies, and I will work with them to make such changes as are necessary to ensure that whistleblowers are appropriately protected in this regard.

Cooperation with Inspectors General

96. Inspectors General (IGs) face unique obstacles as they do their work, including budget challenges and disputes with agency heads over access to information. How do you view OMB’s relationship with various Offices of Inspectors General (OIGs)?

I recognize that IGs are a crucial line of defense in efforts to manage the risk of fraud, waste and abuse in federal programs, and in order for IGs to be successful, there is an importance in maintaining IG independence to allow for the audit, investigations and inspections to be performed efficiently and objectively.

I believe OMB’s relationship with various OIG and the Council of the Inspectors General on Integrity and Efficiency (CIGIE) should be a partnership based on shared interest in
promoting efficiency and effectiveness in federal programs. By statute, OMB is a member on the CIGIE. Furthermore, I believe OMB should rely on the IG community to provide accountability and oversight into federal programs, agency compliance with applicable statutes and regulations including OMB guidance, and identifying areas to maximize efficiency and address duplication.

97. Under what circumstances, if any, do you believe OMB is not required to provide any OIG with timely access to agency records?

I believe that IGs should have timely access to agency records in pursuant of their oversight activities. That should be the standard.

98. If confirmed, do you commit to fully cooperate in a timely manner with any audits, investigations, and other reviews and related requests for information from IGs and the PRAC?

Yes, if confirmed as OMB Director, I will continue to support the PRAC in its oversight activities. This would also include, if necessary, responsiveness to any requests of the PRAC that involve OMB. I am committed to an active and productive relationship with the IGs and the PRAC.

99. If confirmed, what steps would you take to facilitate and encourage timely cooperation by federal agencies with IGs and the PRAC?

I fully support the CIGIE/IG community, in particular the Pandemic Response Accountability Committee (PRAC). While agency compliance with the PRAC is primarily the responsibility of agency management, if confirmed, I will execute the authorities as OMB Director to facilitate compliance to the fullest extent possible. If confirmed, I look forward to working with the IGs, the PRAC, and agencies on oversight activities.

Cooperation with GAO

100. If confirmed, do you commit without reservation to ensuring GAO receives timely, comprehensive responses to requests for information, including for records, meetings, and information?

I would consult with OMB staff to understand current practices and policies, and work with them to ensure that OMB and federal agencies provide appropriate, timely responses to GAO’s inquiries. I do recognize the important role GAO provides in public oversight of federal programs and I hope to work cooperatively with them to ensure accountability.
101. If confirmed, do you commit to fully cooperate in a timely manner with any audits, investigations, and other reviews and related requests for information from GAO?

Yes. I will consult with OMB staff to understand current practices and policies, and work with them to ensure that OMB and federal agencies provide appropriate, timely responses to GAO’s inquiries.

102. If confirmed, what steps would you take to facilitate and encourage timely cooperation by federal agencies with GAO?

I will consult with OMB staff to understand current practices and policies, and work with them to ensure that OMB and federal agencies provide appropriate, timely responses to GAO’s inquiries. I will direct my staff to encourage federal agencies’ timely cooperation with GAO and will consult with other federal agencies to determine the most appropriate steps to facilitate that cooperation.

103. If confirmed, what steps will you take to ensure all OMB functions and employees cooperate fully and promptly with GAO requests?

I will work with OMB staff to ensure that OMB and federal agencies provide appropriate, timely responses to GAO’s inquiries.

VI Relations with Congress

104. Do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Yes. It is important that Executive Branch agencies cooperate with Congress, and, whenever appropriate, provide the information Congress believes it needs to carry out its duties, including through testimony. I will work with Congress in this regard, and will thoughtfully consider all requests to appear before Congressional committees. If confirmed, I am committed to ensuring OMB is transparent in its actions, and part of transparency is being accountable to Congress.

105. Do you agree without reservation to make any subordinate official or employee available to appear and testify before, or provide information to, any duly constituted committee of Congress if you are confirmed?

I understand that the longstanding practice at OMB, dating back several Administrations, is to make available for testimony Presidentially appointed, Senate-confirmed officials, as
well as well as certain other senior officials. I will continue the practice of making such employees available, when appropriate.

106. Do you agree without reservation to comply fully, completely, and promptly to any request for documents, communications, or any other agency material or information from any duly constituted committee of the Congress if you are confirmed?

I understand the vital role Congress plays in oversight of the Executive Branch. I believe in transparency, ensuring we are working cooperatively with Congress and responding to Congressional inquiries to ensure the effective operation of federal programs. I will work with OMB staff to ensure that Congressional committees are provided information necessary to do their important work. As has been the practice of OMB across Administrations, I will carefully consider each request for testimony or information on a case-by-case basis.

107. If confirmed, how will you make certain that you will respond in a timely manner to Member requests for information?

I will work with OMB staff to determine how best to address Member requests to ensure that responses are timely provided. Our goal will be to respond as expeditiously as possible to Member requests.

108. If confirmed, will you direct your staff to adopt a presumption of openness where practical, including identifying documents that can and should be proactively released to the public, without requiring a Freedom of Information Act request?

I will work to ensure that OMB continues to comply with the presumption of openness articulated in the Freedom of Information Act and DOJ guidance, and will consider proactively releasing documents.

109. If confirmed, will you keep this Committee apprised of new information if it materially impacts the accuracy of information your agency’s officials have provided us?

Yes.

VII. Assistance

110. Are these answers your own? Have you consulted with OMB or any other interested parties? If so, please indicate which entities.

I was assisted by OMB staff in drafting these responses, but all answers are my own.
I, Neera Tanden, hereby state that I have read the foregoing Pre-Hearing Questionnaire and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

(Signature)

This 26th day of January, 2021
Questions for the Record
Homeland Security and Government Affairs Committee
Neera Tanden, Nominee for Director of the Office of Management and Budget
Senator Peters

Question

If confirmed, will you commit to prioritizing evidence-based interventions to help communities respond to lead exposure by supporting the inclusion of the Flint Lead Exposure Registry in the President’s FY2022 budget request?

Response

Yes. The Centers for Disease Control and Prevention has supported the voluntary Flint Lead Exposure Registry since FY 2017, which was established after residents of the City of Flint, Michigan were exposed to lead in the city’s drinking water during 2014-2015. The goals of the registry are to support the City of Flint and the State of Michigan to identify eligible participants and ensure robust registry data; monitor health, child development, service utilization, and ongoing lead exposure; improve service delivery to lead-exposed individuals; and coordinate with other community and federally funded programs in Flint. My understanding is that Congress provided new discretionary funding to continue the Registry in FY 2021. This is an important issue and, if I am confirmed, will continue to prioritize these efforts.

Question

What steps can the Office of Management and Budget (OMB) take to ensure that state and local partners are able to quickly access and utilize the aid provided by President Biden’s actions to adjust the federal cost share for FEMA assistance?

Response

COVID-19 response is a priority for the Administration, and in his first days in office President Biden tasked FEMA with quickly supporting states in standing up vaccine sites, with the full financial support of the Federal government. As part of the American Rescue Plan, the Administration submitted a request for $50 billion for FEMA’s Disaster Relief Fund, which is required to fulfill President Biden’s vision for COVID-19 response. It is a priority for the Administration to alleviate the heavy burdens on states for COVID response.

Question

Each year, the Office of Personnel Management (OPM) conducts the Federal Employee Viewpoint Survey (FEVS). This serves as an important tool for measuring employee morale across the government.

a. The survey data had shown some significant dips over the last ten years in employee morale and engagement at OMB. How will you address these issues as the leader of OMB?
b. How would you use FEVS data to inform management decisions, both at OMB and government-wide?

Response

a. If given the honor of being confirmed as Director of OMB I would engage career OMB staff in meaningful dialogue regarding morale and employee engagement to ensure the health of the organization and continued quality of work done on behalf of the country. The career staff at OMB are an incredible asset, not just to OMB but to the entire federal government and if confirmed, I would work hard to ensure they are supported and working as productively as possible towards OMB’s mission.

b. If confirmed, I would use FEVS data as one tool to help identify potential issues and then ensure there are opportunities to better understand and address employee concerns. Similarly, I would find ways through the budget and management processes to encourage agency leaders and managers at all levels to use the FEVS as a tool to inform actions that can be taken to improve engagement and the morale of our workforce.

Question

Under your leadership if confirmed, how will OMB and OPM work together regarding policy affecting the civil service on issues such as annual pay increases, civil service reform, and Federal Employee Health Benefits Program reforms?

Response

If confirmed, I will ensure there is regular communication and coordination between OMB and OPM regarding policy issues impacting the civil service. I would rely on OMB’s Deputy Director for Management and Associate Director for Performance and Personnel Management to work closely with OPM leadership as well as agency Chief Human Capital Officers to advance efforts to strengthen the Federal workforce.

Question

OMB estimates that at least 600,000 federal workers will require reskilling in response to technological advances. If confirmed, how will you address this problem in conjunction with OPM?

Response

Each agency needs to provide ongoing training and development to its employees to perform their jobs. This includes reskilling workers in response to technological advances. I will work closely with our OMB team, OPM, and Agency Chief Human Capital Officers to determine the actions necessary to ensure our workforce is armed with the latest technological skills and capabilities to achieve their mission. For example, there is a wide range of online certifications,
badging, and other trainings that employees can take advantage of in order to become more technologically proficient.

**Question**

Please explain your view of government service contracts, particularly as it relates to both the stewardship of taxpayer dollars and the protection of the merit-based civil service.

a. If confirmed, how will you ensure proper oversight and accountability in government contracting?

b. In your view, should OMB consider adopting an insourcing program for government work?

**Response**

Service contractors play an important role in supporting agency missions and Administration priorities. As we leverage the skills and value that contractors bring to the government, we must recognize the vital role played by federal employees in performing inherently governmental and core functions and managing the work of contractors. Agencies must not contravene personnel rules by using contractors to perform personal services outside the scope of what the law and regulations allow. Often there is greater accountability of the work of federal employees than contractors and that should be an additional factor in determining whether to contract for services.

a. I will work with the Administrator for Federal Procurement Policy to ensure the acquisition workforce has sufficient capability and capacity to manage contractors, especially those that are performing functions that are closely related to inherently governmental work, and our policies are leveraging performance-based contracting that ties payment and incentives to successful completion of work.

b. If confirmed, I would want to review this issue with the Administrator for Federal Procurement Policy to determine the best way to ensure that only federal employees are performing inherently governmental work, that the federal workforce has the ability to perform critical functions, and that other work is being performed efficiently and effectively.

**Question**

If confirmed, how will you prioritize research and development for fundamental science?

**Response**

As the President has said, we're going to invest in science and technology. We're going to make sure that we can compete with the rest of the world and lead the rest of the world. The Biden-Harris Administration is committed to making investments in fundamental Research and Development (R&D) and breakthrough technologies — from electric vehicle technology to lightweight materials to 5G and artificial intelligence — to unleash high-quality job creation in
high-value manufacturing and technology. The Administration believes investment in research and development for fundamental science is critical to maintaining America’s innovation edge.

**Question**

If confirmed, what steps will you take to review OMB’s Freedom of Information Act fee schedules and guidance for agencies?

**Response**

I understand that OMB recently revised its FOIA Fee Schedule and Guidelines. If confirmed, I will consider whether, within the scope of OMB’s mission and authority, further revisions are appropriate.
Senator Portman

Question
I worked to reauthorize the Cincinnati Riverfront Park in the 2016 WRDA bill (Section 1202(b) of P.L. 114-322) at $30 million (50/50 cost share) if the U.S. Army Corps of Engineers (Corps) finds the project feasible. This project is a successful public-private partnership that has leveraged every federal dollar with $6 in additional funding. For the past several years, I have requested that the Corps and OMB provide funding for the feasibility study.

Will you support funding for the Cincinnati Riverfront Park feasibility study?

Response
I am not familiar with the Cincinnati Riverfront Park feasibility study. However, if confirmed, I will examine the issues around it and would be happy to work with you and your office on this issue.

Question
I worked to include in the 2018 WRDA bill (Section 1219 of P.L. 115-270) an authorization for the Corps to conduct a Great Lakes coastal resiliency study. This study was requested and supported by all eight Great Lakes states. The purpose of the study is to recommend projects that would be most effective at preventing erosion and flooding across the Great Lakes coastline.

Will you support funding the Great Lakes coastal resiliency study?

Response
I am not familiar with the Great Lakes coastal resiliency study. However, if confirmed, I will consider it for funding along with other programs that will be competing for available resources. I appreciate the importance of Great Lakes coastal resiliency to many states and I would welcome the opportunity to work with your office on this issue.

Question
I worked with my Great Lakes colleagues to reauthorize the Great Lakes Restoration Initiative through fiscal year (FY) 2026. This program is a successful public-private partnership that protects the health of the Great Lakes from a variety of threats such as invasive species, harmful algal blooms, pollution and contamination, and habitat degradation. Specifically, my legislation with Senator Stabenow, the GLRI Act (P.L. 116-294) authorizes $375 million for GLRI in FY 2022.

Will you commit to supporting the authorized funding levels for GLRI?
Response

Addressing the many challenges posed by climate change, both on our country’s natural resources as well as the economy, are a top priority of the Administration. I appreciate the importance of initiatives like the Great Lakes Restoration Initiative, the importance of resources in this arena and I would welcome the opportunity to work with your staff on this issue. Restoration projects like this one are important areas of investment and public-private partnerships can be innovative sources of funding.

Question

Domestic nuclear enrichment capabilities are important for our nation’s national security and our advanced commercial nuclear reactors. Currently, the only U.S.-based enrichment program for the production of High Assay, Low Enriched Uranium (HALEU) is based in Piketon, Ohio.

Will you commit to supporting the funding necessary to continue developing domestic HALEU production capabilities in the United States?

Response

I agree that domestic nuclear enrichment capabilities are important for our nation’s national security and advanced commercial nuclear reactors. I believe DOE is following the direction provided by Congress in the Consolidated Appropriations Act, 2021, for the completion of a three-year, limited scope, demonstration of a U.S. origin enrichment technology for producing high-assay, low enriched uranium (HALEU) in FY 2021. This effort is complementary to the National Nuclear Security Administration’s Domestic Uranium Enrichment program, which is exploring options to meet certain long-term Departmental uranium enrichment needs.

Question

The Portsmouth Gaseous Diffusion Plant in Piketon, Ohio is currently undergoing cleanup by the Department of Energy. I have long advocated for sufficient funding for decontamination and decommissioning (D&D) to make sure the site is cleaned up without delays.

Will you support the funding necessary for D&D at the Piketon facility?

Response

Yes. Demolishing the legacy facilities and cleaning up contamination at the Portsmouth Gaseous Diffusion Plant is in line with my priorities to protect public health and the environment while supporting good union jobs.

Question

The Corps finalized the Chief of Engineer’s Report for the Brandon Road project in May 2019, and Congress authorized construction of the project in H.R. 133, the Consolidated
Appropriations Act of 2021 (P.L. 116-260). This project will help prevent Asian carp from entering the Great Lakes from the Mississippi River and threatening the Great Lakes’ $7 billion fishing industry. The next phase for the Corps is Preconstruction, Engineering, and Design (PED). I, along with my Great Lakes colleagues, have requested funding for the Corps to complete PED.

Will you support funding PED for the Brandon Road Chief’s Report, followed by construction funding?

Response

I am not familiar with the Brandon Road project. However, if confirmed, I will consider it for funding along with other programs, projects, and activities across the Nation that will be competing for available resources, and where state partners are needed, we will seek out those partners. I would be happy to work with you and your office on this issue.

Question

In the coming weeks, Senator Klobuchar and I will reintroduce the Access to Congressionally Mandated Reports Act (ACMRA), which would direct the Government Publishing Office to collect from agencies, and publish on a public website, the non-national security sensitive reports that agencies are statutorily required to submit to Congress. This legislation enjoys strong bipartisan support in Congress and among civil society groups.

Will you commit to working with me to enact this important transparency aim?

Response

I share your commitment to transparency in government and making more information publicly available is a strategy of good government. If confirmed, I would be happy to work with you on this aim.

Question

In 2018, OMB issued “Delivering Government Solutions in the 21st Century,” which discussed improvements to the ways that citizens interact with government. Specifically, that plan proposed to “establish a Government-wide capability to partner with Federal agencies to identify key customer groups (e.g., farmers, veterans).”

a. What progress has been made to establish this capability?

b. Do you believe this initiative remains useful to improving the citizen experience?

c. In addition to the 2018 reorganization plan, do you believe OMB should have a long-term strategy to enhance citizens’ experience when interacting with the federal government?
Response

a. I understand that OMB has a small team in the Office of Personnel and Performance Management dedicated to government-wide customer experience activities. This staff is responsible for developing a framework for improving customer experience, including leveraging OMB’s review of customer experience information collections under the Paperwork Reduction Act to increase the quality, comparability, and usefulness of customer experience surveys while minimizing the burden on customers.

I understand that 25 High Impact Service Providers have begun collecting customer feedback in line with government-wide measures and developed improvement plans. Cross-agency journey maps have been completed for disaster survivors, individuals with an intellectual disability, and active duty Service members transitioning to civilian employment. If confirmed, I plan to review progress in this area and determine any additional efforts needed to make progress on this important issue.

b. I know the Biden-Harris Administration is committed to improving the delivery of federal services and the experience of citizens interacting with those services. If confirmed, I plan to review progress made in this area, so that we have sufficient government-wide capacity in place to address citizen experiences which cut across our organizational silos. I believe it is vitally important to improve the ways the citizens interact with their government; indeed, it would be a priority of mine.

c. Yes, if confirmed, I plan to review progress made in this area and to work with staff to assess and further develop OMB’s continued leadership to agencies in this area on a long-term basis.

Question

Customer experience (CX) might take different forms depending on the agency and governmental program.

a. Do you believe that agencies have sufficient expertise, capabilities, and processes to ensure citizens—as users of government services—can navigate interactions with government easily?

b. If not, what steps do you propose to take to strengthen the CX expertise available to agencies?

Response

a. No. Improving customer experience will take more specialists in service and experience design, digital product development, communication, and procurement, as well as experts in applicable laws and regulations.

b. If confirmed, I plan to review the recommendations from the OMB staff and agency leaders, including the 2020 Customer Experience Strategy Report developed by an interagency team to determine specific steps to strengthen this expertise in agencies. That analysis will guide our direction to agencies on promoting this important goal.
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**Question**

Many large companies and organizations have design and customer experience (CX) experts to ensure that users are satisfied with their experience.

Do you believe that the federal government should have a chief citizen experience officer to work with agencies on the design and implementation of federal websites and programs?

**Response**

Leadership must be accountable at all levels for improving how we engage with the citizens we serve. In many cases designation of a senior accountable official can facilitate improvements efforts and should be considered. If confirmed, I would look at this issue and determine if a chief citizen experience officer would help accelerate progress in this area.

**Question**

In 2018, the President signed into law my 21st Century Integrated Digital Experience Act (IDEA). This bipartisan legislation set minimum requirements for federal websites to ensure that they, among other things, are mobile optimized, secure, and available to users with disabilities. However, to this date implementation of this law has been inconsistent across agencies.

How do you propose to improve implementation of the 21st Century IDEA, and with it, the quality and accessibility of federal websites, as well as the overall federal digital experience?

**Response**

If confirmed as OMB Director, I will continue to drive agency implementation of the requirements of the 21st Century Integrated Digital Experience Act and look for ways to support or accelerate broader government-wide efforts to modernize websites, digitize services and forms, increase the adoption of digital signatures, and improve customer experience. These activities are critically important in ensuring access to government services so that agencies can meet the needs of all stakeholders. During the pandemic, where more government services were required to be handled through technology, the weakness of some agency systems were exposed; citizens who can use mobile apps for many private sectors services should be able to use similar customer-friendly technologies for government services at all times. If confirmed, that is a goal I would work towards.

**Question**

I am concerned that we are being asked to spend more money on COVID relief when we do not even know the impact of recent spending.

Can you commit to improving transparency on how this money is being spent?

**Response**
Yes. Transparency into quality and accurate data about Federal spending is important and can facilitate strategic data-driven decisions, and I understand that OMB is actively engaged in these efforts. If confirmed, I look forward to working with you to improve the transparency into the COVID-19 relief funds.

**Question**

In the past two Congresses, I introduced bipartisan legislation with Senator Cardin to improve retirement savings for Americans. Among other things, the Retirement Security and Savings Act would allow employers to match a higher percentage of their employees’ retirement contributions. Another provision would allow part-time workers to vest in retirement plans more quickly.

Will you commit to working with me to enact these bipartisan reforms to strengthen Americans’ retirement security?

**Response**

Too few Americans have access to private pensions or other means of retirement security. Retirement security has long been an issue that highlights the lack of equality in our economy. The racial wealth gap between white families and other families has persisted for decades, while workers of color and low-income workers have held fewer stable jobs, and thus have less support for retirement. These communities most vulnerable to an insecure retirement have now been hardest hit by the pandemic.

A lack of retirement security spans across generations, as well. The median household nearing retirement age has just $100,000 in savings, and a large share has no savings at all, highlighting the high degree of wealth inequality. Millennials, meanwhile, have had trouble starting careers since entering the workforce in the wake of the Great Recession, and their ability to save for retirement has been hampered by the high cost of education and childcare.

I very much appreciate your efforts to provide more Americans with retirement security and to make the private retirement system more robust. I would look forward to working with you on these critical issues.
Senator Paul

Question

On March 19, 2020, you wrote, “Now is not the time for policymakers to worry about raising deficits and debt as they consider what steps to take. ... Deficit and debt concerns should not stand in the way of bold action.” However, in March 2019, well prior to the onset of COVID-19, the Center for American Progress – under your leadership – criticized the spending restraint in President Trump’s budget proposal as “immoral and irresponsible” despite low unemployment, significant monthly job growth, a booming stock market, and other economic indicators showing a healthy and robust economy.

a. Do you believe that the U.S. government’s perennial budget deficits are primarily a spending problem or a revenue problem?

b. Given that you believed that the economic circumstances prior to the onset of the COVID-19 pandemic was not an appropriate time to exercise spending restraint, and given that you also believe that the current economic circumstances are not an appropriate time to exercise spending restraint, under what specific economic circumstances would you support a reduction in debt-financed domestic spending?

Response

a. The last time the federal government had a budget surplus was in 2000 and at that time revenues were 20% of GDP. In 2019, before the pandemic hit, revenues had declined to 16.3% of GDP. If revenues had still matched levels during the Clinton Presidency, the deficit would have been 80% smaller, and if revenues had instead grown as they would have absent tax cuts, the deficit would have been nearly entirely eliminated. As we look at policy going forward we can always deliver services more effectively and efficiently, but we should also recognize that revenue and spending have to match if we are ever going to achieve fiscal balance.

b. President Trump increased some forms of spending and proposed decreases in other forms of spending. I believe the quote you cite referred to President Trump’s proposed cuts to domestic programs. Past this crisis, President Biden is committed to paying for permanent programs he proposes, that is not the policy that has been adhered to in the previous administration that proposed and passed deficit-financed tax cuts.

A goal of the Administration’s American Rescue Plan is to promote strong economic recovery and robust economic growth; such growth would alleviate the current high demand for certain domestic spending connected to the social safety net.

Question

In 2015, in reference to raising the minimum wage to $15 per hour, you stated that “you will get a fair number of liberal economists who say it will lose jobs.” Recently, the Congressional Budget Office (CBO) agreed with the suppositions of the economists you cited, noting that
raising the minimum wage to $15 per hour would add $54 billion to the deficit from 2021-2031, while negatively affecting the employment rate by 0.9 percent, or 1.4 million workers laid off.

a. Do you still agree that the $15 per hour minimum wage “will lose jobs”? 

b. Would the CBO fit your definition of “liberal economisis”? 

c. Do you agree with the CBO’s projection that increasing the minimum wage to $15 per hour would result in 1.4 million people losing their jobs? Why or why not?

Response 

a. The evidence on this matter has evolved considerably since 2015. According to the latest, most robust research, raising the minimum wage has, at most, a modest effect on employment. For example, a 2019 paper in a top-rated economics journal studied all 138 U.S. state-level minimum wage changes over four decades and concluded that “the overall number of low-wage jobs remained essentially unchanged over the five years following the increase.” A follow-up study using international evidence also found a “very muted effect of minimum wages on employment, while significantly increasing the earnings of low paid workers.”

b. CBO is a nonpartisan organization, as are the top-rate economics journals that peer-review research in this area. OMB analysis will always be guided by facts and evidence for its economic analysis.

c. No. According to the latest and most robust research, raising the minimum wage has, at most, a modest effect on employment. For example, a 2019 paper in a top-rated economics journal studied all 138 U.S. state-level minimum wage changes over four decades and concluded that “the overall number of low-wage jobs remained essentially unchanged over the five years following the increase.” A follow-up study using international evidence also found a “very muted effect of minimum wages on employment, while significantly increasing the earnings of low paid workers.”

Question 

Currently, low-skilled workers earning more than the current federal minimum wage but less than $15 per hour enjoy a competitive advantage over a competitor off the street. Increasing the minimum wage to $15 per hour would eliminate the competitive advantage hourly workers earning above the minimum wage enjoy.

Will these workers, who currently earn more than the minimum wage, maintain their competitive advantage over their off-the-street competitors?

Response 

Workers currently earning more than the minimum wage will maintain their competitive advantage because the benefits of the minimum wage spillover to higher-wage workers. In a
2019 letter to Congress, the Economic Policy Institute estimated that 28.1 million workers would receive direct wage increases by 2024, with another 11.6 million workers receiving “spillover” wage increases as employers adjust their internal wage scales. The majority of these workers would be adults in working families who work at least 20 hours per week. A significant fraction of these workers would be lifted out of poverty, reducing burdens on U.S. safety net programs.

**Question**

In the previous session of Congress, Senator Hassan and I introduced S. 2183, the Duplication Scoring Act, which would require that CBO include in its cost estimates of legislation an assessment of the extent to which such legislation creates new duplication within the government.

Do you agree with Senator Hassan and myself that the Duplication Scoring Act would be a helpful tool for Congress to limit duplication in the federal budget?

**Response**

It benefits everyone in government when agencies like GAO, CBO, and OMB investigate and track the extent to which programs serve similar purposes as existing programs. To the extent additional funding is needed to address an issue, the policy process should make that clear as well.

**Question**

Under the Budget Act, the President’s budget is to be submitted on the first Monday in February, and requires the President to also submit to Congress a proposal to fix Medicare solvency within 15 days of the budget request. The President is similarly required to give Congress a National Security Strategy each year on the same day as the President’s Budget, although new administrations have 150 days after taking office to do so.

When do you anticipate President Biden will submit a budget request, along with the two accompanying submissions, to Congress?

**Response**

The budget process has been delayed due to heavy roadblocks the Biden transition faced from the prior Administration’s political appointees at OMB – a departure from standard practice. Indeed, the Biden transition had extremely limited access to budget analysis until January 20th, which is several months behind all previous incoming Administrations. OMB is working to ensure the president’s budget, the National Security Strategy, and its plan for Medicare solvency can be released as quickly as possible.

**Question**
In the days following the 2016 election, you wrote “Why would [Russian] hackers hack [the 2016 election] unless they could change results? What’s the point?”

Do you believe Russia changed vote totals by way of hacking during the 2016 presidential election?

Response

No. On November 13, 2016, I wrote publicly that “[President Trump] won [the] electoral college w/ [a] close vote in [a] bunch [of] states; he’s pres. elect.” The United States intelligence community found that Russia did interfere in the presidential election. I also believe that President Trump was duly elected President in 2016.

Question

In order to respond more effectively to the COVID-19 pandemic, federal agencies have relaxed or temporarily rescinded dozens of rules and regulations while state regulatory authorities have relaxed or temporarily rescinded hundreds more.

If a rule or regulation was an impediment to the nation’s economic recovery or the COVID-19 response effort, why should we reinstate it?

Response

As Director, I would be committed to implementing the Administration’s goal of resolving the COVID-19 crisis, including by ensuring that our regulatory policies serve the public good. We will take a thoughtful approach to how regulatory policies should continue to change as the nation recovers.

Question

The size of the federal Code of Federal Regulations (CFR) has exponentially grown over decades, reflecting over a 100% increase in just a few years. As one might expect, this exponential increase is reflected in both the increases in federal full-time employees (or their equivalent) retained as well as agency budget outlays dedicated to enforcement and implementation. Some estimates place this increase in regulatory burden has imposed nearly $13,000 in costs on every American.

a. Is the current federal regulatory burden too much or not enough?

b. Are you concerned about the regulatory burden the CFR currently imposes in terms of compliance costs, particularly on small businesses?

c. What would be the impact to the recovery from the COVID-19 pandemic of imposing a litany of new costs and burdensome regulations on the private sector?
Response

As Director, I would look to regulations in terms of their adherence to Congressional intent and their promotion of public welfare. The Biden Administration will continue to use cost benefit analysis and be guided by facts and evidence in its rulemaking. We should have the volume of regulations necessary to fulfill the responsibilities that Congress has set for the President and the agencies.

I am very mindful of the particular challenges that small businesses face, and as Director would ensure that OMB and our agencies take the particular impacts on small business seriously—as instructed by existing statutes and regulatory procedures. This is especially true given the unique challenges that the COVID19 pandemic has placed on small businesses.

Under EO 12866 and existing statutes, OMB’s charge is to assist agencies in promulgating regulations that provide net positive social benefits. If confirmed, I look forward to working with the agencies on how to help the nation recover from the pandemic.

Question

In the last several sessions of Congress, I have introduced the Bonuses for Cost-Cutters Act (S. 2618 in the 116th Congress). The Bonuses for Cost-Cutters Act seeks to establish a cash award program to incentivize federal employees to identify wasteful spending in their agencies. In response, on January 27, 2021, I introduced S. 68, the Regulations from the Executive in Need of Scrutiny (REINS) Act, which would require Congress to affirmatively approve every new major rule proposed by the Executive Branch before it can be enforced on the American people.

a. Do you believe that a program such as would be created by the Bonuses for Cost-Cutters Act could help create a culture that makes leaders accountable for eliminating duplication and waste throughout the federal government?

b. Do you agree that the people’s representatives in Congress should have a say as to whether new major rules or regulations are in the best interests of the constituents they represent?

Response

I share your belief that government should look for ways to reduce or eliminate programs that are no longer beneficial or impactful. If confirmed, I look forward to working with you to identify opportunities to create greater efficiency in government programs. However, I do not believe that requiring Congress to affirmatively approve every major new rule would promote efficiency. I am concerned that it would delay and, in many cases, thwart implementation of statutory mandates and execution of duly-enacted laws, create business uncertainty, undermine much-needed protections of the American public, and cause unnecessary confusion.

Representatives of Congress do have a say: Congress authorizes the statutes that are the source of agency direction and authority; Congress oversees the Executive branch through oversight and
hearings like this one. And Congress retains the ability through the Congressional Review Act to disapprove of major regulations after their enactment.

**Question**

Article II, Section 2 of the Constitution requires executive branch officials who exercise significant authority and discretion to be formally appointed and confirmed in a manner the Appointments Clause specifies.

Will you commit, in your capacity overseeing the Office of Information and Regulatory Affairs, to implement regulations signed only by those who have undergone the constitutional requirements for exercising such authority?

**Response**

By law, regulatory actions must be signed by Executive branch officials who are authorized to act on behalf of the President and the agency. As Director I would of course commit to complying with existing Constitutional and statutory requirements.

**Question**

On December 21, 2018, the Federal Acquisition Supply Chain Security Act of 2018 was enacted as Title II of P.L. 115-390. Under the Federal Acquisition Supply Chain Security Act, the Secretary of Homeland Security, the Secretary of Defense, and the Director of National Intelligence are authorized to exclude from procurement or remove from existing systems any information technology or telecommunications equipment that are determined to pose some level of risk to the security of government data.

Given OMB’s role in the management of federal information technology and acquisitions, would you agree that a potential procurement source that is otherwise qualified to contract with the government should not be excluded from consideration based solely or substantially on the fact of foreign ownership? In other words, do you agree that a company owned by a foreign interest does not ipso facto pose a national security threat to the U.S. government supply chain?

**Response**

The Federal Acquisition Supply Chain Security Act prohibits “the issuance of an exclusion or removal order based solely on the fact of foreign ownership of a potential procurement source that is otherwise qualified to enter into procurement contracts with the Federal Government.” The Federal Acquisition Security Council (FASC) takes foreign control or influence into account as one potential source of supply chain risk when considering whether a procurement source poses a threat to the Federal Government.

As the President has directed in his Executive Order on Ensuring the Future is Made in All of America by All of America’s Workers, the United States Government should, whenever possible, procure goods, products, materials, and services from sources that will help American
businesses compete in strategic industries and help America’s workers thrive. This approach will protect our national security by addressing supply chains for sensitive materials, will help reduce our dependence on products manufactured in foreign countries during crises like the COVID-19 pandemic and will help grow our economy.
Senator Lankford

Question

In your HSGAC questionnaire, in response to a question on the rulemaking process, you wrote:

I believe that the rulemaking process provides an important tool to confront the urgent challenges facing the nation and address the needs of families. The rulemaking process is necessary to interpret the laws that Congress passes. Our regulatory system must protect public health, welfare, safety, and our environment while promoting economic growth, innovation, competitiveness, and job creation. It must be based on the best available science. It must allow for public participation and an open exchange of ideas. It must promote predictability and reduce uncertainty. It must identify and use the best, most innovative, and least burdensome tools for achieving protection of the public.

a. How do you define the “best available science”?

b. Does the public have a right to know and have the ability to review scientific studies are being used by taxpayer funded agencies?

c. If confirmed, will you commit to issuing new OMB guidance to agencies on what constitutes the “best available science,” including a requirement that all studies used in a rulemaking must be made publicly available?

Response

On January 27, 2021, President Biden issued a Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking. In that memorandum, he states that it is the policy of the Biden Administration to “make evidence-based decisions guided by the best available science and data.” In addition, the memo directs all heads of agencies to ensure that all agency activities are conducted in accordance with the six principles set forth in section 1 of the Presidential Memorandum of March 9, 2009, and the four foundations of scientific integrity in government set forth in part I of the Director’s Memorandum of December 17, 2010. If I am confirmed, I will adhere to those principles and the recommendations issued by the task force established in that memo.

This Administration has made a commitment to transparency in the rulemaking process. If confirmed, I will ensure that OMB’s activities are consistent with this principle, including promoting access to data relied upon in the rulemaking process with appropriate protections to prevent the unlawful release of sensitive information such as personally identifiable information, confidential business information, and information with national security implications.

In the Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking President Biden directed the Director of the Office of Science and Technology Policy to ensure the highest level of integrity in all aspects of executive branch involvement with scientific and technological processes. If confirmed, I look forward to working...
with the Director to implement the directions in the memo, including implementing the recommendations issued by the task force established by the memo, while ensuring that personally identifiable information (PII), confidential business information (CBI), and other sensitive information remains protected from unlawful release.

Question

OMB Circular A-4 has been been the guidebook for agency economic analysis since 2003. In President Biden’s Memorandum titled “Modernizing Regulatory Review” he called for a A-4 to be “modernized and improved” so as to promote “policies that reflect new developments in scientific and economic understanding, fully accounts for regulatory benefits that are difficult or impossible to quantify, and does not have harmful anti-regulatory or deregulatory effects.”

a. If confirmed, you would lead this effort to revise A-4, what would you look for when accounting for “regulatory benefits that are difficult or impossible to quantify”?

b. In a cost-benefit analysis, what weight would you give to benefits that are difficult or impossible to quantify?

Response

EO 12866, the cornerstone EO for cost benefit analysis, states that "Costs and benefits shall be understood to include both quantifiable measures (to the fullest extent that these can be usefully estimated) and qualitative measures of costs and benefits that are difficult to quantify, but nevertheless essential to consider." Similarly, circular A-4 currently acknowledges that some important benefits and costs such as privacy protection or human dignity may be difficult to quantify or place in dollar terms given current data and methods. We will be looking to experts inside and outside of government for best practices as we move forward with this process.

The President’s Memorandum directs us to ensure that these kinds of effects are clearly and transparently accounted for in the analysis to inform decision-making and the public. The weight of those effects are likely to depend upon the unique circumstances of the regulation. One example that I believe demonstrates the intent of the modernizing regulatory review memo is the Americans with Disability Act (ADA). The ADA requires that people with disabilities have access to restrooms. There is analysis of the quantifiable costs and benefits to consider as part of this requirement, but there is also a dignity issue of disabled people that is very important. Like the restroom requirement of the ADA, the intent of the modernizing regulatory review memo is to ensure that the full range of costs and benefits are considered in making regulatory decisions and that burdens are not placed on disadvantaged communities, rural communities, communities of color through the rulemaking process. As with any policy matter, the ultimate decision of whether or not to regulate remains a policy judgment for the agencies and the President to make. I am committed to ensuring facts and analysis are brought to bear and that the process is as transparent as possible.

Question
In the same Memorandum, “Modernizing Regulatory Review,” the President writes that the Director of OMB should “consider ways that OIRA can play a more proactive role in partnering with agencies to explore, promote, and undertake regulatory initiatives that are likely to yield significant benefits.”

OIRA’s regulatory review process has traditionally been one of a gatekeeper, they check to make sure the agencies followed the law and all procedural steps in a rulemaking. But OIRA is not an advocacy organization, this memorandum appears to call for a significant change in the mission of OIRA. Would OIRA under the Biden Administration become a policy making office?

Response

OIRA plays a key role not just on procedure, but also on helping agencies produce rigorous analysis that informs agency policy decisions and identifies potential alternatives that may garner significant net benefits for society. An agency’s decision to regulate or not to regulate is a decision that has impacts on society. Sometimes a new regulatory action could produce significant benefits for society that agencies should consider. This charge from the modernizing memo continues OIRA’s role by bringing analysis and good process to bear on regulatory policy decisions. As with any policy matter, the ultimate decision of whether or not to regulate remains a policy judgment for the agencies and the President to make. We do not consider the “Modernizing Regulatory Review” Memorandum as a dramatic expansion of OIRA’s role.

Question

Executive Order 12866 was issued by President Clinton in 1993 and has served as the standard for agency regulatory analysis for nearly 30 years. E. O. 12866 directs each agency to “assess both the costs and the benefits of the intended regulation and, recognizing that some costs and benefits are difficult to quantify, propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs.”

In order to make a regulation’s benefits “justify” its costs, agencies have been creative with the time periods in which they measure costs and benefits – measuring costs over a shorter time period than they measure benefits.

a. Do you believe that costs and benefits should be measured in an equal manner?

b. For example, if unquantifiable benefits are considered in cost-benefit analysis, should unquantifiable costs also be considered?

c. If, for example, a 50-year period is used to measure potential benefits for a rule, should the same time period be used to measure costs?

Response

The goal of regulatory impact analysis under EO 12866 is to provide an accurate assessment of the impacts. Some impacts take place immediately (for example, short term investments in
energy-efficient technologies for appliances). But some impacts accrue over time (for example, the savings that come with more energy-efficient appliances). The guidance on regulatory impact analysis clearly articulates that the timeline for both benefits and costs should be the same. Recognizing that benefits and costs do not always occur at the same time, agencies are requested to discount appropriately. The timescale where agencies measure costs and benefits stems from the facts on the ground and the issues at hand.

Regulatory impact analysis should consider all relevant unquantifiable impacts as well as quantifiable impacts, as stated in the EO 12866.

Generally, yes, benefits and costs should be assessed over the same time horizon. If data or methodology limitations prevent such consistency, the regulatory impact assessment should include a transparent acknowledgement of the relevant analytic challenges.

Question

Independent agencies and commissions were created by Congress to be outside of the political process, but they were never designed to operate as an unaccountable fourth branch of government. These agencies have taken on a larger role in the regulatory process and issue regulations that are equally as legally binding as those issued by Executive Branch agencies, except rules issued by independent agencies do not go through centralized review by OMB’s Office of Information and Regulatory Affairs. Studies by the Administrative Conference of the United States and the Government Accountability Office has found that regulatory analysis by independent agencies is not as searching and thorough as analysis by agencies clearly within the Executive Branch and former OIRA Administrators from both parties have called for OIRA review of these agencies.

a. Do you believe independent agencies and commissions should held to the same standards in their rulemaking procedures as Executive Branch agencies?

b. Should regulations issued by independent agencies and commissions be subject to centralized review by the Office of Information and Regulatory Affairs? If no, please explain why regulations issued by independent agencies and commissions should be treated differently than regulations issued by Executive Branch agencies.

Response

Independent agencies have fundamentally a different relationship with the Executive Office of the President and by extension the OMB that is housed within it. The independence of certain agencies and commissions in the first instance is a decision made by Congress. Whether independent agencies and commissions created by Congress to be independent can be subject to the regulatory impact analysis requirements of EO 12866 is a legal and policy decision to be made by the President and the courts. If confirmed, I would like to examine this issue and understand how it would affect the overall relationship between the Office of the Presidency and independent agencies.
Question

OMB’s involvement with federal workforce policy has varied from administration to administration. If confirmed, what type of relationship do you expect to have with OPM and how involved will OMB be in setting federal workforce policy?

Response

OMB has several statutory roles in Federal workforce policy, assigned to both the Director and Deputy Director for Management (DDM) positions. OMB also has responsibilities for carrying out the President’s role in setting Federal employee pay policy. In addition, OMB works to ensure Federal workforce policies are aligned and integrated with legislative, management and budget proposals, including the President’s Management Agenda. I believe OMB and OPM should have an important partnership in order to elevate Federal workforce issues with agency leadership and partner with key stakeholders.

Question

According to data compiled by OPM and the Partnership for Public Service, there are approximately 2 million federal employees, about 6% are under the age of 30, while 18% are eligible to retire. OPM has a time-to-hire goal of 80 days, which is not being met – in 2018, time-to-hire was 98.3 days.

a. The Federal Workforce faces a number of problems, from hiring and retention to closing critical skill gaps. What specific steps can OMB take to address these long-standing problems?

b. What long-term changes should be made in telework and remote work for the federal workforce after 2020-2021?

Response

a. OMB can continue to work with Congress, OPM, and agencies to remove barriers to effective management through such measures as simplifying hiring regulations and policies while providing HR managers with the modern tools they need to perform their duties. If confirmed, I would work to identify barriers from policy to culture, while working to implement change. I would also welcome the opportunity to work with your office on issues related to attracting younger people into the workforce.

b. Through the current maximum telework posture, the Federal workforce has demonstrated their dedication and commitment, and outstanding performance in exceptional circumstances. Looking ahead, there are opportunities for agencies to continue to embrace telework and revise telework policies to support a number of goals - to include reducing the carbon footprint, increasing work/life balance, and ensuring continued services in emergency situations.
Congress has continued to maintain the Hyde Amendment on a bipartisan basis each year in annual funding bills since 1976. If confirmed, will you continue to uphold and enforce the restrictions of the Hyde amendment – that no federal funding can pay for abortions except in the case of rape, incest or to protect the life of the mother – as enacted by Congress?

Response

The President laid out a health care plan that would provide comprehensive health care for all women. The President has stated his belief that repealing the Hyde Amendment is a matter of economic and racial justice. It most significantly impacts Medicaid recipients, who are low-income and more likely to be women of color. Providing coverage for abortion services does not compel women to have an abortion and does not compel those in the medical community who are morally opposed to abortion to assist in the procedure. There are federal laws that protect these rights.

Question

Congress has also continued to include conscience protections for individuals who have a religious or moral objection to participating in an abortion. Specifically, the Weldon amendment, which has been included in funding bills since 2005, restricts federal funding from going to agencies or programs that discriminate against health care providers that do not provide, pay for, provide coverage of or refer for abortions. If confirmed, will you continue to uphold and enforce the Weldon amendment and other conscience protections enacted by Congress to ensure that no health care providers are discriminated against with federal dollars?

Response

The President laid out a health care plan that would provide comprehensive health care for all women. Providing coverage for abortion services does not compel women to have an abortion and does not compel those in the medical community who are morally opposed to abortion to assist in the procedure. There are federal laws that protect these rights.

Question

According to the Congressional Budget Office, President Biden’s plan for a $15 minimum wage would not only cost over one million jobs, but would add $54 billion to the federal deficit, which is already in existential crisis.

How do you plan on balancing your job as part of the President’s cabinet and your duty to manage the federal debt and deficit?

Response

A budget is a moral document that forces the government to prioritize both its programmatic priorities and its fiscal priorities. While we have to always be mindful of long-term sustainability, it’s also the case that interest rates on our debt are at historic lows, and therefore,
the cost of debt has declined. In addition, to the degree we boost the economy into a stronger position, we will have increased our fiscal capacity.

I believe that it is critical we ensure a strong economic recovery, address rising inequality and ensure a fiscally sustainable path. I also appreciate how Congress has acted in a very bipartisan manner to address the COVID crisis over the last year and has not required payors for COVID response. Animating that decision was the belief that this is an urgent moment for the country. I believe that urgency continues.

**Question**

President Biden recently withdrew $27.4 billion in spending cuts proposed by President Trump.

As OMB Director, would you have advised the President to take these savings off the table?

**Response**

President Trump’s package proposed rescinding critical funding for global vaccination programs, renewable energy research, federal student aid, and more. In addition to breaking the funding deal Congress had just agreed to as well as the two-year budget caps deal, this would have taken funding from many vital programs. Of course, if confirmed as OMB Director, I would welcome the opportunity to discuss particular area of savings with you and your office at any time.
Senator Sinema

Question

Some policymakers have argued that we need more targeted recovery efforts that meet our country’s immediate public health and economic needs, without exacerbating our long-term debt and deficit concerns.

a. As Director of OMB, what actions are available to address these types of concerns?

b. Congress needs a strong partnership with OMB to guide appropriate federal investments toward public health and economic recovery programs that will have the most impact. What steps can you take to improve this type of partnership?

Response

a. My orientation is to ensure that government resources are targeting and addressing real needs, and that we use benchmarks to assess how well programs are working and delivering real results for families. If confirmed, I would always welcome information on how programs can best be targeted to address needs. The American Rescue Plan was developed with a bottom-up approach, analyzing needs for expedited vaccine distribution, for schools to reopen, and to ensure states and localities issue fewer layoffs, among other areas. As future proposals are developed, it will be important to work with Congress to ensure programs are well targeted to need.

b. I agree that there should be a strong partnership between Congress and OMB on guiding federal investment to have most impact. If confirmed as OMB director, I would look forward to directly engaging Congress and facilitating coordination with the various agency and department heads. Treasury is directly engaged in monitoring our economic recovery programs to ensure they meet the moment, as HHS is for our public health programs. As we develop ideas in the Executive Branch we can always work with Members of Congress to ensure policy proposals have the most impact. I pledge to be a responsive cabinet secretary and to ensure the Executive and Legislative Branches work in concert.

Question

I have partnered with Senator James Lankford in asking GAO for a comprehensive federal review of the government’s response to the pandemic. This will include the failure to provide safe and working personal protective equipment, or PPE. During the pandemic, faulty or substandard PPE was provided to law enforcement, firefighters, hospitals, nursing homes, and Indian Health Services hospitals serving Navajo Nation, some through federal contracts.

As Director of OMB, what can you do to improve federal agency procurement processes to ensure the government can meet its obligation to provide working PPE?
Response

I welcome information from GAO’s review of the federal government’s pandemic response; such information is critical to ensuring we improve performance and better address future pandemics. Ensuring the effectiveness of the federal acquisition system is a core responsibility of OMB and a critical component in supporting the COVID-19 response and relief efforts across multiple agencies and numerous functions. The President is committed to securing domestic supply chains for materials like PPE, which are critical to protecting our country and its citizens. If confirmed, I will work closely with the Administrator for Federal Procurement Policy, once he or she is confirmed, to address these and any other GAO recommendations for improving the federal acquisition process.

Question

It was reassuring to hear in your responses the importance of OMB basing decisions on data and science. As you may know, in the final weeks of the Trump Administration, HHS finalized the previously withdrawn Rebate Rule to eliminate drug rebates in Medicare Part D. HHS’ own Actuary concluded this policy would increase Medicare premiums by up to 25 percent for millions of seniors, including more than 1.5 million seniors in Arizona. The previous Administration finalized this rule by having the then-Secretary simply self-certify that premiums would not increase, ignoring actuarial data. The Biden Administration agreed to delay the effective date of this Rebate Rule for one year. If confirmed, would you as OMB Director commit to working with Congress to ensure that future health rulemaking relies on evidence-based data and facts?

Response

Yes absolutely. If confirmed as OMB Director I would commit to working with Congress and ensuring that regulations promulgated by the Biden Administration are supported by evidence-based data and facts.

Question

The National Defense Authorization Act (NDAA) for Fiscal Year 2021 included provisions from the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act, which would establish federal incentives to stimulate domestic advanced semiconductor manufacturing, increase U.S. supply chain security and competitiveness in the microelectronics ecosystem, and help ensure long-term national security. The CHIPS Act language impacted several different federal agencies, because it is clear that for America to be successful in maintaining its competitive global advantage in semiconductors, it will take a whole-of-government approach. Perhaps the most important aspect of the bill is the authorized appropriations figures it contains. As we are about to start to consider appropriations for Fiscal Year 2022, how is the Administration planning to prioritize this area in its budget request?

Response
The President believes in the importance of building strong, resilient, diverse, and secure supply chains in many areas, including advanced semiconductor manufacturing. The Administration recognizes how critical domestic production of semiconductors is for our security. If confirmed, I look forward to reviewing the Department of Commerce study on the status of microelectronics technologies in the United States industrial base and will work closely with departments and agencies to ensure that resources supporting strong semiconductor capacity are prioritized in future funding decisions.

**Question**

The Suitability and Security Clearance Performance Accountability Council (PAC) is the principal interagency body responsible for security clearance reform, with the Office of Management and Budget as the Chair.

a. As Director of OMB, will you ensure that security clearance reform is given proper attention?

b. With as little as 3% of initial secret investigations meeting the processing objectives, how do you envision speeding up the process while maintaining a high level of scrutiny?

c. The Government Accountability Office reports that the PAC has not yet completed the development of quality measures for investigations. Will you prioritize the development of investigation quality measures and report to Congress on that development?

d. Can you pledge to be transparent with Congress and the public, including continuing to update the progress of key reforms through www.performance.gov, or another accessible platform?

**Response**

a. Yes. Efficient and effective personnel vetting is critical for quickly onboarding and sustaining a skilled and trusted workforce. The mission space, which includes security clearances, suitability/fitness, and credentialing, is a key element for ensuring agencies provide critical services to the American people. While the PAC has made significant progress in eliminating the background investigation backlog and reducing timeliness, much work remains to fundamentally reform the process. I will work closely with my Deputy Director for Management (DDM)—who chairs the PAC—to continue advancing these reform efforts.

b. While I understand that progress has been made to reduce the backlog and improve timeliness, if confirmed, I would continue to push improvements. I would work with my DDM and leadership at ODN, OPM, and DOD as well as other agencies to further make policy, budget, technology, and process improvements needed to improve background investigation timeliness without sacrificing quality. We will evaluate if additional resources or greater management are needed.

c. I understand the Trusted Workforce 2.0 reform effort will help address this GAO finding. If confirmed, I would examine this issue and report back to GAO and Congress.
d. Yes. I agree transparency is critical. If confirmed, I would commit to continuing to provide regular progress updates to Congress, and would endeavor to find ways to publish progress on key reforms.

**Question**

The Regulatory Right-to-Know Act of 2002 requires that an annual report be submitted to Congress on the costs and benefits of regulations. The Paperwork Reduction Act of 1995 requires the annual publication of a report detailing paperwork burden in the United States. Recently, there have been years where these reports were not published at all.

As Director, what steps will you take to ensure OMB compliance with reporting requirements contained in statute?

**Response**

If confirmed as Director, I would work with the agency and the Congress to provide timely information as required by law. I would also work to ensure OIRA’s information on cost-benefit analysis is fully transparent.

**Question**

The Office of Information and Regulatory Affairs has a history of failing to meet its 90 day deadline for the review of agency action. As Director of OMB, what steps will you take to ensure a timely review of pending agency actions?

**Response**

If confirmed, I would look forward to working with the OIRA staff and the agencies to learn more about opportunities for making the agency’s processes as efficient as possible, while maintaining OIRA’s extremely high standards for rigor and integrity. I would welcome working with you and your office to address your concerns.

**Question**

In your pre-hearing questionnaire, you mentioned the need to have a regulatory system that promotes predictability and reduces uncertainty. How can you utilize the position of Director of OMB to institute policies that create long-term certainty for regulated parties and the public?

**Response**

Well-written rules grounded in rigorous analysis with transparency and notice to the public help provide clarity and certainty for regulated parties. As Director I would work with the agency staff to ensure that the requirements of the APA, EO 12866, EO 13563 and other procedures for consultation, analysis, and transparency are adhered to. To be successful, rules must provide
adequate guidance to all stakeholders and I would work to orient OIRA towards predictability in its rulemaking.

**Question**

The Congressional Review Act (CRA) prohibits the reissuance of a regulation that is "substantially the same" as a rule repealed via a joint resolution of disapproval. If confirmed, how will you direct agencies to interpret what constitutes "substantially the same" so as to avoid violating the directives of the CRA?

**Response**

If confirmed as Director, I would look to legal counsel on the correct understanding of this requirement and work with agencies to comply with existing requirements. My goal would be to follow the letter and the spirit of the law.

**Question**

OMB is tasked with a number of duties supporting the operations of the executive branch and has a number of offices charged with specific areas of operation to fulfill those duties. If confirmed, how will you ensure that OMB's offices are appropriately structured and staffed based on the areas they oversee? Do you feel the offices are currently staffed and structured appropriately?

**Response**

It is one of my top priorities to ensure that OMB offices are appropriately structured, resourced and staffed to fulfill their core responsibilities and advance the President’s agenda as well as support the Executive Office of the President. If confirmed, I would anticipate focusing on this immediately and would work with Congress as relevant to ensure appropriate resources and staffing levels to fulfill OMB’s responsibilities.

**Question**

What do you believe to be the role of the OMB Director in overseeing the integrity of revolving fund accounts, and specifically that of OPM? Do you support a government-wide audit of revolving funds?

**Response**

OMB oversight of revolving funds is as important as oversight of any other type of fund as they can account for billions of dollars in taxpayer spending, just not necessarily subject to the annual appropriations process. The integrity of revolving funds like the OPM Revolving Fund is supported by the scope of existing financial audits and the solvency of these funds is closely managed by agency CFO’s. Given the financial complexity of these funds and the dynamic business-like nature of reimbursable programs, OMB plays an important role in overseeing the
financial health of revolving funds, including fee structures and cost allocation methodologies. I understand OMB is paying particular attention to the OPM Revolving Fund to avoid a recurrence of a past overreliance on revolving fund revenues that has led to the current financial shortfall in administrative services.

**Question**

The Office of Personnel Management is tasked with enterprise human resource management. Over the past decade, OPM has been experienced a data breach that exposed the personal information of millions of current and former federal workers and their families, the transfer of its security clearance work to DoD, funding and staffing issues and a proposed merger into the General Services Administration. Most recently, there has been a focused effort for IT modernization at OPM. If confirmed, what role do you see the OMB Director playing in supporting OPM and addressing its operational challenges?

**Response**

If confirmed as OMB Director, I commit to partnering with OPM, as we would with other agencies, to support their mission through legislative, regulatory, and budget. In particular, I would rely on our Federal CIO to work closely with OPM to address IT security and operational challenges. Cybersecurity for all our agencies, including OPM, would be a top priority of mine, if confirmed.

**Question**

As technology continues to impact the modern workforce, upskilling and reskilling of the Federal workforce will be required. What role do you believe the OMB Director should play working with OPM and across the Federal agencies to enhance Federal hiring and improve employee engagement?

**Response**

If confirmed as OMB Director, I would partner with OPM and Federal agencies to promote a workforce with modern-day technical skills in areas like data science, cybersecurity, and artificial intelligence. GAO and others have identified the federal government’s inability to attract the right talent for particular needs as a risk and addressing that challenge should be a priority for personnel policy. As technology changes the way Federal agencies deliver on their missions, reinvesting in our existing talent with professional development opportunities, such as upskilling and reskilling, will make the Federal Government more innovative and a more competitive employer for talented job seekers.

**Question**

Cross-border infrastructure investments, such as ports of entry, and the transnational Interstate-11, promote economic development and trade, not only in border communities, but across the
United States. If confirmed, what mechanisms can OMB utilize to ensure the full economic impact of these investments are considered and prioritized?

Response

The Administration recognizes that investing in transportation and port of entry infrastructure is crucial to trade, commerce, the Nation's economy, and our quality of life. At the ports, investment opportunities weigh impacts on efficient and effective screening for legitimate trade and travel, as well as capabilities to identify criminal (e.g., narcotics) and trade violations (e.g., intellectual property rights, dumping) in order to protect our economy from their harmful effects. With respect to highways, most federal funding is distributed to States, which are given considerable latitude in selecting projects with national and regional economic benefits. DOT also administers smaller discretionary grant programs for surface transportation projects that consider economic benefits, among other factors, for selecting awards. However, the Biden Administration does recognize the importance of infrastructure like Interstate 11 to economic growth. OMB has an important role in funding infrastructure investments and I would look forward to working with Congress on these critical issues.

Question

The work of the Army Corps of Engineers (USACE) includes the restoration of ecosystems through large-scale projects. These projects not only benefit the goals of conservation, but buttress these environments from the continuing impacts of climate change and the prolonged drought facing the western United States. Unfortunately, many of these projects languish due to funding shortfalls and inattention from decision makers in Washington, D.C. In Arizona, efforts such as the Environmental Protection Agency’s “Rio Reimagined Urban Waters Federal Partnership” projects reinvigorates the USACE priority of ecosystem restoration and resilience. If confirmed, how can you apply the influence of the Office of Management and Budget to ensure these projects are properly funded and executed?

Response

I understand the importance to the Nation of the Army Corps of Engineers aquatic ecosystem restoration projects. I fully support the three main mission areas of the Army Corps including flood and storm damage reduction, commercial navigation, and aquatic ecosystem restoration. If confirmed, I will carefully evaluate and prioritize aquatic ecosystem restoration projects for funding along with other programs, projects, and activities across the Nation that will be competing for available resources.
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Senator Rosen

Question

The National Defense Authorization Act (NDAA) for Fiscal Year 2021 included legislation, the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America Act, which would establish federal incentives to stimulate advanced semiconductor manufacturing, increase U.S. supply chain security and competitiveness in the microelectronics ecosystem, and help ensure long-term national security. This bill included provisions related to several different federal agencies, as it is clear that for America to be successful in maintaining its competitive global advantage in semiconductors, it will take a whole-of-government approach.

Perhaps the most important aspect of the bill is the authorized appropriations figures it contains. As we are about to start discussion appropriations for Fiscal Year 2022, how is the Administration planning to address in its budget request the authorized appropriations figures in the CHIPS for America Act?

Response

The President believes in the importance of building strong, resilient, diverse, and secure supply chains in many areas, including advanced semiconductor manufacturing. The Administration recognizes how critical domestic production of semiconductors is for our security. If confirmed, I look forward to reviewing the Department of Commerce study on the status of microelectronics technologies in the United States industrial base and will work closely with departments and agencies to ensure that resources supporting strong semiconductor capacity are prioritized in future funding decisions.
Senator Hawley

Question

As I discussed with you at your nominations hearing, I am very concerned that bipartisan pro-life policies important to millions of Americans, such as the Hyde amendment, are at risk during the Biden Administration. Another such bipartisan pro-life policy, the Weldon amendment, has passed in every Labor-HHS appropriations bill since 2005. The amendment restricts federal funding from States and programs that discriminate against providers and health plans on the basis that they do not provide, cover, or pay for abortions. If confirmed, will you advise that the Weldon amendment be excluded from the President’s budget for the next fiscal year, or will you support its continued inclusion in the budget?

Response

The President laid out a health care plan that would provide comprehensive health care for all women. Providing coverage for abortion services does not compel women to have an abortion and does not compel those in the medical community who are morally opposed to abortion to assist in the procedure. There are federal laws that protect these rights.

Question

As OMB Director you will have discretion over decisions surrounding the obligation of congressionally-appointed funds. Do you believe that religious organizations are entitled to compete on equal footing with secular organizations for federal funding used to support government programs?

Response

I share President Biden’s commitment to religious freedom for all. The First Amendment and other federal laws provide strong protections for the free exercise of religion by both individuals and religious institutions. Religious organizations can and do receive grants and federal funds and that would obviously continue in a Biden Administration. If confirmed as OMB Director, I would fully adhere to these legal protections.

Question

In January of last year, your predecessor issued a memorandum which ensured that federal agencies do not discriminate against faith-based organizations in the awarding of federal grants, and that they take steps to prevent states from doing so either. This matters because, even if the federal government does everything right, some states may still discriminate against those organizations because they are religious institutions. That would be a violation of the Constitution’s Free Exercise Clause. If you are confirmed, can those religious institutions count on you to ensure that you will work to prevent either states or the federal government from discriminating against them?
Response

Both state and federal governments have obligations under the Constitution and federal statutes to protect religious freedom. The First Amendment’s free exercise of religion clause and prohibitions against discrimination on the basis of religion invalidate state action that discriminates against religious institutions. If confirmed as OMB Director, I would work to ensure that both state and federal governments comply with those bedrock legal requirements. And I would of course uphold the Constitution in all our actions.
February 5, 2021

The Honorable Gary Peters  The Honorable Rob Portman
Chairman  Ranking Member
Committee on Homeland Security and Committee on Homeland Security and
Governmental Affairs  Governmental Affairs
United States Senate  United States Senate
442 Hart Senate Office Building  340 Dirksen Senate Office Building
Washington, D.C. 20510  Washington, D.C. 20510

Dear Chairman Peters and Ranking Member Portman,

On behalf of the Association of Asian Pacific Community Health Organizations (AAPCHO), I write in support of Neera Tanden to be the Director of the White House Office of Management and Budget (OMB). Ms. Tanden is a historic nominee who, if confirmed, will be the first woman and the first South Asian to lead OMB. We strongly urge you to vote yes on her nomination.

AAPCHO is a national nonprofit association of 34 community-based health care organizations, 29 of which are Federally Qualified Health Centers (FQHCs), that advocates for the diverse health needs of medically underserved Asian Americans, Native Hawaiians, and Pacific Islanders and the community health providers that serve their needs. AAPCHO’s members are critical health access providers to nearly three quarters of a million vulnerable and low-income patients, providing culturally and linguistically appropriate care that is vital to supporting AAs and NHPIs and other underserved communities.

Ms. Tanden has a long and distinguished career of public service and was a critical partner within the Obama Administration to advancing health equity and building community trust. AAPCHO and our members worked directly with Ms. Tanden during the implementation of the Affordable Care Act to ensure that AA and NHPI providers and patients understood how the law would improve access to affordable health insurance and expand the health center program. Ms. Tanden personally participated in AAPCHO member-sponsored town halls with patients and providers. Her presentations and subsequent question and answer sessions were translated into multiple languages for attendees in real-time, indicative of her commitment to engaging and respecting the cultural and linguistic needs of our members’ patients and their diverse communities.

Further, Ms. Tanden’s life experiences and policy expertise make her uniquely suited to lead OMB at this critical time for our nation. As a child, Ms. Tanden’s family relied on social safety net programs like so many within the AA and NHPI community. Throughout her career, she has gained a wide breadth of domestic, economic, health, and foreign policy experience that will inform her decisions in developing and implementing budgets and programs that reflect our nation’s values and serves the dignity and humanity of all people.
AAPCHO is confident that Ms. Tanden will lead OMB with integrity, empathy, and firm commitment to overcoming the health and economic crises facing the nation. We urge the Committee to favorably report Ms. Tanden’s nomination for OMB Director and the full Senate to confirm her.

Sincerely,

[Signature]

Jeffrey B. Caballero, MPH
Executive Director
February 8, 2021

Dear Chairman Peters and Ranking Member Portman:

On behalf of the Asian Pacific American Institute for Congressional Studies (APAICS), we urge you to confirm Neera Tanden for Director of the Office of Management and Budget. If confirmed, Ms. Tanden will be the first woman of color and first South Asian American to lead the agency. This would be a huge milestone for the AAPI community, in particular AAPI women.

APAICS is a national nonpartisan organization that is dedicated to promoting Asian American and Pacific Islander (AAPI) participation and representation at all levels of the political process. We were founded alongside the Congressional Asian Pacific American Caucus (CAPAC) with the first Asian American Cabinet in the history of this country, Secretary Norman Y. Mineta.

Ms. Tanden’s story is one that many of us can relate to. She is the daughter of Indian immigrant parents and has lived the experiences and hardships that so many Americans now face due to the devastating pandemic. Growing up, she relied on food stamps and Section 8 housing, and until law school, she attended public schools. Her personal background is one that led to the, now, ever-so-shrinking middle class.

But beyond Ms. Tanden’s roots, she is the most qualified candidate for this position.

As the president and CEO of one of the largest multi-issue think tank that covers over 20 different issues, Ms. Tanden will be able to guide the Administration with the same leadership and tact as she did there. In addition to that invaluable management experience, Ms. Tanden is a veteran of multiple administrations in other director-level positions, many of which on domestic policy.

We hope that you will recognize the importance of Neera Tanden’s confirmation for the AAPI community, in addition to her immense qualifications, by confirming her as Director of OMB.

Thank you for your consideration.

Sincerely,

Madeline Xuan-Trang Miike
President and CEO
APAICS
February 9, 2021

Honorable Senator Gary Peters
Chairman
Senate Homeland Security
& Government Affairs Committee

Honorable Senator Rob Portman
Ranking Member
Senate Homeland Security
& Government Affairs Committee

Honorable Senator Bernie Sanders
Chairman
Senate Budget Committee

Honorable Senator Lindsey Graham
Ranking Member
Senate Budget Committee

Dear Chairmen Sanders and Peters and Ranking Members Portman and Graham:

On behalf of the Asian Real Estate Association of America (AREAA), a nonpartisan, non-profit trade organization with 17,000 members and 40 chapters throughout the United States, we are writing to support President Biden's nomination of Neera Tanden to be the Director of the White House Office of Management and Budget (OMB).

AREAA is dedicated to promoting sustainable homeownership opportunities in the Asian American and Pacific Islanders (AAPIs) communities, whom face multiple barriers, like language access, to homeownership. It is important the leader of the OMB understands and appreciates the challenges that AAPIs and other communities experience in attaining the ultimate American dream of owning a home and becoming the fabric of American society. We believe that Ms. Tanden has that knowledge and experience both on a personal and on a professional level to be an exceptional Director of OMB, who will dedicate her service to improve the lives for all Americans. We also believe that it is critical to have diverse leaders (in ethnicity and gender) heading up our federal government's efforts to deal with broad challenges ahead.

Ms. Tanden has dedicated her life to public service and has an impressive and successful career working to develop policies to help all Americans especially in healthcare. As a senior advisor at the U.S. Department of Health and Human Services (HHS) during the Obama Administration, Ms. Tanden implemented the Affordable Care Act (ACA) to ensure that all Americans, including AAPIs, has access to affordable health insurance. As a leader and an advocate on the economy, Ms. Tanden has also championed and promoted policies that would help to support and expand opportunities for women and minority-owned small businesses, to which many of our AREAA members belong to.

Ms. Tanden's parents were immigrants from India, and like many newcomers, her family faced financial hardships. During this difficult time, Ms. Tanden experienced first-hand, the importance that programs like Food Stamps and Housing Vouchers have as lifelines to Americans in great need. She personally experienced how such a baseline allow an American family to stabilize, to stand up, and for a daughter from that family to graduate from the University of California Los Angeles and Yale Law School. This experience is shared by many AREAA members and many of their clients. It is AREAA's opinion that such life experience is critical for making fiscal need appropriate fiscally sound policy in the Office of Management and Budget.
For the reasons stated above, we urge the Committees to approve Ms. Tanden’s nomination to be the first Asian American woman to be the Director of OMB.

We thank you for considering our support of Ms. Tanden.

Sincerely,

Amy Kong
AREAA President

cc: Members of the Senate Homeland Security & Government Affairs Committee
    Members of the Senate Budget Committee
February 4, 2021

Senator Gary Peters  
Chairman  
Senate Homeland Security & Government Affairs Committee  

Senator Rob Portman  
Ranking Member  
Senate Homeland Security & Government Affairs Committee  

Senator Bernie Sanders  
Chairman  
Senate Budget Committee  

Senator Lindsay Graham  
Ranking Member  
Senate Budget Committee  

Dear Chairmen Sanders and Peters and Ranking Members Portman and Graham:

We, the undersigned members of the Asian American Action Fund Board with members throughout the country including Georgia, Kentucky, Ohio, Pennsylvania, Texas - write to urge you to approve the nomination of Neera Tanden to be the Director of the White House Office of Management and Budget (OMB). President Biden’s nomination of Ms. Tanden was a historic one. If confirmed, Ms. Tanden will be the first Asian American woman to take the helm of OMB.

Our country is facing multiple challenges – from a worldwide pandemic to economic crisis that is affecting the lives of many Americans. To overcome these challenges, America needs leaders who have the knowledge and insights on what is needed to help Americans who are suffering. Ms. Tanden is that leader. She has a unique background and substantial experience in federal policy, budget and management that puts her in an ideal position to lead OMB. Ms. Tanden is a daughter of Indian immigrants and when her family fell on difficult times, they received food stamps and subsidized Section 8 housing. Ms. Tanden understands on a very personal level the struggles that many Americans face every day and the importance of safety net programs. As director of OMB, Ms. Tanden would oversee and manage crucial safety net programs for Americans that helped when her family was enduring great difficulty. As OMB Director, Ms. Tanden would be in position to help Americans by working to improve these programs to make sure that they provide much needed help to families in need.

Ms. Tanden has had a long and distinguished history of public service to this country especially in health care. She served as senior advisor at the U.S. Department of Health and Human
Services (HHS) during the Obama Administration. In that role, Ms. Tanden worked on the implementation of the Affordable Care Act (ACA) to ensure that all Americans including Asian American and Pacific Islander (AAPI) had access to affordable health insurance. As result of the coverage that the ACA provided, AAPIs, which as a group had the one of the lowest rates of health insurance coverage, benefited greatly from the ACA, by increasing their insurance rates to unprecedented levels. Ms. Tanden has also been a leader and advocate on the economy especially in support of policies that provide support to women and minority-owned small businesses, many of which are AAPI-owned. During this pandemic, these supports are critical to supporting small and minority-owned businesses nationwide.

Ms. Tanden has the knowledge and skills to lead the OMB. She also brings her unique life experience to the role of OMB Director, and is a leader who represents the diversity in leadership in this country. For those reasons, we urge the Committees to approve the nomination and for the U.S. Senate approve the nomination of Ms. Tanden as the next and first AAPI woman as the Director of OMB.

We appreciate your consideration of our views.

Asian American Action Fund Board

cc: Members of the Senate Homeland Security & Government Affairs Committee
    Members of the Senate Budget Committee
TO THE MEMBERS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS:

The U.S. Chamber of Commerce supports the nomination of Neera Tanden to be Director of the Office of Management and Budget (OMB). Ms. Tanden is well-qualified to lead OMB and brings an established track record of engagement with the business community.

Ms. Tanden has had a distinguished career. She has served as President and CEO of the Center for American Progress think tank for the past ten years. She also served in various roles in the Clinton and Obama Administrations and in the United States Senate. Her broad perspective and experience will be essential given the vast portfolio of the Office of Management and Budget. Ms. Tanden has proven a frequent partner and collaborator, particularly on international trade issues. Her willingness to consider different perspectives will be important as she shapes the budget and policy proposals for the Biden Administration. While we may not always agree with Ms. Tanden, we anticipate that she will have an open door and an open mind as Director.

We appreciate the Committee’s work on this important nomination.

Sincerely,

Jack Howard
February 3, 2021

Homeland Security and Public Affairs Committee
Senator Gary Peters, Chair
Senator Rob Portman, Ranking

Budget Committee
Senator Bernie Sanders
Senator Lindsay Graham, Ranking

Re: Letter in Support of Neera Tanden, Nominee to Lead The Office of Management and Budget (OMB)

Dear Senator Peters, Senator Portman, Senator Sanders and Ranking Senator Graham:

I am the former General Counsel and Senior Vice President of Koch Industries. I write in support of Neera Tanden to lead the Office of Management and Budget (OMB).

I have known Ms. Tanden since 2015 when she was the President of the Center for American Progress.

We worked together in a bipartisan way to address criminal justice reform at the federal and state levels. The focus of our work was helping people remove barriers to opportunities and making communities stronger.

We worked on the First Step Act at the federal level, as well as working on state reforms in Pennsylvania and North Carolina to provide people who had criminal records a Second Chance.

Ms. Tanden and I do not agree on many issues. But even when we did not agree, I found her to be a person of principle who would listen respectfully and respond thoughtfully. She was open to other ideas and looked for ways to get things done to help people. In short, she was an effective and reliable ally and was always mission focused.

The partnership helped make real progress on criminal justice reform and has had tangible results to improve people’s lives.

I believe that Ms. Tanden would be an effective and principled leader of OMB. I urge the Committee to proceed with Ms. Tanden’s nomination, and for the Senate to quickly confirm her.

Respectfully submitted,

Mark V. Holden
February 5, 2021

U.S. Senator Bernie Sanders  
Chair, Senate Budget Committee  
332 Dirksen Building  
Washington, DC 20510

U.S. Senator Lindsey Graham  
Ranking Member, Senate Budget Committee  
290 Russell Senate Office Building  
Washington, DC 20510

U.S. Senator Gary Peters  
Chair, Homeland Security and Government Affairs Committee  
724 Hart Senate Office Building  
Washington, DC 20510

U.S. Senator Rob Portman  
Ranking Member, Homeland Security and Government Affairs Committee  
448 Russell Senate Office Building  
Washington, DC 20510

RE: U.S. Senate Confirmation of Neera Tanden for Director of White House Office of Management and Budget

Dear Chairman Sanders, Chairman Peters, Ranking Member Graham, and Ranking Member Portman:

The National Asian/Pacific Islander American Chamber of Commerce and Entrepreneurship (National ACE) applauds the Biden-Harris Administration for putting forth qualified individuals that are representative of the makeup of our country, including the nomination of Neera Tanden as Director of the Office on Management and Budget.

We know how important it is for our government leaders and representatives to resemble and have the shared experiences of the public they serve. Our country is amazingly diverse, and our government should be, too. Following the historic election of Vice President-elect Kamala Harris, we strongly support the nomination of Neera, the first Indian American woman to be nominated for this important role. As the Biden-Harris Administration continues to identify and appoint individuals to serve our country, we certainly hope that we will continue to see strong representation of the AAPI community at all levels of government.

As a senior advisor for the U.S. Department of Health and Human Services for President Obama, Ms. Tanden played a major role in developing the Affordable Care Act, which directly helped the most
vulnerable in the Asian American community. While the United States has fought the Covid-19 pandemic, Ms. Tanden has remained focused on addressing the public health challenges impacting Asian Americans. Her endorsement of then-Senator Harris’ Covid-19 Racial and Ethnic Disparities Task Force legislation, and promotion of emergency paid leave benefits that have curbed the transmission of Covid-19, yet are often unavailable to workers of color have directly helped AAPIs. Ms. Tanden has consistently championed policies that address the racial wealth gap, support women- and minority-owned small businesses, and work to improve the economic challenges of people of color. As OMB Director, these efforts will benefit all Americans as we seek to rise out of the pandemic and build a stronger economy together. America needs more experienced leaders like Ms. Tanden with good judgement who reflect the diversity of our nation. Ms. Tanden’s experience and reputation merits swift confirmation.

Ms. Tanden has a wide breadth of policy experience across domestic, economic, and foreign policy issues that will inform her decisions as the Director of OMB. She knows firsthand how social programs and budgetary choices can give hard working Americans a fair shot. She is solutions-oriented and brings the highest degree of competency and an unwavering commitment to building an economy that rewards work, not just wealth. Ms. Tanden is the most qualified candidate for this job, and she deserves a speedy confirmation.

Sincerely,

Chilling Tong
President and CEO

Dr. Karen Eng
Chair of the Board

cc: Members of the Senate Budget Committee
    Members of the Senate Homeland Security & Government Affairs Committee
Senator Gary Peters  
Chairman, Senate Homeland Security Committee

Senator Rob Portman  
Ranking Member, Senate Homeland Security Committee

Senator Bernie Sanders  
Chair, Senate Budget Committee

Senator Lindsey Graham  
Ranking Member, Senate Budget Committee

February 8, 2021

Re: NBCC Endorsement of Neera Tanden for Director of OMB

Dear Senators:

I write on behalf of the National Breast Cancer Coalition to strongly endorse Neera Tanden as the next Director of the Office of Management and Budget. There is no one better suited to this leadership position than Ms. Tanden at this point in history.

Since NBCC’s founding in 1991, our mission has been to end breast cancer through the power of action and advocacy. We focus on system change, analyzing law, regulation, and policy to make certain they are evidence-based and focused on what is best for the public.

Ms. Tanden is someone we have high respect for and trust in. We have seen that she consistently understands the complexities of the issues, how government should operate to achieve stated goals, and what paths are appropriate to do the best for Americans. She brings a strategic approach to the world of government, informed by her intelligence and compassion.

Neera has been an unequivocal champion of high-quality healthcare for all Americans (which has been NBCC’s highest priority since its inception.) Because of all she has done, we call on Congress to support Ms. Tanden for Director of the Office of Management and Budget.

NBCC stands ready to work with Neera and the Biden Administration to end breast cancer and make certain everyone has access to quality health care. We are proud to endorse her.

Sincerely,

[Signature]

Fran Visco  
President
February 4, 2021
Dear Chairman Sanders and Peters and Ranking Members Graham and Portman:

On January 20, Joe Biden assumed the presidency and command of the federal government’s response to a once-in-a-century pandemic that has taken the lives of roughly 450,000 Americans and infected over 26 million people in our country. As daily COVID-19 cases and death counts remain high, and as we seek to overcome significant delays in vaccine distribution and administration, this transition in governance comes at a critical juncture. While the Biden administration faces many challenges in the months ahead, competent leadership can help the United States save lives. That is why we write to you, as public health experts and professionals, and ask that you swiftly consider and support the nomination of Neera Tanden, President Biden’s nominee to be the next Director of the Office of Management and Budget (OMB).

In addition to her rich management experience, Ms. Tanden is a leading voice on public health issues, having served as a health policy advisor to both President Obama and President Clinton. Most recently, she has also served as the president and CEO of the Center for American Progress (CAP), one of the nation’s leading think tanks. In her role as leader of CAP, she has co-authored important reports on the coronavirus, including a 6-step, evidence-based plan to end the pandemic and the need for robust economic relief to crush the virus. CAP has played a critical role in advising states on a range of ways to best protect public health, such as the production and dissemination of vaccines, tests and personal protective equipment, strategies for safely reopening schools and businesses, and methods for targeting financial aid to slow the spread of the virus. Reflecting the value of CAP’s research and Ms. Tanden’s public health and economic expertise, Governor Murphy (D-NJ) appointed Ms. Tanden to New Jersey’s COVID-19 Restart and Recovery Commission, which advises the state on evidence-based strategies for combating the virus and safely reopening the economy.

In December, bipartisan legislation was signed into law providing financial relief to the American people, struggling businesses, and schools, as well as funding for vaccine distribution. OMB plays a critical role in ensuring that these resources are distributed quickly, efficiently, and transparently to the appropriate agencies and state governments. Accordingly, it’s vital that an OMB Director is in place as the Biden-Harris Administration develops future policy responses to COVID-19.
As public health experts and professionals, we understand the tremendous stakes currently in play for frontline workers, COVID-19 patients, and the broader American public. As our government transitions to a new administration, we believe it is urgent Neera Tanden is confirmed as Director of the Office of Management and Budget. We ask that you give her nomination prompt consideration and, given her commensurate experience, support her confirmation.

Sincerely,

Ivye Allen, President and CEO, Foundation for the Mid South
Mari Armstrong-Hough Assistant Professor of Public Health, NYU
Judith Auerbach, Professor, University of California San Francisco
Dr. Sarah Baker, Detroit Medical Center
Emmanuel Balogun, Assistant Professor, Skidmore College
Dr. Pamela Behrman, College of Mt. St. Vincent
Trude Bennett, Associate Professor Emerita, Gillings School of Global Public Health, UNC Chapel Hill
Barbara Bernay, President, BLB Productions
Amber Billingsley, Supervised Psychologist, West Virginia University
Dr. Jennifer Bowers, Yale School of Public Health
Scott Burris, Professor, Temple Law School
Maura Calayon, Managing Director, Health Policy, Center for American Progress
Teresa Chahine, Senior Lecturer, Yale University
Arvik Chatterjee, MD, Assistant Professor, Boston University School of Medicine
Dr. Kirsty Clark, Yale School of Public Health
Nancy Connolly, Clinical Assistant Professor of Medicine, University of Washington
Joanne Coetzee, Associate Professor, Columbia University Mailman School of Public Health
Leslie Dach, Founder and Chair, Protect Our Care
Dr. Shaznin Daruwalla
Roseann Day, MD
Neisha Dhar, LMFT, NVision You Holistic Psychotherapy and AAMFT
Dr. Paul Duberstein, Rutgers University
Hanna Ehrlich, PhD candidate, Yale School of Public Health
Bruce Ellsweig, Physician Medical Director Public Health Sullivan County New York, Sullivan County Public Health Services
Azita Ershami, Executive Dean, University of Washington, School of Nursing
Zeke Emanuel, Vice Provost for Global Initiatives, University of Pennsylvania
Mary Lyn Field-Nguyen, Global Health and HIV Consultant
Marie Fioravanti, Director of Nursing and Associate Professor, University of Pittsburgh at Greensburg
Kenneth Freedberg, Professor of Medicine, Harvard Medical School
Lynn Freedman, Professor, Columbia University Mailman School of Public Health
Samuel Friedman, Research Professor, NYU Grossman School of Medicine
Emily Gee, Health Economist, Center for American Progress
Carly M. Goldstein, Assistant Professor (Research), Albert Medical School of Brown University
Dr. Erica Gollub, Pace University
Gregg Goncalves, Assistant Professor, Yale School of Public Health
Dr. Andrea Gordon, Tufts University Family Medicine Residency at Cambridge Health Alliance
Dr. Celine Gounder, NYU Grossman School of Medicine & Bellevue Hospital Center
Alexandra Greenberg, Team Coordinator, Medical Student, Right to Health Action, Universities Allied for Essential Medicines

Sofia Gruskin, Professor and Director, Institute on Inequalities in Global Health, University of Southern California

Dr. Jodie Guest, Rollins School of Public Health, Emory University

Jhumka Gupta, Associate Professor, George Mason University Department of Global and Community Health

Michael Gusmano, Professor, Rutgers University School of Public Health

Dr. Nathan Haskell, American Psychological Association

Carolyn Heckman, Associate Professor, Rutgers University

Dr. Adam Hege, Associate Professor of Public Health, Appalachian State University

Tamara Henry, Teaching Associate Professor, George Washington University

Kyle Higgins, Research Assistant, Yale School of Public Health

Kim Hoffman, Senior Research Associate, Oregon Health and Science University

Michael Hoffman, Psychologist, Nemours/AI duPont Hospital for Children

Dr. Scott Hunter, University of Chicago

Barbara Israel, Professor, University of Michigan

T Stephen Jones, Public Health Physician, Centers for Disease Control and Prevention, Retired

Merritt Juliano, Licensed Clinical Social Worker, Regenerative Psychotherapy PLLC

Matthew Kavanagh, Director, Global Health Policy & Politics Initiative & Assistant Professor, Georgetown University

Albert Icksang Ko, Professor and Department Chair of Epidemiology of Microbial Diseases, Yale School of Public Health

Rachel Kreier, Associate Professor of Economics, Saint Joseph's College

Dr. Nancy Kreiger, Professor of Social Epidemiology, Harvard T.H. Chan School of Public Health

Dr. Sunny Kung, Brigham and Women's Hospital

Dr. Joseph Ladines-Lim, Michigan Medicine

Dr. Diane Lauderdale, University of Chicago

Jane Lester, MD, Public Health Reserve Corps

Jeffrey Levi, Professor of Health Policy and Management, George Washington University School of Public Health

Dr. Beth Linaas, Johns Hopkins School of Public Health

Marc Lipstick, Professor, Harvard Chan School of Public Health

Cindy Mann, Former Administrator, Centers for Medicare & Medicaid Services

Duncan Maru, Associate Professor, NYC H&H / Elmhurst Hospital Center and Mount Sinai School of Medicine

Dr. Diana Mason, George Washington University

Dr. Kenneth Mayer, Fenway Health/Harvard Medical School

Mary Ann McCabe, Ph.D., ABPP, Clinical Psychologist, Independent Practice

Katherine McDaniel, Harvard Medical School

Aimee McAle, Professor, University of North Carolina at Chapel Hill

Dr. Thomas McInerny, AAP

Emily Mendenhall, Professor, Georgetown University School of Foreign Service

Jacqueline Merrill, Registered Nurse

John Moore, Professor of Microbiology and Immunology, Weill Cornell Medicine
Rachel Morello-Frosch, Professor, UC Berkeley, School of Public Health
Mary Myers, Clinical Psychologist, Hawaii Psychological Association
Dr. MaryBeth Napier
Ellen Nasper, Assistant Clinical Professor, Yale School of Medicine, Department of Psychiatry, Yale School of Medicine
LaRon Nelson, Independence Foundation Professor and Associate Professor, Yale University
Iyabo Obasanjo, Assistant Professor, College of William and Mary
Estela Ogiste, Physician, Madison Avenue Physicians PC
Dr. Melissa Palma, MD, MPH, Cook County Health
Alyssa Parpia, MPH, Yale School of Public Health
Jonathan Pata, Professor and Director, Global Health Institute, University of Wisconsin-Madison
Dr. Kristina Pecora, NVision You, LLC
Dr. Janet Perlman, UCSF
Harold Pollack, Helen Ross Professor, University of Chicago
Dr. Tonia Potratz, University of North Carolina
Kayla Ringelheim, MBA/MPH
Cheryl Ritenbaugh, Professor Emerita, University of Arizona
Dr. Mindy Jane Roseman, Yale Law School
Carol Ryan, RN, MPH, Health Promotion Strategies LLC
Heather Schuilen, LCSW
Dr. R. Woodrow Setzer, Retired
Monika Sharma, Licensed Clinical Psychologist, NVision You, LLC
Stephen Shortell, Professor, Co-Director, and Dean Emeritus, UC Berkeley School of Public Health
Dr. Heidi Sinclair, Doctors for America/American College of Physicians
Nirbhay Singh, Clinical Professor of Psychiatry, Medical College of Georgia, Augusta University
Michael Skonieczny, Deputy Director, Yale Institute for Global Health
Jordan Skoshower, Lecturer, Department of Psychiatry, Yale University
Shoshanna Sofaro, Managing Researcher, American Institutes for Research
Sandra Springer, Associate Professor of Medicine, Yale School of Medicine
Catherine Stanger, Professor, Dartmouth College
Charles Stinson, MD, UCSF, Retired
Steffanie Strathdee, Associate Dean of Global Health Sciences and Harold Simon Professor of Medicine, UC San Diego
Lara Sucheston-Campbell, Associate Professor, The Ohio State University
Dr. Anthony Suchman, Relationship Centered Health Care
Dr. Kinya Swanson, Licensed Psychologist
Sarah Swettberg, Nurse Practitioner, Cambridge Health Alliance
Tarlise Townsend, Postdoctoral Fellow, NYU School of Medicine
Dr. April Trotman, Hampton VA Medical Center
David Vlahov, Professor of Nursing, Yale School of Nursing
Deborah Wallace, Retired Disease Ecologist
Dr. Daniel Westreich, Epidemiologist
Dr. Jennifer Weuve, Boston University School of Public Health
Christina Wojnarwsky, Physician Assistant, President-Elect and Director of Policy, LBGT PA Caucus, LBGT PA Caucus

Disclaimer: These signatories are expressing their personal support, which may not reflect the opinions of their institutions.
February 11, 2021

Honorable Gary C. Peters
Chair
U.S. Senate Homeland Security
and Governmental Affairs Committee
340 Dirksen Senate Office Building
Washington, DC 20510

Honorable Rob Portman
Ranking Member
U.S. Senate Homeland Security
and Governmental Affairs Committee
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Peters and Ranking Member Portman:

As a nonpartisan, nonprofit organization dedicated to helping policymakers use evidence and data to deliver better results for the American people, Results for America strongly supports the nomination of Neera Tanden to be Director of the Office of Management and Budget (OMB).

Neera’s strong track record of supporting the use of evidence and data to shape policy, management and funding decisions makes her uniquely well-qualified to lead OMB’s efforts to improve the impact of federal investments for all Americans. As a senior leader in the Clinton and Obama Administrations, and as President and CEO of the Center for American Progress, she has brought a fresh approach to policy debates by looking at the best available science and evidence and listening carefully to the voices of those who are affected by government policy. Neera has sought input from researchers, academics and policy experts to craft policy approaches that deliver results, with a particular focus on the highest-impact ways to accelerate economic mobility and open opportunities for all Americans.

President Biden, in his January 2021 Executive Orders and Memoranda, has made clear his Administration’s commitment to evidence-based policymaking. Under Neera’s leadership, OMB and the federal government will continue the long-standing bipartisan drive toward investing taxpayer dollars in what works.

Sincerely,

Michele Jolin
CEO and Co-Founder
Results for America

David Medina
COO and Co-Founder
Results for America