HEARING

BEFORE THE

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

NOMINATION OF SHALANDA D. YOUNG TO BE DEPUTY DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET AND JASON S. MILLER TO BE DEPUTY DIRECTOR FOR MANAGEMENT, OFFICE OF MANAGEMENT AND BUDGET

MARCH 4, 2021


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OPENING STATEMENT OF CHAIRMAN PETERS

Chairman Peters. The Committee will come to order. Today we are considering the nominations of Ms. Shalanda Young to be the Deputy Director of the Office of Management and Budget (OMB), and Mr. Jason Miller to be OMB's Deputy Director for Management. I certainly welcome both of you, and I know you have your family with you, and I look forward to having you introduce them shortly.

I want to first off congratulate you on your nominations and thank you for your willingness to serve our nation in these very critical roles. Our country is facing a historic public health and economic challenge, and over the past year the coronavirus pandemic has taken more than 510,000 American lives. It has also devastated communities, families, and businesses in Michigan as well as all across our country.

If confirmed, not only will you both play a key role in shaping and implementing the American Rescue Plan (ARP), a comprehensive relief package that will provide critical aid to Michiganders and Americans across the Nation, but also developing President Biden’s budget and policy agenda across the government. In your respective roles, you will be responsible for evaluating and coordinating policy decisions to help the country recover from the pandemic, from getting vaccines in the arms of people as quickly and equitably as possible, to reopening our schools and our economy swiftly and safely.

You will also have to help address the long-term challenges that we face, including bolstering our nation's cybersecurity infrastructure; advancing science-based public health; worker safety and en-

1 The prepared statement of Senator Peters appear in the Appendix on page 43.
The prepared statement of Senator Portman appears in the Appendix on page 44.

environmental protections; as well as strengthening our Federal workforce. You will also be responsible for ensuring that Federal agencies are addressing and prioritizing the needs of communities of color and other underserved and vulnerable populations. As part of OMB leadership, it will be your duty to ensure that the Federal Government is working efficiently and in a transparent manner to deliver for the American people.

I certainly believe that both of you bring that kind of experience and expertise and dedication to public service that is needed to help steer the country through this unprecedented time. I expect OMB will work closely with this Committee as we take on the difficult task ahead of us, and I look forward to hearing about the serious challenges we are facing today and how we can work together to tackle them.

Thank you both again for your willingness to serve and for being here with us today, and with that I will turn it over to Ranking Member Portman.

OPENING STATEMENT OF SENATOR PORTMAN

Senator Portman. Thank you, Chairman Peters. I am glad to join you at the hearing today and welcome to the witnesses. I look forward to hearing from you. I have enjoyed our conversations we have had by telephone, and it is good to have you here in person, and I look forward to having you introduce your family members who are with you.

As you all know, I think this agency is absolutely critical to our government and probably the least-known but one of the most important agencies of government. It is the Office of Management and Budget, so the purview is almost boundless, management of every agency, every department, every program—not direct management but the oversight of it—and that responsibility would fall on you as the two deputies, should you be confirmed. Of course, the budget side—incredibly important.

But OMB also looks at every regulation. OMB also looks at every policy. It looks at every statement that comes out of the White House, and has to approve it, so it is a huge responsibility, and I am glad you are willing to step up and take it on.

As Deputy Director of the Office, and then as the Deputy for Management, respectively, it is important that you both have a background in your respective roles—budgeting, management—but also an understanding of all those policy issues, regulations, and actions that OMB reviews and coordinates across the agencies. Even more important to me is the ability to work with folks within the administration, the agencies, and with Congress.

Chairman Peters just talked about the coronavirus disease 2019 (COVID–19) packages. I hope we do not see a repeat of that, because that is not working with Congress. It is working with one side of Congress, and both of you have backgrounds where you have worked on a bipartisan basis, Ms. Young, in particular, on the Appropriations Committee. That is how you operate. I have spoken to some of the cardinals who were previously in charge, who were Republicans, who worked with you, and some who, as ranking

1The prepared statement of Senator Portman appears in the Appendix on page 44.
members, worked with you, and they said you did work with them, and that is very important. On COVID, five times we have done that in the last year, and unfortunately this latest time the administration chose to go a different route. I think it is a mistake for the country. I certainly think it is a mistake for trying to build some bipartisanship going forward on other issues that OMB will be very involved with, like infrastructure.

I hope you are going to be a voice within the administration to say that you are willing and able to work with both sides and find that middle ground and get things done.

On the crises that we face, COVID–19 is at the top of the list, but it has spawned other crises, including an epidemic crisis underneath the pandemic, with regard to substance abuse and overdoses. We now believe we are in a year where we are going to have the highest overdose death rate in the history of our country, which is such a heartbreaking reality we were making good progress until the pandemic.

We also know that our children’s education and development has been set back, thanks to this coronavirus pandemic, and that is a long-term issue we have to address. I spoke to some folks this week who tell me that they are educators, that they believe the students that they are in charge of teaching and developing have lost a year. That is a big deal. Of course, there are emotional scars that go along with that. There is a mental health crisis in addition to the opioid and drug addiction crisis, more generally, higher suicide rates along with the record number of overdose deaths. So there is lots to do post-COVID–19 to sort of knit this society back together.

Finally I will say I hope you will be willing to focus on fraud in these programs that we have set up. It, to me, is unbelievable that we are not doing more, particularly to address the fraud in the unemployment insurance system as we pump hundreds of billions of dollars of Federal money and we find out that there are organized international, in some cases, foreign criminal organizations that are taking advantage of hard-earned taxpayer money to steal from our taxpayers and to fraudulently take Federal funds. But it is true with a lot of these programs. We have heard, with regard to every one of these big programs, that there is significant fraud. That will be something that we look forward to talking to you about today and getting you engaged with, should you be confirmed.

I will say part of that is that there are innocent Americans out there, including our constituents, Chairman Peters and myself, who are bearing the brunt of this fraud because people are stealing their identity and then getting checks illegally, and then the government is coming back on the constituent, who knew nothing about it. And we are hopeful that we can pass an amendment to the COVID bill to address that in the next 24 hours, but it is even worse than it might appear, because of its impact on so many people.

The cyberattacks we have seen recently, this massive SolarWinds attack is unprecedented. We look forward to your comments on that. Cybersecurity is one of the five high-risk areas that has actually gotten worse since 2019, based on a hearing we had in this room 2 days ago, so clearly we are moving in the wrong direction
in terms of securing our Federal networks. I know Chairman Peters and I want to work closely with OMB in that regard, because OMB has a huge role to play, particularly with regard to the agencies and making sure they are meeting the requirements.

I am hopeful we can work together to address these challenges, to rebuild the economy as we come out of COVID–19, which is likely to happen. Despite all the issues I talked about, the economy is beginning to grow already, and I think that is the good news, and I think it will continue as the vaccines become more widely available in ways that will help us to move forward.

If confirmed, the two of you will play an important part in all of these efforts, and so Ms. Young and Mr. Miller, I look forward to hearing your thoughts today on these important issues and other critical ones that would face OMB, should you be confirmed.

Thank you, Mr. Chairman.

Chairman Peters. Thank you, Ranking Member Portman.

Today we have some help recognizing our nominees, from some of our Senate and in-house colleagues. So next I would like to recognize Senator Leahy, who has a video introducing Ms. Young.

STATEMENT OF THE HONORABLE PATRICK LEAHY, A UNITED STATES SENATOR FROM THE STATE OF VERMONT

Senator Leahy. I am very happy to be here today to introduce Shalanda Young. She is President Biden’s nominee to be Deputy Director of the Office of Management and Budget.

Now, for the Members of this Committee who also sit on the Appropriations Committee, Shalanda is a familiar face. She has worked on the House Appropriations Committee for nearly 16 years. She has been the House Appropriations Staff Director since 2017.

Actually, it is in that capacity I had the pleasure to really get to know her well, and I can tell you, without reservation, I can think of no one better suited to be Deputy Director of OMB than Shalanda. Her deep understanding of the often arcane Federal budget process, her years of experience on the Appropriations Committee, her tenacity, her dedication to public service, her honesty will serve the agency and the American people.

Shalanda began her career in public service in 2001, at the National Institutes of Health (NIH). She came first to work on Capitol Hill as a detailee with the House Appropriation Committee in 2005. She really made a good impression because she returned in 2007.

She worked her way up in the committee over the years. Her work in developing the budget and conducted oversight of key agencies has given her critical insights into the operation of some of our nation’s most important agencies, including, of course, the Department of Homeland Security (DHS), Department of Interior (DOI), Environmental Protection Agency (EPA), the General Service Administration (GSA). She even served as a Staff Director for the legislative branch Subcommittee overseeing the budget for Congress.

Then she became Staff Director of the House Appropriations Committee in 2017. Coincidentally, that was the same year I became Vice Chairman of the Appropriations Committee. Since that
time she has helped the House navigate some of the most difficult issues before the chamber. She has a reputation as a tough, fair negotiator. That is high praise on Capitol Hill, and I can attest to the truth of these statements. I have seen these skills first-hand.

Let me tell you a story. Shalanda was a critical figure in helping to end the government shutdown in January 2019. Now I remember the evening we cut the final deal to end the 35-day government shutdown, the longest shutdown in U.S. history. Chairman Shelby, Chairwoman Lowey, Ranking Member Kay Granger, and I, along with only a very few but highly trusted staff, went to my office in the Capitol. We continued talks that started earlier that day. We wanted to get away from being watched by everybody, the lobbyists, the press, away from the cameras. We wanted to see if we could reach a deal.

Fortunately, Shalanda was with us. As we worked into the night on these difficult issues, her knowledge of a vast range of Federal programs, her understanding of the political process, and her determination to get the country we love back on track helped us reach a deal.

We shook hands on it that night, and we went out, the four of us—two Republicans, two Democrats—and we announced it to the press. If you look closely at pictures of that moment, Shalanda is there in the background. Hopefully she is as proud of that moment as I am.

It was a difficult time for our Nation, but through determination and hard work we reached a solution, and that is what Shalanda is best at. She knows how to work across the aisle to get a deal done. Her relationships with both Democrats and Republicans in the House and the Senate will serve her well.

I have heard it said that Office of Management and Budget is one of the most powerful government agencies, that most Americans have never heard of. It is true. It wields incredible influence over not just the Federal budget but over policies that affect people’s lives. We need people like Shalanda Young to help steer the agency in these important decisions. She is wonderful.

Chairman Peters. Next I would like to recognize Senator Cassidy, who is joining us virtually. Senator Cassidy, welcome to the Committee.

STATEMENT OF THE HONORABLE BILL CASSIDY, A UNITED STATES SENATOR FROM THE STATE OF LOUISIANA

Senator Cassidy. Thank you, Chairman Peters, and thank you, Mr. Portman, and thank you, all the Members of the Committee.

As Senator Leahy just said, this position is one of the most important decisions that no one ever hears of. Among the qualifications to be a political appointee in this position includes a willingness to look beyond partisanship and to really accept the intent of Congress when passing a law in order to meet the needs of the American people and to respect the role of Congress. So this willingness to do so is a prerequisite to be approved for this position.

With this in mind, I have the distinct pleasure of introducing Shalanda Young to be the Deputy Director of the Office of Management and Budget. The reason I have this privilege is that Ms. Young was born in Clinton, Louisiana, and grew up in Clinton and
in Baton Rouge. Her parents, Loyce and Ronald Smith, her grandmother, and other family still live in Louisiana.

Ms. Young graduated from Loyola University in New Orleans and Tulane University. She is now, as was just said, a Staff Director for the House Appropriations Committee, and in this role has worked with both Democrats and Republicans to achieve the goals of our country.

Now recalling what I said earlier, that this position requires someone with a history of looking beyond partisanship, I was so pleased to receive this message today from a former Republican House Appropriations staffer. I am quoting from the message. “I hear you are introducing Shalanda Young today. She is amazing, smart, and such a pro. She can explain difficult concepts and has the gravitas required to speak truth to power and cut deals. Plus, she is very pleasant and funny. A great lady. Thanks so much for supporting her. She understands what is needed to do this job. As a long-time congressional aid, she has cultivated relationships with lawmakers in both parties.”

Now it is not just fellow staff members that speak so highly of Ms. Young. I note there is a list of strong bipartisan Senate support. Last week, my Republican colleague from Alabama, Senator Shelby, said, “She is smart, she knows the process inside out, and she is an honest broker who has demonstrated the ability to work with both sides to get things done.”

Senator Sanders, who is about as far away from Senator Shelby as you can get in terms of the political spectrum, speaking to her experience, says, “She has done an excellent job in working with Democrats and Republicans.”

My Democratic colleague, Chair Leahy, just spoke, and he said, “That is what Shalanda is best at. She knows how to work across the aisle and get the deal done.” And my Republican colleague from South Carolina, Senator Graham, said, “Everybody that deals with you on our side has nothing but good things to say.”

These days, wide bipartisan support is rare, but when Senators Graham, Leahy, Sanders, and Shelby agree, either we are in some sort of weird space-time continuum or the nominee is exceptionally capable. Because she is from Louisiana, I know it is the latter. She is exceptionally capable.

There are unique challenges ahead of us as we recover from the pandemic. Ms. Young is a qualified individual with a distinguished career in public service. I look forward to the Committee and the Senate approving her nomination. Thank you.

Chairman Peters. Thank you, Senator Cassidy. Next I am pleased to welcome my friend and a colleague from Michigan, Congresswoman Haley Stevens, who will introduce Mr. Miller today.

OPENING STATEMENT OF THE HONORABLE HALEY STEVENS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Ms. Stevens. I am Congresswoman Haley Stevens, proudly representing Michigan’s 11th District. Chairman Peters, Ranking Member Portman, and distinguished Members of the Committee, it is my great honor and privilege to introduce to you my former colleague and dear friend, Jason S. Miller, as you consider him to fill
the important role of Deputy Director for Management at the Office of Management and Budget in the White House.

My friendship and collaboration with Jason goes back to our days working together in the administration of President Barack Obama, where he served as Deputy Assistant to the President and Deputy Director of the National Economic Council (NEC). As Jason often likes to remind me, I was the very first face he saw when he walked into government on his first day.

In the roles where Jason served, he continuously found new ways to help government work for people. As his biography will tell you, he played critical roles, if it was from working to help Puerto Rico address its crisis to helping develop the SelectUSA, the first-ever Federal effort to bring job-creating investment to the United States from around the world, and he also helped to launch Manufacturing USA, a network of public-private partnerships, manufacturing institutes aimed at securing the future of manufacturing in the United States.

His biography will also show his strong record of management expertise, from his multiple graduate degrees, time with The Boston Consulting Group and Marakon Association, executive roles in the Obama Administration, and his most recent leadership position as the Chief Executive Officer (CEO) of the Greater Washington Partnership.

What his biography will not tell you is that many of his achievements have had long-lasting impacts that make government function better for taxpayers. The Manufacturing USA institutes, for instance, that he helped to launch, have proliferated into a network of 14 public-private partnerships that sprang into action at the start of the COVID–19 pandemic, when Members of Congress and community leaders were fielding calls from hospitals, nursing homes, and businesses who were desperate for personal protective equipment (PPE) due to the supply chain disruption, when they were eager for ventilators and other life-saving materials. Since that time, Manufacturing USA institutes have served as critical connectors for innovative manufacturers and industry partners who rose to meet our national need for those who have been helped with those supplies. It was Jason’s vision of a multi-connected consortia of university partners, small businesses, large businesses, and the Federal Government through interagency effort, coming together to solve problems. Boy, did they ever, in one of our greatest moments of need.

Certainly, beyond his far-reaching capabilities, Jason is above all a dedicated servant to the ideals of our country. The ideal of service, being something greater than oneself, that is meant to be the fabric of how he will serve in this role and how he will continue to make the United States of America proud.

I urge you to consider his confirmation as Deputy Director for Management at the Office of Management and Budget, and I thank you greatly for your time.

Chairman Peters. It is the practice of this Committee to swear in witnesses, so if both of you would stand and raise your right hand.
The prepared statement of Ms. Young appears in the Appendix on page 46.

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. Young. I do.

Mr. Miller. I do.

Chairman Peters. You may be seated.

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

TESTIMONY OF SHALANDA D. YOUNG, Nominee to Be Deputy Director, Office of Management and Budget

Ms. Young. Thank you, Mr. Chairman. Chairman Peters, Ranking Member Portman, and Members of the Committee, thank you for the opportunity to testify today as President Biden’s nominee for the Deputy Director of the Office of Management and Budget.

I want to thank Chairman Leahy and my home State Senator, Senator Cassidy, for introducing me to the Committee today. One of the joys of being Staff Director of the Appropriations Committee has been seeing the amazing relationships and results that have come from Chairman Leahy, former Chairman Shelby, Ranking Member Granger, and my former boss, Chairwoman Lowey.

I still vividly remember those four meetings, as you heard Chairman Leahy talk about the same meeting, a meeting to avert another government shutdown back in February 2019. Even in those tense moments, Senator Leahy still took the time to show me pictures of his beloved family before announcing to the press that a compromise had been reached. I will be forever grateful for the kindness Senator Leahy has shown, even in the most stressful environments.

And Senator Cassidy, it has been a delight to get to know you during this process. There have not been many people I could discuss Baton Rouge high schools with, since I moved to DC, and I certainly appreciate the Louisiana hospitality you and your staff have shown.

I am accompanied today by my partner, William Durham. My parents, who were here earlier this week, and my grandmother are watching from Louisiana. I want to thank William, my family, and friends for their unwavering support over the years.

Members of this distinguished Committee, I come before you today as someone who grew up in rural America. I spent most of my youth in Clinton, Louisiana. Back then, Clinton had a population of around 2,000. Like a lot of rural America, it has lost 20 to 30 percent of its population. It is where my maternal great-grandparents lived, got married, and had my grandmother in 1928. Somehow even then, in the segregated South, my great-grandparents sent their child, my grandmother, to college. I am grateful they prioritized education, a commitment that has stayed in my family for generations. All families deserve to see their children have that same opportunity to pursue their potential.

Another former boss of mine, Chairman Obey, used to say a budget is your values. I share that belief, and firmly believe the Federal budget can and should make the promise of this country real for all families in all communities.

1 The prepared statement of Ms. Young appears in the Appendix on page 46.
I have spent the last 4 years as both the Minority and Majority Staff Director of the House Appropriations Committee. I care deeply about the institution of Congress and have been very proud to serve in a position that required compromise to ensure the American people had not only a functioning government, but one that invested in their future.

My work on the Appropriations Committee taught me that both sides can compromise without compromising their values, even when that means no one gets everything they want. I will forever be indebted to this institution and, if confirmed, I look forward to using my experience in these halls to ensure both branches operate with mutual respect and work toward solutions that will improve the lives of those we serve.

I am not naive about the challenges we face. Last year, I worked on the first COVID–19 supplemental that Congress passed in March 2020. We were using models of past supplementals for Ebola and Zika because the full scale of the pandemic was still unclear. With COVID–19 deaths surpassing 500,000, our focus must remain on beating the virus, delivering immediate relief to millions of struggling Americans, and ensuring that we emerge from these crises even stronger than we were before. If confirmed, I look forward to engaging with Members of Congress from both parties on this and other important work.

Chairman Peters, Ranking Member Portman, and other Members, thank you for allowing me to be here today to testify, and I look forward to your questions.

Chairman Peters. Thank you, Ms. Young, for those opening comments.

Mr. Miller, you may proceed with your opening comments.

TESTIMONY OF JASON S. MILLER, Nominee to be Deputy Director for Management, Office of Management and Budget

Mr. Miller. Thank you, Chairman Peters, Ranking Member Portman, and Members of the Committee. Thank you for your service and for the opportunity to be here today in front of you. Thank you to Congresswoman Haley Stevens, my good friend, for that incredibly kind introduction. Haley is right—she is the very first face that I saw when I began my prior public service.

I am humbled to be President Biden’s nominee for the Deputy Director of Management for the Office of Management and Budget. Serving the American people is a privilege. Having the opportunity to serve in a role with such broad responsibilities to ensure our Federal Government is delivering every single day for the American people would be an honor.

I am accompanied today by my wife, Katy Platt Miller. Undoubtedly, I would not be here without her support and wisdom. I want to thank her and my family for their willingness to allow me to serve, and the sacrifices that they are willing to make if I am confirmed.

I also want to thank my parents, Peggy and David Miller, who taught me the importance of integrity, hard work, and kindness,

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1 The prepared statement of Mr. Miller appears in the Appendix on page 112.
and my three children that could not be here today, Annabelle, Theo, and Cora, who always keep me on my toes. Public service is my way to give back to a country that has given me and my family so much. My grandfather, after whom I am named, left Eastern Europe in 1913, escaping anti-Semitism and all that came with it, for a better life, settling with his parents and seven siblings in Flint, Michigan. My other grandfather served our country in World War II, a Jew put in charge of the care of German prisoners of war. Upon returning, through the GI Bill he completed college, going into business in Chicago and starting a family with my grandmother. Today would have been my grandmother’s 92nd birthday. She passed in December, and I carry her love and fondness for good food with me today. These are American stories, creating a better life and a better world for our children, something that each of us should have the opportunity to pursue.

The challenges we face today as a country are substantial. It is in times like these when Americans expect their government to deliver, to beat back the pandemic, to provide critical relief, to create the conditions for recovery, to protect our security, and to position our country to lead.

The Office of Management and Budget sits at the heart of the Executive Branch, responsible for ensuring Federal agencies are doing just that, delivering on the President’s priorities and the laws enacted by the Congress.

In my experience, successful delivery is built on three pillars: ambitious goals built around clear priorities, a system for measurement and accountability, and a talented, energized, and dedicated team.

The role of the Deputy Director for Management is to ensure those pillars are in place, that the support functions to enable agency missions are up to the task, that we are building a high-performance government, and that we have the very best of the American people serving their fellow citizens.

In my prior time in Federal Government, I had the opportunity to work closely with the talented career staff at OMB, and if confirmed, I am thrilled to have the opportunity to do so again. Our committed Federal workers are an asset to our country, and addressing our challenges will require strengthening and energizing our Federal workforce and inspiring even more Americans to serve.

I began my career in management consulting, working with large corporations to build smart strategies, create organizations to deliver on those strategies, and put in place the measures to manage and monitor strong performance. I spent nearly 7 years in public service at the White House, tackling a wide range of economic policy issues at the highest levels of government. Since then, I led an organization, which I helped to build from the ground up, working on the most challenging economic issues at the State and local levels here in this region.

The common thread across those experiences in the private, public and non-profit sectors is that I get stuff done. It is what drives me, it is what I believe is needed right now, and, if confirmed, I would be honored to wake up every day and get stuff done for the American people.
Thank you for inviting me before this Committee, and I look forward to your questions.

Chairman Peters. Thank you, Mr. Miller.

Before we get started there are three questions that this Committee asks of every nominee for the record, so let me just ask both of you, and I will start with Ms. Young and then, Mr. Miller, if you would answer these questions and respond quickly. A yes or no is appreciated as well.

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

Ms. Young. No, sir.

Mr. Miller. 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. Young. No, sir.

Mr. Miller. 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. Young. Yes, sir.

Mr. Miller. Yes, sir.

Chairman Peters. Great. Thank you.

Michiganders, as well as people all across the country are still facing significant challenges as a result of the pandemic, and President Biden has certainly made it clear that the pandemic response needs a whole-of-government approach and that we need to take bold action to recover. If confirmed, you both will play a central role in coordinating the Federal Government’s pandemic response efforts.

So this question is to both of you. How do you envision OMB helping to lead and coordinate the administration’s pandemic response efforts, and, if confirmed, are there one or two priorities in that area that you want to talk about? We would certainly love to hear.

Ms. Young, if you could start.

Ms. Young. Mr. Chairman, thank you for the question. Clearly there is nothing more pressing in front of our country, and I hope it is a once-in-a-generation challenge for this country, both health pandemic, affecting the health of Americans, and also one that is leading us, unfortunately, into economic crisis. So certainly I believe OMB will be at the center of development of legislative proposals, funding and policy, to help the administration work with Congress to respond to the health effects and the economics of the pandemic. I certainly think OMB will be central to that effort.

I have worked on all of the legislation last year as Staff Director of the Appropriations Committee. I am very proud of the work that Congress did, as Senator Portman pointed out, in a bipartisan manner. But it is hard to claim success when 500,000 Americans have lost their lives. I certainly see more work to be done.

I know I am not confirmed but I understand the work of small business program, Paycheck Protection Program (PPP), for exam-
ple, that is one area where some administrative cleanup and action to make sure that funding is getting to the smallest of the smalls. I think there is more work to be done there, and I certainly hope that I am confirmed and can help ensure that aid is getting to the right mom-and-pop businesses, because they are the backbone of our economy.

Mr. Chairman, I think I touched on most of it. I certainly want to continue to work on that, and we also, after this package, hopefully the Senate comes to conclusion on this week, we will have to continue to monitor and make sure we get vaccines to everyone and work with Congress if we need another package. We have to crush the virus to have a quick economic recovery.

Chairman Peters. Thank you. Mr. Miller?
Mr. MILLER. Thank you. Thank you, Chairman Peters, and I appreciate the question.

First and foremost, I agree with Ms. Young. Issue No. 1 in front of us is tackling the pandemic, beating back the pandemic, and providing economic relief to Americans, both to address the current struggles and to create a foundation for recovery. If confirmed, in my role as Deputy Director for Management, one key first priority is making sure that we are operating effectively, efficiently, minimizing waste, and delivering relief, delivering on getting vaccines to people, with shots in their arms fast, consistent with the laws enacted by the Congress.

The second piece that I think is important and critical at this time is ensuring that all Federal agencies are delivering on their critical missions, even while they are learning to operate in new and different ways in order to keep Federal workers safe, to keep Americans safe in the delivery of those services.

So both OMB’s central role in tackling the overall issue and making sure that the entirety of the Federal Government is operating effectively and safely is absolutely critical, and I would look forward to the opportunity, if confirmed, to work with this Committee to make sure we are doing just that.

Chairman Peters. Thank you. Both of you have mentioned the need for us to get vaccines out as quickly as possible and get it into as many arms as possible, and clearly that is the best way for us to get to the other side of this pandemic.

Ms. Young, you and I had an opportunity to talk earlier about that, and particularly my concern, which I know you fully share, is the need to make sure that underserved communities and communities of color have the response in the national crisis or localized crisis that in the past they may not have received. Clearly we need to make sure the vaccine distribution is going and fully available to communities of color and other vulnerable communities, and rural communities.

What role do you see playing in that effort?

Ms. Young. Senator, as pointed out in this hearing several times, I think OMB has wide berth in being able to work with the agencies, and certainly with the Department of Health and Human Services (HHS). I would certainly be interested in being a part of the solution, I think. I watched my own family—I have a 92-year-old grandmother—have to search for a vaccine. She should be at the front of the line. It should not be difficult to find that.
I certainly know each of the States faces their own challenges. I think there is more of a role for the Federal Government to ensure that there are some baselines being met across the States to ensure vulnerable populations are taken care of. And just simple placement of where you put vaccine distribution can make a huge difference. I certainly look forward to working with you on this very important issue.

Chairman Peters. Thank you. Earlier this week, the Government Accountability Office (GAO) issued a report, requested by Senator Carper, me, and Senator Johnson, showing that the previous administration made very little progress in addressing polyfluoroalkyl substances (PFAS) contamination across our country. These are basically toxic-forever chemicals.

Ms. Young, given OMB's role in reviewing science-based public health and environmental protections and supporting the Federal Government's efforts to address PFAS contamination, how will you ensure that Federal agencies make real progress to protecting our drinking water and expediting the cleanup of these sites?

Ms. Young. Senator, during my confirmation process I have not been at the administration part of decisions. My understanding is EPA and OMB are working expeditiously, especially on the hazardous label for something I think we all recognize, in a bipartisan manner, is a hazardous chemical that has been used in many ways but also by our Federal Government, by the Department of Defense (DOD) a lot for firefighting. There are lots of communities who now, I think rightfully, look to their Federal Government and ask, “What are you going to do to help clean this up?”

I do believe OMB also has a role in ensuring that we have enough Federal resources to help those communities, where the Federal Government has used those chemicals.

Chairman Peters. Thank you. The last real quick question that can be answered yes or no by each of you. If confirmed, do you commit to ensuring swift OMB review of agency actions to address the PFAS crisis. Ms. Young?

Ms. Young. Yes, sir.

Chairman Peters. Mr. Miller?

Mr. Miller. Yes, sir.

Chairman Peters. Great. Good to hear from both of you. Thank you again.

Ranking Member Portman.

Senator Portman. Thank you, Mr. Chairman, and again, thank you both for being here and your testimony so far this morning. We talked about COVID–19 a minute ago, and I just have to interject here. I believe we need new legislation on COVID–19, but I think it needs to be far more targeted than what we have before us. As an example, the $1.9 trillion is more money than we spend in annual appropriations bill, on the discretionary spending side. Is that true, Ms. Young? How much do we spend every year in Congress——

Ms. Young. About 1.4.

Senator Portman. About 1.4 The 1.9 alone is more than we spend in an entire year on discretionary spending. The question is, where is that money? Some of it is going to good purposes. I think the health care side is really important, the vaccine distribution
and development. Some of it is going to areas that, frankly, have
a lot of money right now, because less than half, we are told, of
what was just appropriated at the end of the year has actually
gone out, which was $900 billion.

I guess my question to you is, will you work with us in the future
to make these things more targeted, to be sure taxpayer money is
well used? With regard to the economy, Mr. Miller, you said you
thought we needed new legislation to create a foundation for our
future economic growth. Do you not believe the economy is growing
now? In January, we had a 10 percent increase in income, in
household income. The Congressional Budget Office (CBO), which
is a nonpartisan group up here, tells us that the economy is grow-
ing, and they believe by halfway through this year, we will be back
to where we were pre-pandemic, in terms of our gross domestic
product (GDP).

I guess a couple of questions. One, will you work with us on a
more targeted approach, and will you work with us on ensuring we
have economic growth? By the way, CBO says that will happen
without any new stimulus. A new report out today saying only 20
percent of the money that was in the stimulus checks last time ac-
tually got spent. The rest of it was mostly saved.

I wonder if you have any thoughts on that, both of you, for going
forward, how do we work together better?

Ms. Young. Senator Portman, thank you for that question. You
have my commitment to work with you on a whole litany of things,
and certainly on any future need for stimulus in the economy. I
think we can only solve this together, so you certainly have my
commitment to working on that. I think you have seen some evi-
dence of a willingness by this administration. I have not been a
part of it. I have not seen the final Senate package, but I think if
reports are true there has been a willingness to look at some more
targeting of those funds.

So you certainly have my commitment, and I think the adminis-
tration, as we speak, is working with Senators to ensure that there
is targeted relief to the American people.

Senator Portman. Thank you. Mr. Miller?

Mr. Miller. Thank you, Senator, Ranking Member Portman.
Thank you for the question, and I concur with Ms. Young on my
commitment to work with you, Members of this Committee. First,
on the overall current situation that we are in 10 million Ameri-
cans are out of work. Measures like weekly unemployment insur-
ance claims are still historically high, so I think we face deep eco-
nomic challenges. But you are correct that the GDP numbers, the
GDP growth rates, have been high.

The issues even prior to the pandemic were deep-seated, and I
think we need to take appropriate investment looking forward,
which we are sure we have a strong foundation in place regarding
our recovery. Irrespective, if confirmed in my role as Deputy Direc-
tor for Management, I would welcome the opportunity to work with
you and Members of the Committee to make sure that we are oper-
ating the programs that have been enacted by the Congress effi-
ciently and effectively, including addressing concerns that have
been raised in past programs or new programs.
Senator PORTMAN. Including going after fraud? Would you make a commitment to that today?

Mr. MILLER. Yes. Yes, sir.

Senator PORTMAN. As we talked about earlier.

I was pleased to see President Biden sign an Executive Order (EO) with the intent of striking the Buy America Act, and in some ways it actually mirrors our bipartisan BuyAmerican.gov bill. In other ways, the Executive Order actually weakens the domestic content requirements, specifically by replacing existing component test with a new value-added test that actually reduces the procurement of U.S. content.

Will you commit to correcting this problem and to protect the integrity of the Buy America Act.

Mr. MILLER. Ranking Member Portman, thank you for the question. I commend you for your work and leadership on this issue. I think it is critical that our procurement policies are enacting strong domestic preference requirements. As I understand it, the intent of the Executive Order is to do just that and make sure that procurement is increasing the amount of domestic economic activity, and you have my commitment to work with you to ensure that it does just that.

Senator PORTMAN. I hope you will work with Senator Murphy and me on our legislation, which codifies some of what was just done but actually, I think, does a better job of protecting American workers.

Ms. Young and Mr. Miller, last year Senator Carper and I introduced a bill called the Safeguarding American Innovation Act as a result of two investigations by this Committee regarding Confucius Institutes, in one case, and Thousand Talents Program, China’s Thousand Talents Program in the other case. The legislation would help stop foreign governments, particularly China, from stealing American technology. This is usually taxpayer-funded research and intellectual property.

A critical part of the legislation would establish a Federal Research Security Council at OMB to close the gap we identified in coordination and information sharing among the various Federal agencies that provide most of the funding for that research.

Would you commit to supporting the Safeguarding America Innovation Act?

Ms. YOUNG. Senator Portman, I am more than familiar with the goals. I have not seen every detail of the act, but I am committed to working with you on that legislation to make sure the goals of it are implemented. It makes common sense to make sure our research is protected, and you certainly have my commitment to work with you on that.

Senator PORTMAN. Great. We will get you the legislation and we would love to have your help. Mr. Miller?

Mr. MILLER. Thank you, Ranking Member Portman. I agree, it is a key issue in making sure that our research enterprise, our academic institutions are protected, and would welcome the opportunity to work with you on that issue.

Senator PORTMAN. OK. On permitting reform, we talked about this in our conversations and I appreciate your support, generally, for the Fixing America’s Surface Transportation Act (FAST–41) bill
I co-sponsored in 2015, a bipartisan bill that establishes Federal Permitting Improvement Council, by the way, which has saved well over $1 billion in terms of permitting, and many years of permitting for major projects.

We, specifically, gave OMB a big role. It was a fight, frankly, with the Obama Administration, and they conceded at the end and gave you, if you are to be confirmed, at OMB, the coordinating rule as putting together the council and coordinating these large projects that would be covered. I appreciated our conversations again, and I want to ensure that we can work together to lift the sunset that is otherwise going to happen on FAST–41.

I want to ask you now, in this forum, will you commit to working with me to pass a sunset removal for FAST–41 that retains the current law as written?

Ms. YOUNG. It is hard to argue with success, and the act has had a lot of success, so I would certainly commit to working with you on the sunset removal.

Senator PORTMAN. Thank you. Mr. Miller?

Mr. MILLER. I would absolutely commit to working with you on it. Reported benefits of the Permitting Council thus far are substantial, and I think it is worth considering infrastructure investment, increased infrastructure investment is absolutely imperative that Federal permitting is working and working efficiently.

Senator PORTMAN. Great. My time has expired. I have so many more questions for you, but I have a sense that we will probably have an opportunity to have that conversation over the next couple of years. So thank you for your answers today and for your commitment to service.

Chairman PETERS. Thank you, Ranking Member. The chair recognizes Senator Hassan for her questions.

OPENING STATEMENT OF SENATOR HASSAN

Senator HASSAN. Thank you very much, Mr. Chair and Ranking Member Portman. Thank you to both of our nominees this morning, and thank you and your families for your willingness to serve. We greatly appreciate it.

I want to start with a question to Ms. Young. A few weeks ago, I asked Ms. Tanden to commit to completing the Federal Program Inventory. Having this inventory will improve transparency and help eliminate wasteful spending by allowing policymakers and the public to access information about Federal costs and programs. If confirmed, will you also commit to completing the inventory and working with me to eliminate programs that are duplicative, wasteful, or no longer necessary?

Ms. YOUNG. You absolutely have my commitment.

Senator HASSAN. Thank you. Now a question to both of you. I just want to discuss Federal information technology (IT) systems. Information technology supports all Federal operations, from accessing health care to combating terrorism, so we need those who craft policies, as you both would do, if confirmed, to recognize how IT shapes program outcomes, drives costs, and delivers a level of service that the American people expect in the 21st century.

If confirmed, will you ensure that agencies analyze the impacts that their information technology systems may have on programs
costs and the ability of the agency to meet program goals? Ms. Young?

Ms. YOUNG. Senator, I would add another topic, improper payments and fraud. I think data is central to that and some of the lackluster information technology systems helps ensure that we cannot fix that problem. So you certainly have my commitment to working on those issues.

Senator HASSAN. Thank you. Mr. Miller?

Mr. MILLER. Senator Hassan, thank you for the question. I absolutely commit to working with you on this topic. I think as we step back it is safe to say that we are not getting adequate return on investment (ROI) today on our IT investments, as a Federal Government. We have made progress, as I understand it, but there is a lot more to do. There is clearly the element around cybersecurity, where modernizing our IT systems would improve our overall cyber posture, and there is investment within the American Rescue Plan to support of that, but I hope that is an issue that we can work together on to further those goals.

Senator HASSAN. Thank you. I appreciate that, and I am going to follow up a little bit more on the whole issue of legacy IT, with you, Ms. Young, and then with you, Mr. Miller.

So to Ms. Young, last year the Federal Government spent $90 billion on IT systems. About one-third of those funds, $29 billion, was spent on maintaining legacy systems. As I discussed with Comptroller General Dodaro earlier this week, legacy systems can create compounding technical debt, leading to increased costs and security vulnerabilities and preventing the Federal Government from meeting the customer service expectations of the American people.

The Office of Management and Budget plays a critical role in eliminating antiquated systems and technical debt, and holding agencies accountable for sticking to their modernization plans, and you both just talked about different ways that our being behind here has impacted our current systems.

So to you, Ms. Young, if confirmed, will you commit to modernizing legacy IT systems to improve services for citizens and save taxpayer dollars?

Ms. YOUNG. I commit to that. I also, from my current seat on the Appropriations Committee, it is going to take resources. We have dealt with budget caps over the last 10 years, and when your choice is between programs that impact families and IT systems, sometimes IT systems have not won out.

Senator HASSAN. Right. Let me get to that, because one of the major challenges here in eliminating legacy systems and replacement them with cost-effective modern systems is the 1-year budget and appropriations cycle, which cannot always accommodate the time it takes for agencies to plan and execute system upgrades.

So how are you going to work with agencies and Congress appropriators to ensure that the agencies have the flexibility that they need to commit to modernization efforts?

Senator HASSAN. Senator, the group of bipartisan members on the House and Senate side I think envision the Technology Modernization Fund (TMF) to help solve some of those problems. So have a centralized place. You may not get everything the first year,
but have funding in one place so GSA, with OMB’s assistance, can look across those agencies and do some forward planning and not just on an annual basis, which I do agree with you is probably not the best way to budget for technology investments.

Senator HASSAN. Thank you. I appreciate that answer. I look forward to working with you on it.

Mr. Miller, a big driver of costs associated with legacy IT systems is the need for specialized programmers rather than the more generalized IT and security personnel that can adapt systems as they evolve. This issue speaks to the Federal Government workforce challenges more broadly, namely that we are failing to hire and retain a highly skilled workforce to meet agency missions.

How will you address the critical need to hire and retain a skilled and diverse workforce, especially when it comes to Federal IT?

Mr. MILLER. Senator Hassan, thank you for that important question. Not only inside the Federal Government but also many contractors have to maintain skills solely for the operation of Federal IT systems, as you know well. Technical talent, both in IT and other places, is going to be a critical element of how we think about the Federal workforce. One aspect of that needs to be inspiring more Americans to serve. The public service aspect has brought may technologists into the U.S. Government through U.S. Digital Service (USDS) and other places where we can bring people in and rotate them across agencies to tackle these. But it is a bigger issue than just that, and we need to work with the Chief Information Officers (CIOs), make sure we have strong CIOs and agencies, and we are addressing the need and being flexible and creative. I would look forward to the opportunity to work with you on that.

Senator HASSAN. Thank you very much. Thank you both for your answers, for your work, and for your willingness to serve. I yield the rest of my time.

Chairman PETERS. Thank you, Senator Hassan. The chair recognizes Senator Paul for your questions.

OPENING STATEMENT OF SENATOR PAUL

Senator Paul. Ms. Young, we face a $27 trillion deficit. We are borrowing a little over $2 million every minute. That means we will borrow $50 million, in the next 25 minutes. It is extraordinary where we are.

You have been vocal in your support for earmarks, and we have not done earmarks around for a while, when the Republicans were in charge. I think maybe it is important that we review where some of these earmarks have been going in the past.

Most people remember the Bridge to Nowhere. This was a $400 million on a bridge and road to nowhere. It served about 50 people in Alaska. It was lampooned for years. There was also $350 million we spent on an A–3 rocket test stand in a Senator’s home State. It was completed in 2014, 4 years after the program it was designed to be used for was shuttered. Earmarks do not have a great history in our country.

We spent $1 million on a former residence of Thomas Stone, a marginal historical figure who argued for reconciliation with the British, before signing the Declaration of Independence. The house
was bought in exchange for a Maryland Congressman’s vote on a National Parks bill. This is what would happen in the past. If they wanted you to vote for something, they say, “Well, was your grandmother prominent in her community? We will do grandmother’s museum for you.” That literally was happening under earmarks.

A million dollars was spent on exhibits and films for the Woodstock Museum. Now some of these things got put in, and then someone finally had some sense and took them back out. This one never got built, fortunately. Fifty million dollars on a 4.5-acre indoor tropical rainforest in Iowa, that was never built, but was stuck in by a Senator and then fortunately was removed. This is sort of the history of earmarks. They are sort of the worst of what government represents. I am troubled that this is something you voice support for.

There is $22 million put in a secret DOD program to investigate unidentified flying object (UFO) sightings. This was one of Senator Reed’s passions. I do not think we have to go further into discussion of whether or not that is a good use of taxpayer money. Fifty thousand dollars to the Detroit Institute of Bagels—there is one we really think we need to spend some money on. Ninety thousand dollars to create audio tours of the National Cowgirl Museum and Hall of Fame. Five hundred thousand dollars to the Teapot Hall of Fame, which closed before construction was completed. Five hundred thousand dollars to travel for high school exchange programs between Philadelphia and the Virgin Islands.

The history of earmarks is not one of our you know, putting our best foot forward. I worry that you would go to OMB and this is a philosophy that you would bring there, because you have publicly advocated for these.

In the most recent bill, we have $140 million for Congressman Pelosi’s tunnel in her district. We have $1.5 million in it for Senator Schumer, for a bridge in his State. I think that we really need to look long and hard at this.

At the peak of earmarking, in 2006, Members of Congress added nearly 10,000 pet projects, costing the taxpayer nearly $29 billion. During a 10-year period, the earmarks rose, in 1996, from about 1,000 to 14,000. I think we finally had one transportation bill that had 6,000 earmarks on one transportation bill, and there literally was stuff named after people’s grandmothers or somebody prominent in their district. They would say, “Oh, we will do a museum for them.”

Studies estimated that for every dollar companies spent lobbying, they bought $28 in earmarks. At one point, 60 percent of the House Armed Services Committee members were channeling earmarks to campaign contributors. When they did a reform and they said you had to attach your name to the earmark you put on, to sort of shame people into this, they found that of the 81 House and Senate appropriators, who made up 15 percent of Congress, they were responsible for 51 percent of the earmarks and 61 percent of the money spent.

So I guess considering where we are on the debt, I would like to think why you think it would be a good idea to go back to earmarks.
Ms. Young. Senator, thank you for the question and the opportunity to talk about this issue. The first commentary I have is the Constitution is very clear about who gets to appropriate, and it is Congress, out of the three equal branches. It will be your decision, congressional decision, House and Senate, on how you spend Federal dollars. If confirmed, I think it would be my role, at OMB, to implement what you have passed.

I certainly appreciate any past comments I may have made. I am a staffer so doubt I have made many public comments, as you have staff. Our bosses tend to make comments. But I believe there is going to be a lively debate about how you choose, as the Constitution dictates, and I certainly hope to be confirmed, and on matters of the budget, if technical assistance is needed, if confirmed at OMB, we will be happy to provide that. But it is Congress’ role to spend dollars.

Senator Paul. You are right, and Congress will make the decision, not you. Do you favor earmarks? Do you think they are a good idea?

Ms. Young. Senator, I certainly think the word “earmarks” has taken on one definition. I think we earmark now. How do you fund the U.S. Army Corps of Engineers (USACE) or highway projects without earmarking? They are in a place, and they cost money. So there are some Federal programs that are earmarked, by the very definition of being directed, being in someone’s district or State.

Senator Paul. But I guess the difference is this. So, for example, when Robert Byrd was here he paved about every inch of West Virginia because he had the power to do it and he had been here forever. I have a bridge that has needed to be fixed, and had to have repairs, and we had people lined up for 10 miles on either side of it, but I do not think it would be right for me to fix this one bridge in there ahead of others. I think what would be appropriate is we lay out the rules on which bridges should be fixed.

So you are right. Congress has an obligation. We should not just send it to the President, who could then earmark it, which would be a mistake. We should say bridges that have the most traffic, are the oldest, have had the most repairs, we should set the rules for then the Department of Transportation, and then ultimately you would think the decision would be made by engineers. But that is not the history of earmarks. The history of earmarks is the longer you have been here, the more stuff you get, and it is true on both sides of the aisle, Republican and Democrat. The longer you are here, the more stuff you get under the earmark regime, and there has been a little bit less of that.

But I think it is a real mistake to advocate for earmarks and to be blase about it, because I think our country really is suffering under a great burden of debt, and OMB has some oversight in that. So being in favor of earmarks, to me, is not a good thing.

Ms. Young. Thank you, Senator.

Chairman Peters. Thank you, Senator. Senator Romney, you are recognized for your questions.

Senator Carper. Mr. Chairman, Tom Carper here. Do you know where I am in the queue, please?

Chairman Peters. Senator Carper, we have Senator Romney. There are others that are going to be coming that are ahead of Sen-
ator Romney that are not here yet, but after him you are one, two, three, four on the list after Senator Romney, but there are one, two, three that may arrive that are ahead of Senator Romney, so maybe a few. We will let you know when we are getting close.

Senator CARPER. Mr. Chairman, I checked in early. Something is wrong with your list. I would just ask that somebody check it, OK? Thank you.

Chairman PETERS. My clerk says that you were not checked in.

Senator CARPER. Not true. I will talk to the clerk later.

Chairman PETERS. Yes. We will be back to you offline, Senator Carper.

**OPENING STATEMENT OF SENATOR ROMNEY**

Senator ROMNEY. These Democrats go at each other tooth and nail. It is amazing.

Thank you, Mr. Chairman. I recall during the years of the last administration, particularly before the COVID crisis occurred, that there was a period of great, robust economic growth, and despite that we were generating nearly $1 trillion a year in deficits, which, of course, added to the debt. I get a text message every morning that tells me what the debt is today, and actually yesterday it went over $28 trillion in national debt.

There was a member of the last administration—maybe I am paraphrasing—but basically he said, “Debt is good.” When asked, “Hey, are you concerned about all this debt, and the trillion-dollar deficits?” he said, “No, debt is good.” Do you believe debt is good at the level we have and at the level we keep adding to it, even during good years?

Ms. YOUNG. Senator, I would use a different word, not “good” but “OK.” I think it is manageable. I would never say debt is good, but I think it is OK with interest rates being as low as they are, and the tools the Fed has. I think we remain, thankfully, in a good place to continue to combat the pandemic the way we have.

Senator ROMNEY. Yes. I am not talking about the pandemic necessarily. I am talking about the annual deficits we run of roughly $1 trillion. The challenge is, yes, interest rates are low now, but if interest rates go up and we still have the debt, we have to pay the interest. So last year we spent $390 billion in interest. If interest rates go back to their normal level we will spend $1 trillion a year in interest, which would overwhelm our Federal budget.

I am concerned, in the COVID relief plan, that the President—by the way, I fully support helping people that need help, helping States and businesses that need help. I am concerned that in the current plan there is a lot of excess that is just going to add to the debt without creating a benefit to our economy or helping people that are in need.

I am concerned, for instance, that under the plan many States that had no revenue loss or no deficit as a result of COVID and no unreimbursed COVID expenses, that they nonetheless are going to get billions and billions of dollars. I see that as a problem. Do you feel that is a problem as well?

Ms. YOUNG. Senator, I have always looked at it—and I worked on the coronavirus relief fund. We did $160 billion in bipartisan Coronavirus Aid, Relief, and Economic Security (CARES) bill. That
money ran out in December. I have always looked at that fund is not just a revenue loss fund but one that is meant to, and designed to provide fiscal relief. So those States who are doing increased vaccine distribution, that have increased costs, this fund is also to ensure that they provide needed services.

I have looked beyond revenue loss as one of the——

Senator ROMNEY. Of course. So what I am saying is, if a State had no net revenue loss—we had 21 States that revenue has gone up every year, even during the pandemic, 21, revenues have gone up, and we have reimbursed all their excess COVID expenses, and we have raised the Federal Medical Assistance Percentages (FMAP), so we provided greater support for their Medicaid. So these are States that are in fine financial shape.

California, for instance, I understand their budget surplus this year is roughly $20 billion, and yet under the President’s plan we anticipate giving California another $27 billion. That does not make sense to me. Does this make sense to you?

Ms. YOUNG. Yes, sir, if you consider the regular budget did not account for pandemic. So if we want States to step in and do a lot of these COVID relief activities——

Senator ROMNEY. But all the COVID relief activities were reimbursed through the CARES Act, and anything not reimbursed is appropriately to be reimbursed. So I am saying, if the Federal Government agrees to provide all the funding necessary to reimburse COVID expenses that a State has, and it fills their budget gap from loss of revenue, I do not see a reason to give even more money to that State. I hope you will look at. I think it is——

Ms. YOUNG. I am happy to, sir, and, we have certainly talked about bipartisanship. This is one. Certainly some of the Governors and locals of both parties have given us data that says they are not just in need because of revenue loss but because of the extra requirements for their citizens.

Senator ROMNEY. I can assure you, as a former Governor, if the Federal Government is going to be handing out billions of dollars, I am going to have my hand out to get as much as I can. But these are dollars that are going to be paid for by our kids and our grandkids, that are being loaned to us by the Chinese, among others. We have to be really careful of what we send out. What is being proposed, in the President’s plan, is really not in line with what the actual results are that are being seen by States, because States are continuing to receive revenue. They receive revenue from income tax, from property taxes, at the local level, of course. And so States are not seeing the kind of pain that some States are. The States that feel pain, got to help them. The States that do not feel pain, we should not be sending them billions of dollars that we are borrowing for our kids to have to pay back.

On a different topic, on our trust funds, we have a lot of trust funds in trouble, as you know. The Highway Trust Fund (HTF) runs out of money this year. Medicare’s hospital insurance trust fund runs out in 2024. Social Security disability trust fund, 2026. Social security retirement fund in 2031.

In December, 71 Senators voted for an amendment to the budget resolution on the importance of extending the solvency of these trust funds, one by one. They specifically called for creating indi-
individual, bipartisan, bicameral subcommittees to look at each one of those trust funds and find a bipartisan solution to get each one of those on a solvent basis. Is this effort one that you are willing to support and work with as we proceed?

Ms. Young. Senator, I think that is the only way we are going to find solutions is through a bipartisan one, where Congress works together and the administration works in partnerships. So you absolutely have my commitment to support such an effort.

Senator Romney. Thank you.

Mr. Miller, what consulting firm did you work with?

Mr. Miller. The Boston Consulting Group.

Senator Romney. Oh, The Boston Consulting Group. I worked there once too. Very fine group. Smart people. I hope you bring some of that skill and capability to the new assignment you have.

Can you tell me precisely what are the responsibilities in the assignment you would receive? What are the key deliverables that you have in the assignment that you are looking to be confirmed to?

Mr. Miller. Senator Romney, thank you for the question. As I understand it, the Deputy Director for Management, which was created in 1990 by the Chief Financial Officers (CFO) Act, both to look at Federal financial management at a time when it was quite poor across agencies, as well as look at a broad set of general management functions, is to play the central OMB role of ensuring that (1) agencies are delivering on their missions through clear and consistent policy and guidance on execution performance; (2) we have the right policies in place, working with the Office of Personnel Management (OPM) on the Federal workforce, that we are looking at our technology systems, both from a cybersecurity standpoint and from a delivery standpoint, and that our procurement policy is consistent with both mission of the agencies as well as the broad set of policy goals, such as supporting small and disadvantageous businesses, strengthening the American workforce through domestic preference requirements, and more broadly, serving as one of the leaders of OMB overall, to support all of OMB’s broad missions.

Senator Romney. I look forward to hearing a report on your success in carrying out those responsibilities. I also solicit your involvement in our effort to rein in the excesses in government, and particularly for us to tame the debt. As a guy who was once in the world of leveraged buyouts, I understand the value of debt and how you can use debt effectively. But I am concerned that the amount of debt we are adding to the country, even during good times, puts us in peril down the road.

Thank you, Mr. Chairman, for your time.

Senator Padilla [presiding]. Next we have Senator Rosen, joining virtually.

OPENING STATEMENT OF SENATOR ROSEN

Senator Rosen. Thank you very much, Mr. Chairman. I want to thank both witnesses for being nominees, for being here today, for your willingness to serve our country, and I really appreciate it.

I want to talk a little bit about nuclear testing, because in 1982, Congress passed the Nuclear Waste Policy Act, which was amended later to select a national and permanent geologic repository in Ne-
vada for the nation’s nuclear waste. However, because of funding shortfalls and, needless to say, strong local opposition, there thankfully still is no nuclear repository at Yucca Mountain. It is a fight that my colleagues, the Nevada congressional delegation and I, have had year after year.

So this Committee just had a hearing earlier this week on reducing fraud, waste, and mismanagement across the Federal Government and to push to revive the failed Yucca Mountain project. It is a prime example of potential government waste. My Jobs Not Waste Act would provide the Secretary of Energy from taking any action related to the licensing, planning, development or construction of a nuclear waste repository at Yucca Mountain until two things happen. No. 1, the Director of OMB submits a study to Congress on the economic viability and job-creating benefits of alternative uses of the Yucca Mountain site, and two, Congress holds a hearing on the economic benefits of an alternative use of Yucca Mountain site.

So OMB, you drive Executive Branch policies and priorities, so naturally your office is going to have a large role in this, in reviewing these in the future. So, Ms. Young, I would like you to respond to a couple of questions. If confirmed, will you pledge to not fund licensing, construction, or nuclear waste storage at the Yucca Mountain site, consistent with recent pledges made by Energy Secretary Granholm and consistent with President Biden’s commitments?

Ms. Young. Senator Rosen, one, I certainly, from my current role on the Appropriations Committee, appreciate that we will be guided by congressional budgets that come, so certainly I commit to you to working on this issue. I understand the intense—I do not want to get this wrong, but I have worked with your colleagues in the House on this, and I understand the local issues that come with this. But you certainly have my commitment that we need to take a look at this very important issue and probably take a pause, but we also will be guided by what Congress sends us back in the budget.

Senator Rosen. But building on that, will you commit to working with and the Nevada delegation to explore alternatives for the Yucca Mountain site? I have a lot of ideas on how we can actually use is, for national safety and security, as opposed to a nuclear repository.

Ms. Young. You have my commitment to work with you on that issue and on the issue writ large of nuclear waste. It is very clear that it is going to take an approach that OMB, and I, hope to be a part of, working with you and your colleagues and the rest of Congress to find a comprehensive solution to nuclear waste. So you have my commitment on looking at alternative uses and also on the issue nuclear waste writ large.

Senator Rosen. Thank you. I would like to actually talk a little bit about rural Nevada, because, Ms. Young, you wrote so movingly in your testimony about growing up in Clinton, Louisiana, a rural town of about 2,000 people, when you lived there.

So my home State of Nevada has many vibrant rural communities, frontier communities. We are the most mountainous State in the Lower 48. But they are facing challenges as a result of
COVID–19. I would love to get your perspective on how we can help lift up and empower rural America. So how was that growing up in rural America? How has it shaped your perspective in government and how does it relate to your investment in our rural communities?

Ms. YOUNG. Senator, it is very difficult when growing up in a small town to explain to those, I live in Washington, DC. now, but it is very difficult to really comprehend unless you grew up there how difficult it is, given the lack of access to even, cultural institutions, sometimes you have to travel for education. I was born two towns over, a hospital. So it is hard to quantify sometimes how difficult it is to get a leg up coming from rural communities.

I think one thing we heard a lot of this year from the coronavirus perspective is, we just talked about State and local funding, is we gave, in the CARES Act, funding to States and large metropolitan areas, 500,000 or more. There was an outcry from mayors of smaller towns, that they did not see those resources trickle down. I certainly appreciate the effort Congress is taking now to make sure smaller areas are beneficiaries of these direct payments, because they have costs without a lot of tax base.

Senator ROSEN. Yes, I think you are right, and I really want to discuss the critical rural health care issues, just like you mentioned. We want to ensure that there is a clear and equitable process for our graduate medical education slots to be distributed in the areas that need them the most and address those provider shortages, particularly in our rural areas. So how do you think OMB can help us with that?

Ms. YOUNG. Senator, I am happy to work with you and your office on specific concerns. Those are ones, again, unless you have grown up there it is hard to imagine not having access to adequate care, sometimes no care, and having to travel, in cases of emergency. I know residencies and graduate medical education can fill some of those holes, so I will happily commit to you to working on this issue with HHS, and certainly OMB as a coordinating role on most things, we will certainly work with you on that.

Senator ROSEN. Thank you. I know my time is about to expire so you can respond to my question on the record in writing. But I really want to talk about how we prioritize modernizing our IT systems. We have seen during COVID, whether it is unemployment or so many other of our IT systems that are the platforms for what we need to do. They are not nimble enough, they are not robust enough, and I would love to have that conversation with you about IT modernization. But my time has expired so we will have to save that conversation.

Ms. YOUNG. I would love to continue talking to you about it, Senator.

Senator ROSEN. Thank you, Mr. Chairman.

Senator PADILLA. Next in the queue is Senator Scott. I do not see Senator Scott in the hearing room. He will be joining virtually. Senator Scott, going once, going twice. We will come back to him when he joins.

Senator Hawley would be next, also not in the hearing room. Are we virtual, Senator Hawley? Going once, going twice, we will come back to him.
Then it comes to me, followed by Senator Johnson, who is waiting, and Lankford after that.

**OPENING STATEMENT OF SENATOR PADILLA**

So a couple of items I wanted to touch on with both of you. In prior hearings, to your counterpart nominees, I have had a chance to ask questions generally about equity, and using the budget together with policy to advance equity. We have touched on what it means in the COVID context, in the climate change and environmental justice context, in the context of housing and homelessness and others.

The question I actually wanted to prioritize for today is one that speaks more toward management and leadership. We know that after years of persistent attacks on Federal employees—and public employees, more broadly—during the last administration, we face significant challenges in the recruitment and retention of a talented Federal workforce, and especially a diverse, talented Federal workforce.

The Federal Government seems to be falling behind in the hiring of the workforce for tomorrow. A year ago, only 7.3 percent of the Federal workforce was under the age of 30, compared to 23 percent in the private sector. Add to that the recognition, both by number and percentage of Federal employees, particularly at the senior levels, upper management and leadership, that are eligible to retire in the next decade.

It begs to question, are we prepared to do the proper succession planning, to maintain that continuity of leadership throughout Federal Government, and coupled with that, the need to promote diversity. It seems to remain an obstacle across the Federal workforce. People of color are overrepresented in entry-level positions but severely underrepresented in senior-level and career Senior Executive Service (SES) positions. Federal agencies must take meaningful, proactive steps to recruit the workforce of the future while promoting diversity, equity, and inclusion.

So a question for both you, Ms. Young, and for Mr. Miller. What can we do? What ideas and commitments can you commit to, to leverage the funding process, to improve the recruiting of a young, diverse cohort of professionals, and also what can we do to further strengthen the morale of our current workforce to help on the retention side of things? Mr. Miller.

Mr. Miller. Senator Padilla, thank you for the question and I commend you for focusing on this issue. Successful organizations require talented, diverse, highly engaged teams. The data shows that repeatedly. When we look at the Federal Government, as you noted at the end of your comments, the engagement levels, the morale levels are not where they should be. The opportunity to serve our country is a privilege, and the Federal workforce is filled with dedicated, talented individuals, and we need to empower them to fully do their jobs.

First I think, you noted this, but we do need to broaden the sources of recruitment into the Federal Government, including by inspiring more people to serve. This includes a focus on diversity and inclusion. It also includes a focus on technical talent. We need to look at any bottlenecks in the system to bring people in, and it
is something that in my role, if confirmed as Deputy Director for Management, I would be willing to work with you, and am excited to work with you and Members of this Committee on, work closely with OPM, with the Chief Human Capital Officers (CHCO) council, across Federal agencies, to make sure we are empowering, lifting up, engaging with, and skilling our Federal workforce for our needs today and tomorrow.

Senator PADILLA. Ms. Young.

Ms. YOUNG. I would like to add, one, I agree with everything Jason has stated. From my experience, I started at the government as a Presidential management fellow. I was lucky to find a brochure in a Dean’s office in New Orleans. It turns out if you were on the East Coast and in school you knew all about this program; not so much from other parts of the country. I think we have to do a better job of where we recruit around the country. I think people will travel. They will serve their country. They just do not know a lot of opportunities exist.

I think we can go to community colleges. We need to expand where we go look for talent and do a better job. We certainly need to do it in these areas we are having trouble recruiting, in the technology place. Not everything is about money, and I think people are motivated to serve their government, but we certainly cannot create hurdles. I have experienced it, where you go look for a job on USAJobs and it is not the easiest to do.

I think we need to, as Jason said, remove hurdles from serving, in addition to improving our recruitment processes.

Senator PADILLA. Thank you both for that. With the less than 2 minutes I have left I wanted to tee up another question and allow for both of you to respond to a dynamic that was raised earlier in the hearing, and that is the wisdom or strategy behind supporting States at this time when some seem to be hurting more than others by the COVID–19 pandemic, from an economic impact standpoint, and some States experiencing, in my view, a false surplus.

I can speak to California, my home State, but I imagine others that made significant cuts in the 2019–2020 fiscal year (FY), at the outset of the pandemic, and adopting 2020–2021 fiscal year budgets that were, frankly, doomsday budgets, not knowing the depths of the reception. Some States have been buoyed by incredible performance in the stock market, right, Wall Street record highs, Dow Jones (DJI) record highs, while at the same time I see record lines at food banks and COVID testing sites.

So can you just speak to some of the dynamics that you would take into consideration as we act on the wisdom of supporting States at this difficult time?

Ms. YOUNG. Thank you, Senator. You are absolutely right. There are some States who saw this coming, took some drastic steps, but we certainly cannot use those baselines. There has to be an explanation why there are certain people being overly left behind in this pandemic. State budgets have to balance. I appreciate the difficulties. Where the Federal Government, I think, can serve a role here, is to ensure that basic State functions can be brought up, and there are some populations that require more services during the pandemic, or we are going to have more of a wealth gap in this country.
So more investments are needed. I would look at the homeless, the needs of the homeless. I do not think anyone can argue that we were doing too much or enough to fix the homeless situation. Maybe we should use the COVID pandemic to do better. And we saw that population was at more risk. We did not have a great handle before the pandemic. So there are some areas, especially with communities who were already behind in the pandemic, we need to ensure that State services not only stay the same but we do better.

Senator Padilla. Thank you, Ms. Young. Mr. Miller, I see you eager to jump in. In the interest of time, let me just say that it will be an ongoing conversation. In closing, let me just acknowledge that some of the cuts, drastic actions taken by States, included deep cuts to the social safety net, No. 1, but also to State employees, both staffing levels as well as salaries. So that is not lost on me, and to the extent that we can help restore those baseline services I think that would serve us well.

Next is Senator Johnson.

OPENING STATEMENT OF SENATOR JOHNSON

Senator Johnson. Thank you, Mr. Chairman. I guess I would just make a quick comment before I hop into my planned questions, is that we certainly have not done a very good job targeting what relief we have already authorized, the $4 trillion. I really do not know how much of that is still left unspent. We are hearing somewhere around $1 trillion. So we have not done a very good job targeting it.

First of all, thank you for your previous service in government. Thank you for your willingness to serve in this capacity. Do either of you dispute some of the economic figures I am reading about, that per capita real disposable income is up 5.5 percent in 2020, the total savings is up $1.6 trillion, that the bottom 20 percentile of wage-earners, the bottom 20 percent, on average, received $45,000 in some kind of transfer payment from somewhere around 100 different transfer programs as well as tax credits? Do either of you dispute those numbers? Ms. Young. Mr. Miller.

Mr. Miller. I do not dispute them. I am not familiar with the specifics.

Senator Johnson. OK. So again, I know people are in need. I think what we should be doing is taking a look at targeting what we have already authorized. When you have literally got somewhere around $1 trillion not yet spent, something that is not even obligated, before we go rush off and try and pass another $1.9 trillion, adding to our $28 trillion in debt, it just seems more prudent to kind of take a look back at what worked, what did not work so well, and target it to those who truly need it.

Let me just ask, one of the efforts of this Committee, twice we passed something called the Guidance Out of Darkness (GOOD) Act. I was very disappointed to see that President Biden, in one of his first Executive Orders, suspended that. Now, I am hoping you both understand what that is, but let me quickly describe. All it asks agencies to do is when they issue guidance on top of rules, regulations, and laws, the guidance that actually affects the business community and people's lives, that they publish what that
guidance is. If they rescind the guidance, they take it off their website. Why in the world would the Biden administration rescind such a common-sense, good government transparency effort? Ms. Young.

Ms. Young. Senator Johnson, you, I am sure, understand I have not been at the agency and a part of the administration, but you have my commitment to work with you and your staff to figure—I mean, clearly, transparency has to be—that is a central government tenet for people to trust its government. I am happy to look into what the decision was behind that and work with you and your staff on some of the particulars and any concerns the administration had when making that decision.

Senator Johnson. OK. I appreciate that. I think we literally passed it out of this Committee, under my chairmanship, twice, I think unanimous bipartisan support. I could be wrong on that, but again, we passed it twice, with strong bipartisan support. Mr. Miller, will you also make the same commitment to look into this and hopefully encourage the Biden administration to publish guidance documents, just basic guidance?

Mr. Miller. I share Ms. Young’s commitment, and the general principle of guidance being transparent and readily accessible is the right one.

Senator Johnson. OK. I really wanted to come down here, but just get commitment from OMB to provide Congress information. I really thought the Trump administration was pretty transparent, and certainly provided this Senator, and I think Congress in general, because there were reports they issued. For example, the details on what was spent of the $4 trillion that we had already authorized.

One example of that is as we were considering the fourth COVID relief package, before the August recess, because of the information OMB provided, I was able to provide my colleagues with the fact that, at that point in time there was $1.2 trillion that was unspent, and much of that was unobligated. So that certainly changed the debate within our conference.

In the end, the result was within the Republican targeted bill, $350 billion of that—I think it was about $600 billion targeted bill—was repurposed from the previous bills, which to me makes sense. We all knew we had to do something fast, we had to do something massive. We knew it was going to be far from perfect.

And so, again, that is just good governance, you do oversight, you take a look back and go, “OK, well, that did not work out the way we planned. Let’s target it better.”

In the most recent package that actually passed in December, the $900 billion—again, because of that information we had from OMB, $600 billion of the $900 billion package that passed was repurposed. In other words, do not let that money sit out there unspent, and probably be poorly spent because it is not properly targeted. Let’s repurpose it. Let’s do a better job.

So now here we sit, about ready to go on the floor of the Senate and barely debate, a $1.9 trillion bill. By the way, I was on the Senate floor yesterday. There are a number of analogies to highly what $1 trillion is. My wife has one in terms of time. If I give you a dollar every second it takes 11.7 days, 11.6 days to give you $1
30 million. It takes almost 32 years to give you $1 billion. It takes 32,000 years to give you $1 trillion. But I think the even better one is the volume one. A dollar bill is 4.3 thousandths-of-an-inch thick. If you stack $1.9 trillion on top of each other, it is over 130,000 miles. That is more than halfway to the moon. That is what we are talking about passing with a couple of days of debate.

So one of the problems I have in providing relevant and effective amendments is I do not know how much of the $4 trillion is unspent and unobligated to be able to craft my amendments effectively, to hopefully do a better job. I would hope that in this deliberative process that I am going to force on the Senate—vote-a-rama is supposed to be unlimited debate, unlimited amendments—I am going to hold us to that unlimited amendment pledge, so we can carefully consider just about every line item of this $1.9 trillion spending behemoth. But it would be very helpful if the Biden administration’s OMB would provide Congress, all of us, exactly how much has been spent, what is unspent, and what is unobligated.

I will just quick ask both of you—and I am running out of time—if you are confirmed to these positions, will you utilize your position at OMB to be transparent and provide Congress with this type of information that we are going to need moving? Because I have a feeling this is not going to be the last time we are considering some massive spending bill.

Ms. Young, I have been in your seat where we have not gotten the information we needed to make critical decisions on the Appropriations Committee, so you certainly have my commitment to providing that type of information to both sides of the aisle.

Senator Johnson. Mr. Miller.

Mr. Miller. You also have my commitment, Senator, to provide transparent, timely information.

Senator Johnson. So just in close, I have been using an example of 1993. There was a supplemental appropriation bill, about $1.95 billion, introduced by the Clinton Administration. The Senate deliberated, debated that for 12 days. What we are considering right now is 100 times larger than that. But because of that deliberative process, they whittled that down to $4 billion, and then it passed unanimously, because it was a bipartisan effort.

I hope that is going to be the result of a more deliberative process over the course of hopefully many days. Again, we took 12 days to debate $19.5 billion, finally whittled it down to $4 billion. That would be, from my standpoint, a far more acceptable result than just blowing this thing out here in a couple of days.

Thank you, Mr. Chairman.

Chairman Peters. Thank you, Senator. We have a number of members that are in process of getting here. It is a busy day. People are running back and forth. Senator Carper, I see you are checked in. If you are available we can recognize you for your questions, Senator Carper.

OPENING STATEMENT OF SENATOR CARPER

Senator Carper. Can you hear me?

Chairman Peters. Yes, Senator Carper, I can hear you. I cannot see you right now.
Senator CARPER. Can you see me now?
Chairman PETERS. We can hear you, if you want to go ahead. There you are. Senator Carper, welcome.
Senator CARPER. My apologizes to the group. Gary, can you see me? Mr. Chairman, can you hear me?
Chairman PETERS. I can hear you and we can see you. You have the floor.
Senator CARPER. Thanks so much. Welcome to our nominees. We are delighted that you are before us, and thank you for your willingness to serve. Thank you for the time that you spent with me earlier this week and with my staff.
I think since June of last year, GAO has published about 5 or 6 reports examining the implementation of the CARES Act, a number of the programs there, and providing recommendation to a bunch of Federal agencies to try to improve their response efforts. As of January, about a month ago, the end of January, I am told that 27 out of GAO’s 31 recommendations remain unimplemented. Let me say that again. At the end of this past January, like barely a month ago, 27 of GAO’s 31 recommendations remain unimplemented.
In its January report, GAO commented that it was “deeply troubled”—that is the quote, “deeply troubled”—“by the lack of sufficient Federal action on critical gaps identified and by lack of clear plans to address these gaps.” That is a quote from GAO in their January report.
Ms. Young and Mr. Miller, you will each recall that when my staff and I talked with you, we talked about how do we develop some synergy with respect to spending taxpayer dollars more wisely. We have GAO out there to try to make sure that we are not wasting money. They produce the GAO high-risk list every 2 years at the beginning of the Congress. They just unveiled the latest high-risk list. We have actually made some progress in some of those aspects. But it is very substantial.
But if we somehow have a situation where GAO is doing their job trying to make sure we are spending money wisely, and we have OMB doing the same kind of thing, in different ways but in a complementary way, we have the inspectors general (IGs) of every agency, whose job is to help ferret out waste, among other things. We have this Committee, which we serve on, doing oversight and a bunch of things. If we would all be pulling together we could actually make some progress. Given the growth in our Federal deficit and the coming further growth in that deficit in the days ahead, we need all the synergy we can get.
So my question. Ms. Young, Mr. Miller, can you each take a moment to discuss the role OMB plays ensuring agencies work with GAO to implement some of the recommendations that I just alluded to, and how important is it for OMB to lead by example here, and what actions would you take to improve response efforts within the various agencies?
I am going to ask, if you could, Ms. Young, would you go first and just lead us off, please.
Ms. YOUNG. Senator Carper, thank you so much. It was a pleasure speaking with you about this issue and others.
Senator CARPER. I was pleased to learn your middle name is Forever.

Ms. YOUNG. I was going to thank you for not revealing my middle name to the Senate. [Laughter.]

I think OMB can serve a critical role in issuing guidance to agencies to ensure that they understand responding to GAO recommendations. GAO offers an opportunity for agencies to dispute things and provide their set of facts, if they disagree with recommendations, and they should do that. But where there are legitimate things that the agency freely admits needs to be improved I also think Congress serves a central role, and this Committee being central, and I certainly remember my time on the Appropriations Committee having GAO come up first in a panel and having agencies come up second, and seeing where the truth was in the middle, to make sure these agencies were being responsive.

On the other side, I think OMB can be brought to bear, No. 1, as you mentioned, leading by example, providing information to GAO and also, again, issuing guidance and setting expectations. And when GAO has those issues, I know they talk to the committees, like this one. OMB should also be a place that helps GAO break those logjams with agencies when they are not getting information.

Senator CARPER. All right. Thank you for that response. Mr. Miller, could you respond, and I am going to ask you to be brief and crisp, because I have one more question. Go ahead, Mr. Miller, please.

Mr. MILLER. Absolutely. Senator Carper, thank you for that question. I know the Comptroller General was in front of this Committee a couple of days ago, talking about the 2021 high-risk list. As I understand it, past practice from some individuals who served as Deputy Director for Management, was to work closely with the Comptroller General on each of the items on the high-risk list, convening agency leaders to make sure there was ongoing progress against them.

There are two in particular that pertain to OMB—cybersecurity and strategic human capital management—and I would expect that if confirmed I would work with GAO, with OMB, and with agencies to make sure that we are making progress against that.

Senator CARPER. That is great. Thanks so much. In our conversation a couple of days ago, I mentioned that, I think under both Democratic and Republican administrations in the past, there used to be—and you may have just alluded to this—but there used to be regular meetings with folks from the administration and the relevant agencies, with GAO and agency leaders, to review high-risk areas and to monitor progress in investment program vulnerabilities. And over the past several years these regular meetings have stopped occurring, involving OMB, involving GAO, and some of the agencies.

I would just ask of both of you, do you intend to restore this practice of regular meetings with GAO and agencies? Ms. Young.

Ms. YOUNG. Yes, Senator. I had a hard time hearing, there was a loud buzz, but you have my commitment.

Senator CARPER. Thank you. Mr. Miller.
Mr. MILLER. Absolutely. I think that is a critical role for OMB and GAO to play together.

Senator CARPER. Thank you. There used to be a guy named Willie Sutton, who was a bank robber back in the Great Depression. He robbed a lot of banks and he finally got captured and caught and put in jail and brought to trial. He was before the judge, back in those days, and the judge said to him, “Mr. Sutton, why do you rob banks?” Mr. Sutton replied famously, “That is where the money is.”

In terms of where we are wasting a lot of money in the Federal Government spending, mis-spending, is with respect to improper payments. We just adopted bipartisan support in the last Congress, I think with the support of the Ranking Member, the Chair of the Committees, and others, legislation to actually get serious with respect to improper payments.

Why is that important? I think they totaled $1.7 trillion, governmentwide, in fiscal year 2003 to 2019, $1.7 trillion. That is almost the size of this package that we are about to consider on the floor, on the pandemic.

I understand that OMB has begun the implementation of what we passed a year or so ago, the Payment Integrity Information Act (PIIA), a law that we felt changed, as I mentioned, which is incentive to help track down improper payments.

Here is my question, and it is an easy one. Ms. Young, Mr. Miller, would you each describe, just very briefly, your approach to the issues of improper payments? As Deputy Director and Deputy Director for Management, how would you lead governmentwide efforts to address payment integrity issues and curb improper payments? Thank you so much. Thanks, Mr. Chair. Ms. Young.

Ms. YOUNG. Thank you, Senator. I know we are out of time but I talked about this earlier. I think one issue OMB can help in is improving our data sources, when it comes to improper payments. Some of the issues, I know fraud is huge but also if we do not have systems that track correctly we are never going to fix this issue.

Senator CARPER. Thank you. Mr. Chairman, as you know, my wife, Martha, complains sometimes to me about spending too much time focused on the U.S. Postal Service (USPS). She says, “Why are you always talking about the Postal Service?” and I say, “It is important.” And she keeps asking me what I want on my tombstone when I die, and I say, “Honey, I do not plan on dying any time soon.” She says, “Well, what do you want?” and I told her the other day, I said, “How about Return to Sender?” And given the focus I have had on improper payments, if that does not work out, I want it to say he was death on improper payments. When we are talking about $1.7 trillion between 2003 and today, we need to get serious about it, deadly serious.
Chairman Peters. Thank you, Senator. Senator Lankford, you are recognized for your questions.

OPENING STATEMENT OF SENATOR LANKFORD

Senator Lankford. Mr. Chairman, thank you. Thanks to both of you.


Senator Lankford. Thank you. Thanks to both of you for going through the process on this. It is not a fun process to be able to go through but thanks for doing it.

Ms. Young, I have to tell you, you have a great reputation among the staff that is here on the Appropriations staff, so thanks for the dedication and the work.

I have about 50 questions that I want to try to run through on this, that we will run out of time on, I am sure. Yesterday, sitting in that same seat was Gene Dodaro from GAO, who you know well. We were talking about multiple things but one of them was a bill that we worked on, on a bipartisan basis, for years, called the Taxpayer's Right to Know. His statement on that bill, that I have worked on for a decade, literally, to get passed, it brings a lot of information out so the public can see how we manage things. What is in each agency? What is a program?

Gene Dodaro has been a big advocate for that from GAO, saying we need that. In fact, last year he said this was the top priority for GAO to be able to help them in their work. His statement yesterday was this is all going to matter on the implementation from OMB.

Are you familiar with the Taxpayer's Right to Know, and are you committing to be able to actually implement that bill so we will actually get the information we need?

Ms. Young. I commit to implementing and working with you. I know you have been a leader here, so thank you for that.

Senator Lankford. Yes, thank you for that very much. Senator Hassan and I have worked on trying to get to a solution on government shutdowns. You have mentioned that several times, what a pain that is and how awful that is for every agency, for every government office, for every Federal family member that is out there. It is a terrible process.

So there have been lots of solutions out there of how do we end government shutdowns. There has not been on that has stuck. So she and I worked together, starting 2 years ago, to try to get a bipartisan solution for how do we solve this that we can all agree to, and then we built quite a coalition on that.

The basics of it is that when we get to the end of the fiscal year, if we do not have the appropriation bills done we would have an automatic continuing resolution (CR), but none of us can travel. OMB would be locked in. They could not travel. We could not travel. Our staff could not travel. We are all locked in together and we are in a quorum call every day until we get our work done. It focused on getting the appropriation bills done. That is they. When the appropriation bills are done, we can move on to other things. When we are not done, we are stuck doing those. But it protects
Federal workers, it protects all of our agencies, so we do not have the chaos of a government shutdown.

Would you be willing to support something like that, implement that, help us to be able to think through how we can get that done?

Ms. YOUNG. I mean, I am usually locked in place in times like this, so I am happy——

Senator LANKFORD. You are already there?

Ms. YOUNG [continuing]. Yes, I am happy to be locked in with you. Look, something has to give, and I am committed, and if you would like to invite me to any of these discussions I certainly have lots of ideas and would love to work with you on this.

Senator LANKFORD. Great, because we have to solve this, and Senator Hassan and I have worked on this a long time. This is not a partisan solution. It is a problem that is out there. We have to be able to resolve it. It is an embarrassment for us, as a Nation, on the world stage.

OMB has been traditionally black box when we start dealing with things like decisions on USACE priorities. Corps of Engineers will set a list of priorities, here are the things that need to be done, here are the highest risk. They will give those to OMB. No matter who is President, they disappear, and the list seems to get shuffled at some point between Corps of Engineers and OMB and the actual public. As Senator Paul has talked about before, that is why earmarks get pressed so much because everyone gets so frustrated, because when we set what are the priorities and let’s make sure we are doing Federal priorities, then those are not actually done, based on the administration’s priorities rather than the actual Federal priorities, it is a problem.

Can you help us open the black box of decisionmaking in OMB and to be able to say when we set Federal priorities and they are set by the rules, those actually come out as the projects that are actually done?

Ms. YOUNG. I have never heard more complaints from bipartisan members than what happens OMB with the Army Corps list. So you have my commitment working on that, and I know Army Corps provides that information and something happens, that I do not have insight into as well.

Senator LANKFORD. So it is a black box to you as well, on the outside.

Ms. YOUNG. It has. I have been sitting on this side and we provide the funding, we have it earmarked, something has not been on the level. That information just changes by the time it gets to OMB.

Senator LANKFORD. So the hope is that once you get into the machine you help us open the machine rather than saying it was good idea to keep it closed.

Ms. YOUNG. Or people I consider friends will never speak to me again. So I think transparency is necessary.

Senator LANKFORD. We will hold you to that in the days ahead.

One of the challenges that we have as well is on reprogramming funds. This has come up several times in the COVID bill. Currently, Congress is debating at some point we are supposed to get text. We have not seen the text yet and do not know when the text is coming. But we understand there is a $1.9 trillion bill coming.
We have had a challenging trying to get things like vaccinations and testing amounts, what is still left over from the previous times, because we understand there are tens of billions of dollars about to be requested for more when it looks like there is still tens of billions of dollars left over from previous bills, just on vaccines, testing, distribution, all of those things. But we cannot get accurate numbers on it.

My question is really twofold. How do we get accurate numbers rapidly for what has actually been spent, not just allocated, and the second portion of it is, what is your opinion about reprogramming funds, because there is some concern that what this bill really is, is an opportunity to give tens of billions of dollars to the administration and they can say, oops, we are already paid up but thank you for those tens of billions of dollars, we are going to reprogram it for something very different in that amount.

Ms. Young. One, you have my commitment, and I made it earlier to Senator Johnson, you should have that kind of information. You need it to do your job. So, if confirmed, you have my commitment that you will have that, because we should know what we are spending, and Congress needs that information.

On reprogramming, we have to follow the law. I know you know, as an appropriator, we have underlying transfer authority in reprogramming in the regular appropriations bills. I doubt most of that authority applies to a reconciliation bill. So we are going to have to read that closely, and I think we will be bound by those limitations in the law. We cannot do anything the transfer authority does not explicitly say we can do and come back to Congress and let you know what we have done.

Senator Lankford. Great. We will walk through that in the days ahead on this.

Telework is an area that Senator Sinema and I have worked on a lot. There are lots of agencies that, if you went back 2 years ago and you asked them how many employees could telework, they would tell you 12 percent, until this year when 85 percent was actually teleworking. We have learned a lot in this year.

The question that we are asking, and that I asking you specifically about, is about remote work and telework. Telework assumes you are going to come into the office at times. We have not teleworked in a year. We have remote worked, where they have not come into the office at all, and a lot of agencies have learned we can do that.

So my question is, there is a benefit for the spouses of active-duty military that get transferred all over the country all the time, Federal workers that work in remote areas, that their spouse has a difficult time getting a job. For those individuals, and multitudes of thousands and more, to work in the Federal workforce and to be remote workers—they are not expected to ever come in but they can work for agencies, no matter where they get transferred to, with their spouse or with their families—would you commit to working with Senator Sinema and I to talk more about remote work as a possibility, and writing into the job listing itself that this job could be done by remote, so someone locally could get it or someone anywhere could get this same job, as a United States citizen?
Ms. YOUNG. Senator, I certainly hope we use these lessons from COVID to make systemic changes, and that being one of them. My entire staff on the Appropriations Committee wrote five bills from home, and I think they did a great job doing it. So we have proven it works.

Senator LANKFORD. It can be done. Thank you all.

Ms. YOUNG. Thank you.

Senator LANKFORD. Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator Lankford. Senator Hawley, you are recognized for your questions.

OPENING STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you, Mr. Chairman, and thank you both for being here. Congratulations on your nominations.

Mr. Miller, let me start with you. I put this question to Neera Tanden when she as before the Committee a few weeks ago, and I want to ask you because I think it is appropriate here. It is a broad question about policy priorities. Do you think that the big tech companies and Wall Street firms have too much influence in our government and society right now?

Mr. MILLER. Yes, I agree with that, and I think the data bears out that there is too much concentration, as well, on our economy.

Senator HAWLEY. I am glad to hear you say that. What about a company like Amazon? Do you think Amazon has too much power?

Mr. MILLER. I think, broadly, there are a number of large companies that have too much power and, in some cases, too much influence.

Senator HAWLEY. I am glad to hear you say that too. I asked you about Amazon because I understand that the Greater Washington Partnership, which you led as CEO for 3 years, from 2017 to 2020, I think, if I am not mistaken, was one of the organizations that was in the front of trying to attract Amazon to the Washington, D.C. area. Amazon, of course, did ultimately choose the D.C. area as a place for one of its expanded headquarters. Do you think that the proximity to Congress had anything to do with that?

Mr. MILLER. That is correct, I was, in my role as the CEO of the Greater Washington Partnership, supportive of creating new jobs in the areas. It is a relatively slow-growth region, despite lots of strong assets, and bringing that kind of talent into the region was a huge benefit.

Senator HAWLEY. I have here a report, that maybe you have seen, from Mother Jones magazine, “Amazon has become a prime revolving door destination in Washington.” It extensively details the extent to which the company has established this revolving door by doing things like hiring 247 government officials in the last 10 years. That is on top of $20 million Amazon spent on lobbying activities just in 2020.

Now you have never been employed by Amazon, right?

Mr. MILLER. Correct.

Senator HAWLEY. But I would like to know, what do you think about this revolving door that Mother Jones and others have reported on, and our government, between these mega-corporations? Do you think that is a problem? Do you think it has a negative impact on our public policy?
Mr. MILLER. I have not seen all the specifics of that report. When I left public service previously I had the opportunity to go in the private sector and chose to help run a nonprofit on behalf of this region, and I understand it the Biden administration has a very strong and robust standard by which it is going to hold all of its appointees to, regarding both conduct while in office as well as after.

Senator HAWLEY. So you do think that the revolving door, that that is a problem, having a revolving door between these major corporations, that you said to me a second ago you thought had too much power, and government officials, that that is a problem. Is that what you are saying?

Mr. MILLER. I think it is appropriate for the administration to take clear and consistent guidelines to its appointees so that there is trust in government.

Chairman PETERS. Mr. Miller, could you pull the microphone just a little closer to your mouth, please?

Senator HAWLEY. Let me ask you about that trust in government. In your written testimony you write similarly, that successful delivery is built on three pillars, and one of those is a system for measurement and accountability, which I agree with. If you are confirmed, how will you work to ensure that companies like Amazon and others, that have such incredible power and market concentration, how will you work to ensure that they do not unduly influence government policy, whether it is through the revolving door, or whether it is through lobbying, or other means of influence?

Mr. MILLER. Senator, thank you for the question. I think it is important that agencies are putting forward, in their strategic plans, clear priorities with measures associated with those, transparency associated with are they delivering on those measures. If not, why not?

Part of what I would see as my role, if confirmed as Deputy Director for Management, is to work closely with agency leadership to put in place clear agency priorities with smart, clear metrics associated with them, and hold them accountable to deliver on it.

Senator HAWLEY. Very good. Will you commit to us here that you will work to ensure, if confirmed, you will work to ensure that OMB serves the American public first and not Amazon or Google and/or a Wall Street bank, or any of these mega-corporations?

Mr. MILLER. Senator, I absolutely commit to OMB serving the American public, first and foremost.

Senator HAWLEY. Great. Thank you for that.

Ms. Young, in my time remaining let me just ask you a couple of questions. You will be involved, as Deputy Director, if you are confirmed, in decisions that surround the obligation of congressionally appropriated funds. Do you believe that religious organizations are entitled to compete on equal footing with other secular organizations for Federal funding that is used to support government programs?

Ms. YOUNG. Senator Hawley all of these programs are guided by their own authorizations, so whatever Congress has decided to authorize in passing the law, we will follow the law.
Senator HAWLEY. Very good. The former Director of OMB issued a memorandum last year which ensured that Federal agencies do not discriminate against faith-based organizations when it comes to Federal grants, and, in fact, that they take steps to prevent States from doing so. This is a big deal because if the Federal Government does everything right, some States can still discriminate against religious institutions on the basis of their faith-based nature. That would be a violation of the free exercise clause.

If you are confirmed, can religious institutions count on you to ensure that you will work to prevent either the Federal Government or States from discriminating on the basis of faith?

Ms. YOUNG. Senator Hawley, I think the goal of the American government for the American people is discrimination should have no place, period, in our government, so you certainly have my commitment that I will work toward that goal, which is inherent in a free democracy.

Senator HAWLEY. Including discrimination on the basis of faith?

Ms. YOUNG. I certainly believe that is one of the tenets. We do not discriminate on the basis of faith.

Senator HAWLEY. Very good. Thank you for that. Thank you, Mr. Chairman.

Chairman PETERS. Thank you, Senator. Senator Ossoff, you are recognized for your questions.

OPENING STATEMENT OF SENATOR OSSOFF

Senator OSSOFF. Thank you, Mr. Chairman. Thank you to the nominees, and welcome.

I would like to ask you a question, please, Ms. Young, about corporate influence in rulemaking within the Federal bureaucracy. What are the mechanisms, the avenues by which corporate actors, concentrated powers, special interest groups exert influence on Federal rulemaking in the regulatory review process?

Ms. YOUNG. Senator, thank you for that question. We have to ensure that when we call for public input it is the real public. I think, you know, there are some who are sophisticated enough to hire representatives who understand the system well enough that we might be hearing from them in louder voices and more organized voices than we do from the general public, who are the most impacted, and ensure that we get regulations right.

So I think we have to have a regulatory system that regular people can understand and be involved in their government, because I do think it is easy for corporations with a lot of resources to bring those to bear, certainly in the public comment timing of regulations. We need to make sure we are actually hearing from your constituents and not representatives that have the money to bear, to make sure that their facts are the only voices that we are hearing during that public comment period.

Senator OSSOFF. Thank you, Ms. Young. And where organized interests, who may be on different sides of an issue, have the greatest capacity to weigh in, in an organized way, on the rulemaking process, do you view the Federal rulemaking process and the public comment aspect of it as one where those organized interests are balanced, or do Federal agencies and OMB have an obligation to
independently assess the true public interest, regardless of how various organized interests are weighing in via public comment?

Ms. Young. I certainly think we need to ensure that our system is hearing from, and we have to assess whether or not, or where it is being generated. I mean, look, they have the right to also petition the government and let the government know their opinions, but if we have a system so complicated that only those with resources can effectively get to their government. So I think it is beholden upon OMB and the agencies to ensure that we are getting to the public where they are, so they know how to petition their government when they are not represented by major financial backing.

Senator Ossoff. Thank you so much. Will you work with my office and this Committee, Ms. Young, should you be confirmed, to try to make more responsive and more accessible that process so that ordinary people can weigh in and make their voices heard?

Ms. Young. Absolutely, Senator Ossoff.

Senator Ossoff. Thank you so much, Ms. Young.

I would like to talk about a couple of issues of particular concern to my constituents in Georgia. At Fort Gordon in Augusta, and at Fort Benning in Columbus, there have been consistent, long-term concerns about the health and safety of base housing, and military families who have had to endure unsafe, unsanitary, unhealthy conditions at base housing. And the commanding officers at both facilities, I believe, are making diligent and good-faith efforts to address that issues, so military families in Georgia can live in safe conditions.

Will you commit to working with my office to ensure that Federal resources necessary to ensure that housing on post at Fort Benning and Fort Gordon is safe for our military families?

Ms. Young. Senator Ossoff, you see me smiling because my partner with me was born at Fort Gordon in Augusta, and grew up in Augusta. You absolutely have my commitment. Also, this is a good example of when we talk about defense funding, it matters not just the top line but what is in it, and we have a lot more to do on basic life safety projects. With military housing, our men and women in uniform deserve at least that much.

Senator Ossoff. Well, I know the military families in Augusta and Columbus will be grateful, and I appreciate the Georgia connection in your family.

I would like to ask you, as well, about a major infrastructure project, which is the Port of Savannah, where a multi-year, very expensive deepening of that port, which is vital to Georgia and, indeed, national prosperity, is over budget and behind schedule. Will you work with my office and with Mayor Van Johnson in Savannah to ensure that Federal funds are disbursed appropriately and with all appropriate speed, so we can complete that project without any more cost overruns or delays in the schedule?

Ms. Young. I have heard a lot about the port in my years on the Appropriations Committee. I understand the economic engine that it is, the dredging, what it is to the rest of the country, not just Georgia. So you have my commitment to working with you on that longstanding project.
Senator Ossoff. Thank you so much, Ms. Young. I would like to ask you about the roles of inspectors general at Federal agencies, and just offer you the opportunity to reflect on how OMB can instruct or encourage components at other Federal agencies to comply with requests for information by inspectors general, in the interest of good governance. Would you be willing, to the greatest extent of your capacity, should you be confirmed to this post, to issue such instruction to senior government executives, that they must comply within their components with requests for information from inspectors general?

Ms. Young. Yes, Senator Ossoff. One, I hope that is happening. Where it is not, you certainly have my commitment to work on the issue writ large, and if there are any issues, serve as someplace that can help resolve those issues between the IGs and the agencies they serve.

Senator Ossoff. Thank you. And final question please, Mr. Miller, in my remaining time. What is your view of whether the specifics of apportionment decisions made by the administration via OMB should be posted publicly?

Mr. Miller. Senator, thank you for the question. First, just briefly on your prior question, if confirmed in the role of the Deputy Director for Management I would serve as the executive chairman of the Council of Inspectors General for Integrity and Efficiency, and I think it is absolutely imperative that OMB repair the relationship with inspectors general and make sure that they have the resources and the access necessary to do their jobs.

Senator Ossoff. Thank you.

Mr. Miller. With regards to the specifics of apportionment, something that I would commit to work on, as I understand it, OMB has returned the authority associated with that to the career staff and will follow longstanding past practice.

Senator Ossoff. My question is what is your view, your personal view, on whether apportionment decisions should be posted publicly?

Mr. Miller. On whether apportionment—Senator, the specifics of apportionment decisions is not an area that I have spent significant past time on, but I would be happy to follow up and talk with you further about what is past practice and how OMB is going to proceed, and make sure that the work that we are doing, including spending data and spending decisions, are done in a transparent way.

Senator Ossoff. OK. I would be grateful for that, for the record. And, Ms. Young, did you want to weigh in?

Ms. Young. I know from where I sit now OMB has provided some of the apportionment data, well, all of it that the Appropriations Committee has requested to date. The legislative solution to this, I think we are all going to have to work together, but I do believe when a committee of Congress asks for the apportionment data, OMB should be responsive, and I have seen that in action during my time on the Appropriations Committee, we were finally able to get apportionments from the Office of Management and Budget in the last 2 months.

Senator Ossoff. OK. And we can return to the question of whether it should be posted publicly as a matter of course. I appre-
ciate you. Thank you for working through this process and for your answers today.

I yield back, Mr. Chairman.

Chairman PETERS. Thank you, Senator Ossoff.

We are coming to the end of the hearing. I just wanted to raise one fine issue with you before we wrap up. As both of you are well aware, cybersecurity is a persistent challenge for Federal agencies as well as across our economy, and particularly even challenging to attract and retain the specialized cyber workforce necessary to deal with this challenge.

I introduced, in the last session, two pieces of legislation, was working with OMB, and hope to, if confirmed, we could continue to work with you. It is the Federal System Incident Response Act, which is legislation that arose out of the SolarWinds attack and how we deal with that more effectively going forward, those kinds of attacks. And the Federal Rotational Cyber Workforce Program, that will help us both attract and retain quality cyber professionals who make it their mission to serve the Federal Government and make the job even more rewarding than it already is.

I would hope, if confirmed, both of you would commit to working with me and other legislative proposals, and make these a priority, to deal with the cyber threat. Would you be willing to make that commitment, Ms. Young?

Ms. YOUNG. Absolutely, Mr. Chairman.

Chairman PETERS. Mr. Miller.

Mr. MILLER. Absolutely, Mr. Chairman.

Chairman PETERS. Well, wonderful. I will look forward to working with you, and I will say that it has been a pleasure being here with you during the hearing. I appreciate your willingness to serve the country, and congratulations on your nominations.

In closing, I will just say that both Ms. Young and Mr. Miller have made financial disclosures and have provided responses to biographical and pre-hearing questions submitted by this Committee, and without objection this information will be made part of the hearing record, with the exception of the financial data, which is on file and available for public inspection in the community offices.

The hearing will remain open until 12 p.m. tomorrow, March 5, for the submission of statements and questions for the record.

With that this hearing is now adjourned.

[Whereupon, at 12:28 p.m., the hearing was adjourned.]
A P P E N D I X

Chairman Peters Opening Statement As Prepared for Delivery
Nominations of Shalanda D. Young to be Deputy Director, Office of Management and
Budget, and Jason S. Miller to be Deputy Director for Management, Office of Management
and Budget

March 4, 2021

Today, we are considering the nominations of Ms. Shalanda Young to be the Deputy Director of
the Office of Management and Budget, or “OMB,” and Mr. Jason Miller to be OMB’s Deputy
Director for Management.

Welcome to you both and to your family members joining us today.

Congratulations on your nominations, and thank you for your willingness to serve our nation in
such a crucial moment.

Our country is facing historic public health and economic challenges. Over the past year, the
Coronavirus pandemic has taken more than 510,000 American lives and has devastated
communities, families and businesses in Michigan and across the nation.

If confirmed, not only will you both play a key role in shaping and implementing the American
Rescue Plan – a comprehensive relief package that will provide critical aid to Michiganders and
Americans across the nation – but also in developing President Biden’s budget and policy agenda
across the government.

In your respective roles, you will be responsible for evaluating and coordinating policy decisions
to help the country recover from the pandemic – from getting vaccines in arms quickly and
equitably to reopening our schools and our economy swiftly and safely.

You will also have to help address the long-term challenges we face, including bolstering our
nation’s cybersecurity infrastructure, advancing science-based public health, worker safety, and
environmental protections, and strengthening our federal workforce.

You will also be responsible for ensuring that federal agencies are addressing and prioritizing the
needs of communities of color and other underserved and vulnerable populations.

As part of OMB leadership, it will be your duty to ensure that the federal government is working
efficiently and in a transparent manner to deliver for the American people.

I believe that you both bring the kind of experience, expertise and dedication to public service
that is needed to help steer the country in this unprecedented time.

I expect OMB will work closely with this Committee as we take on the difficult work ahead. I
look forward to hearing about the serious challenges we are facing today and how we can work
together to tackle them.

Thank you both again for your willingness to serve, and for being here with us today.
Thank you, Chairman Peters. I’m glad to join this hearing today.

Ms. Young, Mr. Miller, I wanted to welcome you to our committee and say that I appreciated our telephone calls earlier this week.

As a former OMB Director, I know how critical this agency is to our government’s success, and particularly as we confront several ongoing national crises. As Deputy Director and Deputy Director for Management, respectively, it is crucial that you both have an appreciation and understanding of the large number of policy issues, regulations, and actions that OMB reviews and coordinates across agencies. Even more important is the ability and willingness to work effectively both within the administration and with Members of Congress on both sides of the aisle. And, in particular, this Committee.

Congress and the Administration must come together to find a path forward for Americans through multiple ongoing national crises. The COVID-19 pandemic has affected every aspect of our lives, from a growing opioid and mental health crisis, to job loss and economic insecurity, to major setbacks in our children’s education and development. In connection with that, we’re also seeing an increase in overdose deaths and a massive amount of fraud in the programs we have set up to help people.
In addition, the SolarWinds cyberattack has exposed our government’s outdated approach to cybersecurity. As we heard at the GAO High Risk hearing before this Committee on Tuesday, cybersecurity is one of the five high-risk areas that has actually gotten worse since 2019. So, clearly we’re moving in the wrong direction in securing our federal networks.

I am hopeful that we can work together to address these challenges, rebuild America’s economy, and get folks safely back to work and our kids back to school. If confirmed, the two of you will play an important part of that effort. Ms. Young, Mr. Miller, I look forward to hearing your thoughts today on these important issues and the critical role that OMB will play.
Hearing before the U.S. Senate Committee on Homeland Security and Governmental Affairs

Ms. Shalanda Young
Nominee to be Deputy Director, Office of Management and Budget
March 4, 2021

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

Thank you for the opportunity to testify today as President Biden’s nominee for the Deputy Director of the Office of Management and Budget.

I want to thank Chairman Leahy for introducing me to the Committee today. One of the joys of being Staff Director of the Appropriations Committee has been seeing the amazing relationships and results that have come from Senator Leahy, Senator Shelby, Ranking Member Granger, and my former boss, Chairwoman Lowey. I still vividly remember those four meetings to avert another government shutdown back in February of 2019. Even in those tense moments, Senator Leahy still took the time to show me pictures of his beloved family before announcing to the press that a compromise had been reached. I will be forever grateful for the kindness Senator Leahy has always shown, even in the most stressful environments.

I am accompanied today by my partner William Durham. My parents, who were here earlier this week, and my grandmother are watching from Louisiana. I want to thank William, my family and friends for their unwavering support over the years.

Members of this distinguished Committee, I come before you today as someone who grew up in rural America. I spent most of my youth in Clinton, Louisiana. Back then, Clinton had a population of around 2,000. It’s where my maternal great-grandparents lived, got married, and had my grandmother in 1928. Somehow, even then, in the segregated South, my great grandparents sent their child, my grandmother, to college. I am grateful they prioritized education—a commitment that has stayed in my family for generations.

All families deserve to see their children have that same opportunity to pursue their potential. Another former boss of mine, Chairman Obey, used to say a budget is your values. I share that belief, and firmly believe the federal budget can and should help make the promise of this country real for all families in every community.

I have spent the last four years as both the Minority and Majority Staff Director of the House Appropriations Committee. I care deeply about the institution of Congress and have been very proud to serve in a position that required compromise to ensure the American people had not only a functioning government, but one that invested in their future.

My work on the Appropriations Committee taught me that both sides can compromise without compromising their values—even when that means no one gets everything they want. I will forever be indebted to this institution and, if confirmed, I look forward to using my experience in
these halls to ensure both branches operate with mutual respect and work toward solutions that will improve the lives of those we serve.

I am not naïve about the challenges we face. Last year, I worked on the first COVID-19 supplemental that Congress passed in March of 2020. We were using models of past supplementals for Ebola and Zika because the full scale of the pandemic was still unclear. With COVID-19 deaths surpassing 500,000, our focus must remain on beating the virus, delivering immediate relief to millions of struggling Americans, and ensuring that we emerge from these crises even stronger than we were before. If confirmed, I look forward to engaging with members of Congress from both parties on this and other important work.

Chairman Peters, Ranking Member Portman, and other Members of the Committee, thank you for allowing me to appear before this Committee, and I look forward to your questions.
HSGAC BIOGRAPHICAL QUESTIONS FOR EXECUTIVE NOMINEES

1. Basic Biographical Information

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### Marital Status

Check all that describe your current situation:

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- Married
- Separated
- Annulled
- Divorced
- Widowed

X Never Married

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<table>
<thead>
<tr>
<th>First Name</th>
<th>Middle Name</th>
<th>Last Name</th>
<th>Suffix</th>
<th>Name Used From (Month/Year) (Check box if estimate)</th>
<th>Name Used To (Month/Year) (Check box if estimate)</th>
</tr>
</thead>
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</tbody>
</table>

2
2. **Education**

List all post-secondary schools attended.

<table>
<thead>
<tr>
<th>Name of School</th>
<th>Type of School</th>
<th>Date Began School</th>
<th>Date Ended School</th>
<th>Degree</th>
<th>Date Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loyola University New Orleans</td>
<td>University</td>
<td>August 1995</td>
<td>Est. May 1999</td>
<td>Bachelor of Arts</td>
<td>May 16, 1999</td>
</tr>
<tr>
<td>Tulane University</td>
<td>University</td>
<td>August 1999</td>
<td>Est. May 2001</td>
<td>Master of Health Administration</td>
<td>May 19, 2001</td>
</tr>
</tbody>
</table>
3. 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.

<table>
<thead>
<tr>
<th>Type of Employment</th>
<th>Name of Your Employer</th>
<th>Assigned Duty Station</th>
<th>Most Recent Position Title/Rank</th>
<th>Location (City and State only)</th>
<th>Date Employment Began (month/year) (check box if estimate)</th>
<th>Date Employment Ended (month/year) (check box if estimate)</th>
<th>Date Employment Ended (check &quot;present&quot; box if still employed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government – Legislative Branch</td>
<td>House Committee on Appropriations</td>
<td>Staff Director and Clerk</td>
<td>Washington, DC</td>
<td>January 2007</td>
<td>Yes ☑</td>
<td>Present ☑</td>
<td>Yes ☑</td>
</tr>
<tr>
<td>Non Profit</td>
<td>PT Fund, Inc.</td>
<td>Volunteer/Legislative Affairs</td>
<td>Washington, DC</td>
<td>October 2006</td>
<td>Yes ☑</td>
<td>January 2015 ☑</td>
<td>Yes ☑</td>
</tr>
<tr>
<td>Government – Executive Branch</td>
<td>National Institutes of Health – National Institute of Dental and Craniofacial Research</td>
<td>Public Health Analyst</td>
<td>Bethesda, Maryland</td>
<td>July 2003</td>
<td>Yes ☑</td>
<td>March 2006 ☑</td>
<td>Yes ☑</td>
</tr>
<tr>
<td>*Government – Legislative Branch</td>
<td>*House Committee on Appropriations</td>
<td>*Detaille</td>
<td>*Washingon, DC</td>
<td>*June 2005</td>
<td>Yes ☑</td>
<td>*December 2005 ☑</td>
<td>Yes ☑</td>
</tr>
<tr>
<td>Government – Executive Branch</td>
<td>National Institutes of Health</td>
<td>Presidential Management Fellow</td>
<td>Bethesda, Maryland</td>
<td>July 2001</td>
<td>Yes ☑</td>
<td>July 2003 ☑</td>
<td>Yes ☑</td>
</tr>
<tr>
<td>*Private Sector</td>
<td>*RAND Corporation</td>
<td>*Detaille/Research Assistant</td>
<td>*Arlington, VA</td>
<td>*February 2003</td>
<td>Yes ☑</td>
<td>*July 2003 ☑</td>
<td>Yes ☑</td>
</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>
</table>

4
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.

There is no such relationship or transaction that would result in a conflict 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.

There has been no such activity outside of my capacity as a federal government employee.

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.

Presidential Management Fellow 2001-2003

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).
<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>
<td>Alpha Kappa Alpha Sorority</td>
<td>Joined in 1997. Haven’t paid dues or been active in the last 10 years.</td>
<td>Last position held was in university Membership Intake Chair</td>
</tr>
</tbody>
</table>

7. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?  
No.
(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>
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</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>Hillary for America</td>
<td>225.00</td>
<td>2016</td>
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</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>
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<tbody>
<tr>
<td>A bitter pill to swallow: nonadherence with prophylactic antibiotics during the anthrax attacks and the role of private physicians</td>
<td>Published in: Biodefense and Bioterrorism: Biodense Strategy, Practice, and Science</td>
<td>July, 2004</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>
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</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>
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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 proso," 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</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>
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(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.

No.

<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>
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</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>
</tr>
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</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

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 nonprofit 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)</th>
<th>Position Held</th>
<th>Position Held From (month/year)</th>
<th>Position Held To (month/year)</th>
</tr>
</thead>
</table>

17
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>
<tbody>
<tr>
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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.)
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 8th day of February, 2021
January 26, 2021

Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20530

Dear Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Shalanda Young, who has been nominated by President Biden for the position of Deputy 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.

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

Sincerely,

DAVID APOL
General Counsel

Enclosures
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 Deputy Director of the Office of Management and Budget. It is my responsibility to understand and comply with commitments outlined in this agreement.

SECTION 1 – 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;
* 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 understand that as an appointee I will be required to sign the Ethics Pledge required under the Executive Order dated January 20, 2021 (Ethics Commitments by Executive Branch Personnel) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of federal, state, and local governments.
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 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

I resigned from my position with the PT Fund, Inc. in January 2021. Pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for a period of one year after my resignation from the PT Fund, Inc., 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 – 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,

Shalanda Young
1. Did the President give you specific reasons why he nominated you to be the next Deputy Director of the Office of Management and Budget (OMB), and if so, what were they?
No.

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 Deputy Director? If so, what are they, and to whom were the commitments made?
No.

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.
My entire professional career has been in government service. I have no business relation or dealing that would be considered a conflict of interest.

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.
Not applicable.
II. Background of the Nominee

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

As with my current position as Staff Director and Clerk of the House Appropriations Committee, I believe I can positively impact the lives of Americans through serving at OMB. I would bring extensive experience in the Legislative branch to bear, which would help ensure a productive working relationship between Congress and the Executive Branch at an incredibly important and consequential moment for our country. Improving those relationships would help ensure that OMB is successful in executing the President’s vision across the federal government and delivering results for the American people.

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

For more than fourteen years, I have been involved in the Federal budget process in various roles with the House Appropriations Committee, including as its top staffer. I am routinely involved in funding decisions that deal with every government department and agency and cover some of the most pressing policy issues of the day. In addition, I manage what may be the largest Committee staff on Capitol Hill, which hovers around 80 full time staff plus contractors. As someone in a position of leadership, I have given equal attention and priority to both the management and legislative portions of my role.

8. Please describe:

   a. Your leadership and management style.
      As stated above, I manage roughly 80 people on the House Appropriations Committee. I have an open-door policy so that all staff can come to me directly with issues or feedback. It is also a tradition and practice of the Committee to only have one Staff Director. While the subcommittees have a lead staffer who manage day-to-day operations, they aren’t given the title Staff Director. This set up allowed me to deal with complex ethical and management challenges quickly because I heard about problems directly from those impacted. To retain the trust of my staff, I dealt with those issues head on by mediating staff disputes personally.

   b. Your experience managing personnel.
      For the last four years I have either been the minority or majority Staff Director of the House Appropriations Committee. I managed 24 staff in the minority and over 80 staff in the majority.
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 work directly with Members of Congress and am responsible for carrying out their decisions. However, I have been lucky in my career to work with Members who value my opinion and welcome discussion and input over funding decisions and strategy. As Staff Director, I have mostly worked with Chair Nita M. Lowey, but I also have had the pleasure of serving Chair Rosa DeLauro for the brief time she’s been Chair. In these roles, I have at times disagreed with—and ultimately persuaded—my superiors on important personnel decisions and other matters.

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.

As Staff Director, I invite the input of my team in every major decision that I make, in conjunction with the Deputy, the personal office Chief of Staff, and usually senior leadership staff, if not the principals themselves. For example, the decision about whether to bring back earmarks, which we ultimately decided not to in 2019 and 2020, involved talking to Members and staff from various congressional districts as well as leadership. It was necessary to not only hear from senior Members, but new Members who would have to explain the decision to their constituents.

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

One of the core responsibilities of my current role is seeking compromise. Particularly during a pandemic, my colleagues and I faced important decisions about whether to pursue certain legislative proposals that were very important to my boss and the broader Democratic Caucus. Ultimately, I had to set aside some of those priorities in order to serve the greater good.

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

My greatest success as a leader was spearheading the passage of the December 2020 omnibus. My boss was retiring, the presidential election was still reverberating, and through sheer will we defied the odds of transition years and passed not only an Omnibus spending package, but we were able to include over $900 billion in critical aid for COVID
relief. After asking so much of the staff, succeeding was the best result not only for the country, but staff morale.

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

As a leader, I am comfortable with not getting every decision correct, but I have the humility to change course quickly to get the team back on track. I have been part of negotiations that produced legislative packets that didn’t ultimately include all of the priorities of my Chairwoman, but I always remained focused on the bigger picture.

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

I don’t ask anyone on staff to work harder than me and I make decisions that support their positions. I do not always agree with their approach, but I always give my staff the leeway to see an issue through and discuss my differences with their approach privately. During COVID, it was also crucial to establish an environment that protected their health and well-being. I was very committed to ensuring telework policies were implemented and that any staff who needed to go into the offices did so only with my approval.

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 similar 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 Deputy Director of OMB

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

I believe OMB is the central Executive Branch body that ensures Federal agencies are working to fulfill the mandates of Congress and the directives of the presidency. If I am fortunate enough to be confirmed, I will work to ensure the federal budget reflects priorities for Americans who rely on critical programs and ensure regulations are developed using the best available evidence-based data to improve the lives of Americans.

17. If confirmed, what would be the highest priority issues you would focus on? What do you hope to accomplish during your tenure?
The ongoing pandemic and economic crisis will remain the primary focus of the administration. Working with Congress, I would also hope to work closely with Members of both parties to ensure that our budget and spending priorities reflect our values, and that we use every tool at our disposal to help our country recover from the multiple crises we face.

I would also be committed to strengthening relationships between the Legislative and Executive Branches, focusing on improving transparency and collaboration so that the Administration’s policies ultimately deliver results for the American people.

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

COVID-19 and the economic recovery will continue to be significant challenges for our country in the weeks and months ahead.

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

One of my highest priorities will be to listen to and enlist the expertise of OMB’s dedicated career staff. Many of my current staff are former OMB officials, and I have the utmost respect for the professionalism and guidance they provide to the Federal government.

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

The Federal Government does many things well, but there is room for improvement that will not be possible without Congress’ help. If confirmed, I would work closely with the Deputy Director for Management to address a number of high priority management challenges, including: (1) Technology modernization, (2) Human Capital, and (3) safe and effective agency operations during COVID-19.

21. How do you view the role and responsibilities of Deputy Director in the context of the Deputy Director for Management as well as OMB’s three main offices – the Office of Information and Regulatory Affairs, the Office of Federal Procurement Policy, and the Office of Federal Financial Management?

The Deputy Director serves the entire agency and will be involved in decisions that affect each component of OMB. If confirmed, I would expect to work closely with the Deputy Director for Management on management challenges across the government.
IV. Policy Questions

Budget

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

I want to make a distinction between biennial budgeting and biennial appropriating. There have been proposals on both issues in the past. Congressional budgets are internal documents for Congress and Congress has to make that decision for itself on its decision to undertake on a biennial basis. For appropriations that are signed into law by the President, I believe an annual process for Congress and the administration is one of great importance. For Congress it is the one must pass piece of legislation that ensures the Executive Branch is operating within the bounds of Congressional intent. For the Executive it is important that agencies and programs are funded based on current estimates. Allowing too much time between appropriations would ensure that agencies are not operating with the resources needed to serve the American people.

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

If confirmed, I am committed to ensuring lifting the debt-ceiling is not used as a bargaining tool. There are legislative proposals within Congress to allow the debt ceiling to be raised automatically to ensure the full faith and credit of the United States is never at risk.

24. 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. If confirmed, will you commit to supporting these efforts? Please explain your views.

If confirmed, I look forward to working with the Committee to further the goals of this legislation.

25. 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.

Yes, I do. In my current position I worked actively against the revision to A-11 that stopped Congressional notifications.
26. How will you leverage OMB’s budget function to support environmental justice communities, Native American communities, and rural communities?

As mentioned in an earlier answer, there are discretionary programs that are relatively small that could have a larger impact. I have been involved in funding those most of my career, but for the last 10 years budget caps have constrained spending for many of these programs. Budget requests and subsequent Congressional Appropriations for programs focused on those communities are absolutely paramount. If confirmed, I will not only ensure they are adequately requested but work with Congress to ensure that carries into the Appropriations process.

27. How will you prioritize research and development for fundamental science in the president’s budget?

I began my career in a budget office at the National Institutes of Health at the end of the doubling period led by bipartisan Members of Congress. We were able to reach a vaccine for COVID so quickly because of the ongoing research supported by NIH. This vaccine has reaffirmed that our commitment to basic research can never waiver. That not only applies to NIH but also to other agencies like the National Science Foundation and the National Institute of Standards and Technology.

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 president pursue in order to ensure the budget is on a sustainable path?

If confirmed, I will continue to argue that the government must continue to provide the American people with the resources needed to battle the pandemic and the associated economic crises. As long as this historic pandemic is forcing record numbers to turn to government services we have an obligation to pursue grand strategies to ensure Americans can quickly recover.

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

I do not believe there is one marker to use to determine what is reasonable or acceptable. I understand some will use a percentage of GDP, but that fails to capture other variables like interest rates.

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?

If confirmed, I would be pleased to assist from OMB’s perspective.
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 believe there as an uptick in so-called ‘off balance’ items during the ten years of sequestration. It was impossible to provide adequate funding for programs like Head Start or NIH without using some scoring mechanisms that allowed for increased spending. Now that sequestration has come to an end, I believe both the Executive Branch and Congress can do away with those scoring mechanisms and argue the merits of investments in programs.

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?

Those that have paid into both Social Security and Medicare their entire adult lives, like my parents, expect their government to live up to the promises of both programs. That is why President Biden has outlined a plan to address the solvency of the Social Security fund by adding a new tier of payroll tax contributions for high earners. The Biden-Harris Administration is fully committed to ensuring that Americans receive the benefits that they are entitled to, while pursuing policies that improve equity and fairness. The Administration is aware that key benefit programs such as Medicare and Social Security are at risk of reserve depletion, and is committed to seeking ways to address and improve the situation.

COVID-19

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

OMB is central to developing the budgetary framework needed by the administration to respond to the pandemic effectively. The OMB staff have daily interactions with their agency counterparts and are able to ensure a whole-of-government approach to determine how programs are being implemented and what programs need additional resources from Congress to meet the needs of the American people.

I also understand that OMB has been instrumental in helping to lead the agency operational response to COVID-19 and is working with key agencies, such as OPM, HHS, and DHS, to ensure Federal agencies are in a position to keep employees safe and healthy, while maintaining agencies’ missions.
34. Do you believe OMB was well-equipped to respond to a pandemic of this scale?

Since I was not at the agency during the past year I cannot speak to its readiness.

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

Congress has funded many baseline pandemic, bioterrorism, and basic research programs that if confirmed, I am committed to ensuring they receive adequate funding recommendations in the President’s budget. Many of these programs were slated for cuts and zeroing out in recent budgets as a goal to reduce discretionary spending. I am also committed to bringing OMB’s resources to bare to ensure these programs are having their intended results and these planning dollars ensure our future readiness.

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?

I am familiar with this issue and if confirmed, will work to explore how to improve reporting of CARES Act spending. It is in the best interest of the American people to have as much transparency as possible on COVID spending.

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?

It is a necessity for the Federal government to provide full and accurate information to the American people. If confirmed, I commit to working with agencies to ensure information is both comprehensive and accurate.

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. While I am proud to have been a part of writing the COVID supplementals the last year there are areas in need of additional resources. Those in danger of having unemployment assistance lapse should not fear an extension of benefits. States and localities have not received funding since CARES and that funding ended in December. Those governments provide essential services and it will be detrimental if those services are cut during COVID. Also, having those workers join the unemployment rolls would be devastating.

*Regulatory Affairs*

38. What is your opinion of the rulemaking process?

The rulemaking process is one of the greatest tools provided to the Executive Branch to implement laws. It is necessary that the process for public input be robust and that the analysis of the impact of regulations for the public be rigorous. I believe in the use of best available science.

39. What role do you anticipate having in OMB’s regulatory function?

The Director of OMB is tasked through President Biden’s Memorandum on Modernizing Regulatory Review to conduct a process to identify reforms that will promote the efficiency, transparency and inclusiveness of the review process. As the Director-designate has reaffirmed, she believes the Deputy position for which I am nominated will serve as the Deputy across all of OMB. To that end, I anticipate assisting the Director in the review process to ensure the regulations process is operating to meet today’s challenges.

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

I believe OIRA’s mission is governed by statute and executive orders. They play a central role in federal regulatory and information policy.

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

Cost benefit analysis is part of the rulemaking process. It is important to give the public as accurate an analysis as possible of the impact of regulations.

42. 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 the directive that agencies look at undertaking retroactive reviews.

43. 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?

If confirmed I would be guided by President Biden’s Memorandum on Modernizing Regulatory Review. If confirmed, I would assist the OMB director in proposing recommendations for improving and modernizing the regulatory process.

44. 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.

As part of the effort to modernize the regulatory review process, OMB circular A-4 will be reviewed to ensure that the federal government provides the public with the most accurate analyses possible of all of the anticipated impacts of regulations.

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

While I cannot speak to the need to increase OMB’s role because I have not been a part of the agency, I do recognize that OMB has a different role with independent agencies than with other Federal agencies. If confirmed, I look forward to reviewing the statutory framework of each agency to get a better understanding of how Congress envisioned their relationship with the Executive Office of the President.

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

If confirmed, I would commit to working with the Director and other senior leadership on a swift review to meet the Director’s goals to ensure the regulatory process delivers for the American people.

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 will work with OMB staff to ensure the administration meets its statutory deadlines. It is important for our relationship with Congress that we meet deadlines established in law or communicate why the administration may need more time to comply.

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 Executive Order on modernizing the regulatory process directs the Director of OMB to make recommendations on improving the process. If confirmed as Deputy, I would work with the Director to ensure that the regulatory process does not place undue burden on disadvantaged, vulnerable or marginalized populations.

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 Reinvigorating Administrative PAYGO). Are there any elements of these executive orders you believe are important to reinstate? Please address each revoked executive order separately.

President Biden’s Executive Order on modernizing the regulatory process directs the Director of OMB to make recommendations on improving the process. If confirmed as Deputy, I would work with the Director to ensure that if anything in that review process addresses the topics covered by the Executive Orders listed above we will make clear in the memorandum issued at the close of the review period.

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?

As a Congressional staffer responsible for funding decisions, I believe more has to be done for congressional users to utilize GPRA data for decision making. The performance indicators are often not as compelling to Members of Congress that see real life application as they visit constituents, in my experience. That does not mean GPRA is not useful in the Executive Branch as budgets are developed, but we need to ensure that the indicators used take real life factors into account so that all decision makers find the information useful.
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 committed to working to ensure the DATA Act is fully implemented. Access to Federal data should be a goal of any government for its citizens, and I am committed to working with all Committees to ensure that the implementation of the DATA Act and other transparency efforts are priorities.

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

If confirmed, I will work to ensure that OMB and other Federal agencies are modernizing grant reporting requirements. It is important that grantees can have less burdensome reporting requirements and can focus on their responsibilities while providing the public with critical information.

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

OMB is central to providing guidance to Federal agencies on their financial management practices. OMB has a responsibility to ensure all of government is meeting the highest standards of budget execution and transparency.

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”?

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

It would be necessary to sit down with GAO, if confirmed, to review its latest High Risk List to determine prioritization. Many areas will require partnership with Congress to make progress in correcting. I am committed to tackling many long-standing issues that require across government collaboration.

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

Again, I believe it is necessary to review the report with GAO, if confirmed, to help inform prioritization.
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?

OMB works to ensure Federal workforce policy is aligned and integrated with legislative, management, and budget proposals. Both OMB and OPM must work 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?

OMB, through leadership of the President’s Management Agenda and the President’s budget, can prioritize the Federal workforce, including highlighting proposals that would close skills gaps. The Federal Government has a good track record in finding solutions in the science and Medical fields that can be used on modern challenges like recruitment and retention of those with technology degrees and backgrounds.

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

The administration can use the President’s Management Agenda to disseminate best practices across the government. It will also be necessary to work with Congress on legislative proposals to modernize the Federal workforce.

58. What do you believe are the three most important issues facing the federal workforce today?

GAO has listed Human Capital as a high risk for nearly two decades. The National Academy of Public Administration released a report last year highlighting the difficulties faced with regard to the Federal workforce. I believe the reduced interest of young people to work in government, the pay gap with private sector, and the lack of flexibility in the pay scale must be addressed to modernize the Federal workforce.

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?

President Biden has committed to reinstate and expand protections for federal employees. I have worked closely with Federal unions over my career and have found in them advocates that improve the work environment of both union members and non-members alike.
60. What is your opinion on telework in the federal workforce?

I find telework necessary to keep up with the private sector. I managed a staff for a year that helped write and pass several COVID-19 bills and regular FY 2021 Appropriations bills from their homes. COVID-19 has shown us the possibilities of working remotely successfully.

61. 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?

COVID has jumpstarted some of the reskilling as Federal workers have had to drop low-value work and collaborate on innovative solutions as they work from home. OMB can build on this through the President’s Management Agenda and I look forward to working closely with the Deputy Director for Management on those initiatives.

62. What do you believe is the biggest obstacle to safely returning federal employees back to their worksites? What steps do agencies need to take to ensure a safe return for their employees?

The Federal Government must operate as an example to the rest of the country. Given the rates of COVID-19 in most areas that employ Federal workers, it would not be safe to bring most workers back to physical offices and risk adding to State and local caseloads. This administration will continue to be guided by science and the recommendations of the Centers for Disease Control and local Public Health agencies in determining when it is safe to have workers in physical offices.

63. 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 the Office of Management and Budget (OMB). How will you address these issues?

FEVS is a useful tool that highlights the need for OMB leadership to engage with career staff to understand the downward trend lines over the last decade. With dips, it would be important to utilize FEVS as one data stream, while pursuing an OMB specific strategy to ascertain the ebbs and flows of workplace satisfaction.
b. How would you use FEVS data to inform management decisions, both at OMB and government-wide?

I believe FEVS can be a useful tool. If confirmed, meeting with career staff will help me understand the challenges that require action from senior management.

64. 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. If confirmed, I will commit to the review of the government-wide Race and Ethnicity Standards. Without good data, it is impossible to address issues that are exacerbated by race.

65. 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 hearings, 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?

There are nations that are seeking to take advantage of our collaborative research process, and it is important to take steps to protect the integrity and security of our science and research enterprise. I look forward to working with Congress and the scientific community to increase security while allowing scientific collaboration to continue.

66. 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?
I will commit to working with the Inspector General (IG) community to ensure agencies are following relevant laws and guidance. Also, agency reports required under the Payment Integrity Information Act of 2019 (PIIA) will be helpful tools for agencies and OMB to identify areas for improvement.

67. How can OMB efforts to improve government be integrated with the budget process and with the work of congressional authorizing and appropriating committees?

If confirmed, it will be one of my primary focuses to work with our partners in Congress to fund services for the American people and agency priorities that allow the Federal government to best serve the American people. It is my experience that the more OMB engages with its Congressional partners the greater success for furthering bipartisan goals of improving the operation of government.

Acquisition and Federal Property Management

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

I will be guided by President Biden’s plan to utilize the procurement policies of the Federal government to leverage Buy American policies and to ensure the Federal government leads by example in energy efficiency.

69. What do you see as the appropriate relationship between OFPP and the acquisition policy functions of the General Services Administration?

OFPP establishes government-wide policy and supports government-wide implementation. GSA is a close partner with expertise in acquisition. I understand OFPP and GSA have worked collaboratively in the past and entered into agreements that outlined responsibilities. If confirmed, I would work with OMB staff to ensure the roles and responsibilities are clear.

70. 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.

71. 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?
If confirmed, I am committed to ascertaining the successfulness of both laws. I am familiar with both laws and the bipartisan concerns they sought to address.

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

OMB, through its Office of Federal Procurement Policy and the President’s budget, can combat the climate crisis through: (1) acquisition strategies of the Federal government as one of the largest consumers of goods in the Nation, and (2) through the President’s Budget and working with the agencies to ensure we have the resources necessary to invest in solutions to solve the climate crisis.

73. 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?

OMB, working closely with GSA and DOE, can set policy to increase energy efficiency of federal buildings. Energy efficiency priorities not only help address climate change but save taxpayer dollars on energy costs.

Cybersecurity and Information Technology

74. 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?

The ongoing challenge with cybersecurity is evident as we look at the current SolarWinds incident. I understand that OMB develops and oversees cybersecurity policies across the federal government, working with agencies to ensure compliance with required protections. If confirmed, I would work closely with the Deputy Director for Management, the Federal Chief Information Officer (CIO), and the Chief Information Security Officer (CISO) to ensure that cybersecurity is a priority throughout government.

75. 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 attracting and retaining top cyber talent remains a challenge for many agencies. If confirmed, I would want to learn more about the flexibilities available and partner with other agencies, such as the Office of Personnel Management, to make the government more competitive in that space so we can bring in the best and brightest to help us secure our systems.
76. 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?

To ensure I understand the various strategies needed to modernize agencies’ cybersecurity abilities, I would want to work with the Federal CIO, and the Federal CISO to understand where the gaps are so that we can target budgetary support where it’s needed to help agencies mature their identity, credential, and access management capabilities.

77. 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 through 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 promoting secure IT practices throughout the technology supply chain. I understand that OMB’s role, through the FASC, is to coordinate related activities across agencies to identify and remove components that pose an unacceptable risk to government operations, as appropriate. I also understand that OMB has a role, through the Administrator for Federal Procurement Policy and in partnership with the Federal Acquisition Regulatory (FAR) Council (which includes representation from GSA, DOD, and NASA), in helping to manage government-wide implementation of supply chain risk protections throughout the federal acquisition system. If confirmed, I look forward to working with the OMB Management team, the FASC, and the FAR Council to improve our supply chain risk management posture.

78. 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?

Improving the cybersecurity posture of the Federal government is a key priority of the Administration and an issue I take seriously. If confirmed, I would prioritize efforts to strengthen agencies’ abilities to address and prevent cyber threats. The American Rescue Plan proposed 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 Federal CIO, Federal
CISO, and the agency IT community to address GAO’s concerns and improve the government’s cybersecurity posture.

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

As technology becomes increasingly important in the way that agencies deliver their missions, the Chief Information Officer (CIO) role has increased in importance. I view CIOs as strategic partners within their agencies and part of the agency’s core leadership team. If confirmed, I look forward to working with the Federal CIO and the CIO community generally to ensure that CIOs are able to meet their increasingly complex responsibilities.

80. 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?

I understand these offices are able to attract top tech talent into the federal government to tackle a variety of technology needs that improve the effectiveness of service delivery across federal agencies. If confirmed, I look forward to learning more about their recruitment and retention practices.

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

If confirmed, I will support USDS’s efforts to promote the modernization of the Government’s digital footprint and the adoption of more modern IT practices.

82. 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?

OMB is important in setting policies that support the acceleration of IT modernization, and the TMF is a unique fund that can support agencies as they seek to modernize their outdated systems. If confirmed, I look forward to continuing with these and related efforts, and I look forward to working with Congress to support agencies as they modernize their systems.

83. 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 believe OMB plays an important role in ensuring that agencies are using artificial intelligence (AI) appropriately. If confirmed, I would work with the Director of OMB, the DDM, and across agencies to ensure that AI is used appropriately, safely, and in a responsible and transparent way.

84. 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’s Deputy Director, I look forward to learning more about this work to improve the allocation of resources to modernize the government’s IT infrastructure and address cybersecurity gaps, and to working with the DDM, the Federal CIO, and the Federal CISO toward this goal. I believe the Technology Modernization Fund can play an important part in making resources available to agencies to invest in modernizing their IT.

85. 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?

Improving the cybersecurity capabilities of federal agencies is a top priority of this Administration. If confirmed, I will work with the Director of OMB, the DDM, the Federal CIO, and the Federal CISO to ensure that OMB focuses on the implementation of information security policies and practices to address these and other vulnerabilities.

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

Cybersecurity is a top priority for this Administration, and agencies need the appropriate tools and resources to improve their cybersecurity capabilities to find and defend threats. The Technology Modernization Fund and related supporting efforts are instrumental in strengthening monitoring capacity and incident response and in developing cybersecurity professionals to improve the U.S. cybersecurity posture.

87. Under the National Defense Authorization Act of 2021, Congress established a National Cyber Director and an accompanying office in the White House. How will you support the coordination of OMB’s current responsibilities with the new Cyber Director to prevent confusion and duplication?
I understand that OMB plays a central role in drafting, coordinating, and implementing cybersecurity policies and guidelines. Because these issues involve a number of offices and entities, if confirmed, I would work within the Executive Office of the President to ensure that the roles and responsibilities of the Office of the National Cyber Director and those within OMB are clearly delineated.

88. 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 application and adoption of AI is an important issue, and I understand that agencies are actively working to use AI to improve their business processes. If confirmed, I will work with the OIRA Administrator and others to ensure Federal agencies are developing the appropriate safeguards and regulations aligned with OMB guidance, and I look forward to working with the community on these and other AI issues.

**Improper Payments and Government Transparency**

89. 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 work closely with Federal IGs whose work is critical in highlighting improper payments.

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

Improper payments are a complex issue that often gets the attention of Members of Congress as they hear from constituents. There are cases, through no fault of the recipient, where payments were provided that were later deemed improper. In my opinion we need to strike a balance between fiduciary duty and personal hardship. Many of these cases often arise after disasters, and we are sure to see more with COVID-19 relief as government agencies are rushing to deliver aid.

91. 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 should be a universal goal. If confirmed I am committed to reviewing current practices. Increased transparency has to be weighed against the burden on recipients.

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

Yes. The GPRA Modernization Act has provided a new established system by which agencies set clear goals, conduct regular internal management reviews, and report publicly through Performance.gov and agency Annual Performance Plans.

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

If confirmed, I believe improving public websites like USASpending.gov can provide direct to consumer information many are seeking from the Government. Also OMB is in a role to work with Federal partners to ensure requests for information are provided in a timely manner to IGs, GAO, the American people through FOIA, and Congress.

Environment

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

OMB has several roles in addressing the PFAS crisis: (1) through the Office of Information and Regulatory Affairs, working with the Environmental Protection Agency (EPA) in designating certain PFAS compounds as hazardous substances and enforcing limits on use; (2) the Office of Federal Procurement Policy’s role in looking for alternatives for government use; and (3) through the President’s budget, OMB will work with agencies to request of Congress resources to improve water quality and PFAS research.

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

If confirmed, I am committed to working with Department of Defense’s leadership to phase out this type of fire suppressant, where feasible.

96. What is OMB’s role in addressing climate change?

I believe OMB’s role includes requesting of Congress robust investments to tackle the climate crisis and create good paying jobs, advancing regulations, and using the purchasing power of the Federal government. Addressing the climate crisis while investing in
American workers is a priority of this administration and OMB is central to carrying this out.

97. 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?

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. Congress provided new discretionary funding to continue the Registry in FY 2021. This is an important issue and, if I am confirmed, I will continue to prioritize these efforts.

98. How should OMB ensure that environmental justice is prioritized in agency actions to address environmental challenges?

On January 27, 2021, President Biden issued an Executive Order on Tackling the Climate Crisis at Home and Abroad. The order formalizes the President’s commitment to take a whole-of-government approach to environmental justice. In implementing the EO, OMB will include ambitious investments for environmental justice in the President’s budget request, including directing 40% of the overall benefits of clean energy and climate investments to disadvantaged communities that have been historically marginalized and overburdened. The EO specifically establishes a White House Environmental Justice Interagency Council for which the OMB Director is a member. The EO also directs OMB, in coordination with the Chair of the Council on Environmental Quality, the Administrator of the United States Digital Service, to the extent consistent with applicable law, publish on a public website an annual Environmental Justice Scorecard detailing agency environmental justice performance measures.

V. Accountability

Whistleblower Protections

99. 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 not had direct involvement with whistleblower complaints.

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

If confirmed, I will commit to working with other senior leadership to ensure protections are in place for potential whistleblowers.

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?

If confirmed I will consult with OMB staff to determine current practices. If I along with the Director, General Counsel, and other leadership do not believe current policies meet the highest standards for protections I am committed to strengthening OMBs policies and practices.

Cooperation with Inspectors General

100. 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)?

IGs are appropriately afforded statutory independence, including with budgets. OMB can ensure that independence in the budget development process to ensure there was no undue influence on IGs budget requests.

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

IGs should have timely access to necessary information to do their important oversight work.

102. 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?

While the day to day interaction with IGs and PRAC is with individual agencies, if needed, I am committed to assisting IGs and the PRAC with their important work should they request assistance from OMB.
103. If confirmed, what steps would you take to facilitate and encourage timely cooperation by federal agencies with IGs and the PRAC?

While the day to day interaction with IGs and PRAC is with individual agencies, I am committed to working with agency leadership, if needed, to facilitate cooperation.

Cooperation with GAO

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

This administration recognizes that transparency is critical to good governance. If confirmed, I would want to ascertain from OMB staff and GAO how OMB can assist in ensuring they are receiving adequate and timely information. I am well aware of the critical nature of the work of GAO and understand its important oversight job for Congress.

105. 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?

If confirmed, I commit to timely interactions 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.

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

I believe OMB can serve as an arbiter between GAO and agencies if there is an impasse or GAO does not believe they are receiving necessary or timely information.

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

If confirmed, I will consult with OMB staff on current practices. Where there is room for improvement I am committed to ensuring cooperation with GAO.

VI. Relations with Congress

108. 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 and accountable in its actions, including to Congress.

109. 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?

My understanding is it is the practice of OMB to make Senate confirmed appointees available for testimony, and we will continue that practice.

110. 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?

If confirmed, I commit to providing Congress with information needed to undertake its constitutional oversight role. I will work with the Director on fulfilling requests on a case-by-case basis.

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

I am a firm believer in communicating often with Congress. I commit to responding to Members in a timely manner.

112. 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?

Yes, I will.

113. 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, I will.
VII. Assistance

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

The answers are my own. OMB staff reviewed my responses.

I, Shalanda Young, 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 18th day of February, 2021
Chairman Gary C. Peters Post-Hearing Questions for the Record
Submitted to Shalanda D. Young

Nominations of Shalanda D. Young to be Deputy Director, Office of Management and Budget, and Jason S. Miller to be Deputy Director for Management, Office of Management and Budget
Thursday, March 4, 2021

1. Recently, OMB proposed changes to metropolitan statistical areas – also known as MSAs. This proposal would result in at least 6 Michigan towns losing their MSA status – and as a result – losing access to federal funding and other resources. If confirmed, do you commit to reviewing and revising or rescinding this proposal as quickly as possible?

If confirmed, I will commit to expeditiously engaging with your office on your concerns you have identified with these proposed changes.

2. The CARES Act established detailed reporting requirements to ensure public transparency in pandemic relief spending. Unfortunately, the previous Administration undermined these transparency efforts and issued guidance directing agencies to ignore several of these requirements. If confirmed, will you commit to reviewing, and where needed, updating, this guidance to ensure all agencies are collecting and reporting the required information, including information that may not have been reported due to the previous Administration’s misguided actions?

I am aware of this issue and if confirmed, I commit to reviewing the existing guidance and, where appropriate, updating it. Accurately recording and tracking funding for pandemic relief spending is essential to facilitating oversight and creating accountability for results. If confirmed, I look forward to working closely with stakeholders and oversight officials, including the Pandemic Response Accountability Committee (PRAC), to ensure CARES Act reporting requirements are met.

3. If confirmed, what steps will you take to encourage cooperation with independent oversight entities such as the Government Accountability Office, the Pandemic Response Accountability Committee (PRAC), and agency Inspectors General?

If confirmed, I will lead by example by partnering with the federal oversight community to ensure constructive coordination in preventing and detecting fraud, waste, abuse and mismanagement of federal funding. Key steps toward this goal would include encouraging continued coordination between OMB and oversight bodies and identifying crosscutting issues that OMB and these entities are uniquely positioned to address.
4. **Will you commit to ensuring that OMB fully and promptly cooperates with requests from GAO, the PRAC, and Inspectors General, and that you will encourage other agencies to do so as well?**

Yes, if confirmed, I will support the oversight community in achieving their oversight objectives and will ensure that OMB responds appropriately to requests from GAO, the PRAC, and Inspectors Generals. I will also support and encourage agencies’ efforts through existing guidance and best practices to ensure prompt audit follow up and resolution of audit recommendations.

5. **If confirmed, how will you prioritize research and development of fundamental science in the budget process?**

The Biden-Harris Administration is committed to making investments in fundamental Research and Development (R&D) and breakthrough technologies to enable high-quality job creation in high-value manufacturing and technology.

6. **The CHIPS for America Act, enacted as part of the FY21 National Defense Authorization Act, authorizes programs to encourage U.S. semiconductor manufacturing and research. Do you support this provision and will you help ensure that it has the resources it needs to be implemented?**

The President believes that the United States needs resilient, diverse, and secure supply chains in many areas, including advanced semiconductor manufacturing, to ensure our economic and national 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, as required by the Act, and the report identifying risks in the semiconductor manufacturing supply chains, per the Executive Order on America’s Supply Chain. I will work closely with departments and agencies to ensure that resources supporting strong semiconductor capacity are prioritized.
1. Some policy makers 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 Deputy Director, what steps can you take to address these types of concerns?
   The American Rescue Plan meets both our country’s immediate public health and economic needs and also protects our longer run goals of a strong economy and recovered tax revenue. It was developed to address our vaccination and other public health needs, our schools’ needs, the needs of the unemployed, and the needs of all working families during this critical moment of the pandemic. Right now, the economic and public health crises that we face demand 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. Certainly, this Administration has worked with Members of Congress to target ARP and those efforts would continue for any future legislative response that may be needed.

   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?
   In my role as OMB Deputy Director, I pledge to be as responsive as possible to ensure the Executive and Legislative Branches work in concert to deliver economy recovery and improved public health for all Americans. If confirmed, I will directly engage Congress and help coordinate across all relevant agencies. OMB has a critical role to play to monitor, evaluate and facilitate federal investments, and I look forward to working with you and every member of Congress to bolster our response to these historic crises.

2. 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.

a. As the Deputy 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?

The Federal Government’s ability to meet critical mission needs, whether during a pandemic or during any other type of emergency, requires that acquisition processes be efficient and effective in enabling and supporting relief efforts. If confirmed, I will work closely with the Deputy Director for Management and the Administrator for Federal Procurement Policy, once they are confirmed, to review the GAO’s recommendations for strengthening the responsiveness of federal buying practices.

3. 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.

a. 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 going to prioritize this area in its budget request?

The President believes in strengthening national competitiveness and making investments that encourage innovation to rebuild American supply chains and create good-paying American jobs across many industry sectors, including semiconductor R&D and manufacturing. If confirmed, I look forward to working closely with the Department of Defense, the Department of Commerce, and other necessary departments and agencies to prioritize resources to support domestic semiconductor manufacturing and research.

4. 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 Deputy Director of OMB, will you ensure that security clearance reform is given proper attention?

I agree that personnel vetting is essential for quickly onboarding and sustaining a skilled and trusted workforce. Security clearance reform—along with improvements to suitability/fitness determinations and credentialing—help ensure agencies can meet their missions. Over the last few years, I understand that the
PAC has made significant progress in speeding background investigations, and if confirmed, I will work with OMB’s Deputy Director for Management, who chairs the PAC, to implement these and other reforms.

b. With as little as 3 percent of initial secret investigations meeting the processing objectives, how do you envision speeding up the process while maintaining a high level of scrutiny?

Despite some successes in reducing timeliness over the past few years, more work remains to be done to meet timeliness standards. If confirmed, I would work in coordination with the Deputy Director for Management, ODNI, OPM, and DOD as to assess resource needs to ensure we can quickly improve background investigations. I also believe OMB is essential in bringing these agencies to maintain a high level focus on this critical issue.

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 investigation quality measures and report to Congress on that development?

Yes, I recognize the importance of reliable quality measures and, if confirmed, will work with the PAC to ensure they are developed. I also support the PAC’s current practice of providing joint quarterly briefings to Congress to keep interested committees updated on personnel vetting reform initiatives.

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?

Yes, and I agree that transparency is essential for both success and accountability. If confirmed, I will commit to continuing progress updates and working with Congress to be sure the public has access to this important information.

5. 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. What mechanisms can OMB utilize to ensure the full economic impact of these investments are considered and prioritized?

The Administration recognizes that investing in transportation and port of entry infrastructure, as part of a network of cross-border 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. OMB works with the relevant agencies to ensure that, to the extent possible, Federal investments across these domains are properly coordinated and prioritized because of their crosscutting nature and broad benefits. I look forward to working with Congress on these important issues.

6. 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. What steps can OMB take to ensure these projects are properly funded and executed?

I appreciate the importance to the Nation of the Army Corps of Engineers aquatic ecosystem restoration projects. If confirmed, I look forward to working with the Army Corps of Engineers as they prioritize these important projects across the country as part of the President’s Budget. Similarly, if confirmed, I will utilize the expertise of the Army Corps of Engineers during execution of funding provided by Congress.
On the Regulatory Process:

1) In your HSGAC questionnaire, in response to a question on the rulemaking process, you wrote:

The rulemaking process is one of the greatest tools provided to the Executive Branch to implement laws. It is necessary that the process for public input be robust and that the analysis of the impact of regulations for the public be rigorous. I believe in the use of best available science.

Question: How do you define the “best available science”?  

Best available science varies across agencies, but the standard should be that it is reliable and accurate based on the scrutiny of the scientific community. The Memorandum on Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking issued by President Biden stated that it is the policy of the Administration to “make evidence-based decisions guided by the best available science and data.” This memo directs all heads of agencies to ensure that all agency activities are conducted in accordance with the 6 principles set forth in section 1 of the Presidential Memorandum of March 9, 2009, and the 4 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.

Question: Does the public have a right to know and have the ability to review scientific studies being used by taxpayer funded agencies?

The Biden Administration has committed 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 for privacy to prevent the unlawful release of sensitive information such as personally identifiable information, confidential business information, and information with national security implications.
Question: 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 publically available?

If I am confirmed, I will adhere to those principles and the recommendations issued by the OSTP task force established in President Biden’s memo, “Restoring Trust in Government Through Scientific Integrity and Evidence-Based Policymaking.”

2) OMB Circular A-4 has been the guidebook for agency economic analysis since 2003. In President Biden’s Memorandum titled “Modernizing Regulatory Review” he called for 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.”

Question: 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”?

Many policies have impacts that are difficult to quantify but are nonetheless essential to the public good. For example, regulations that improve the environment have aspects such as increased biodiversity or ecosystem services that are difficult to quantify. But costs can be also difficult to quantify such as when manufacturers are asked to develop or adopt new technologies. The goal of the modernizing process would help agencies to identify difficult to quantify effects more transparently for decision makers and the public.

Question: In a cost-benefit analysis, what weight would you give to benefits that are difficult or impossible to quantify?

The regulatory impact analysis should show the benefits, costs, and tradeoffs that are important in evaluating policies. How these different factors are weighted in a final decision including whether or not to proceed with the regulation is a policy decision that depends on the case at hand.

3) 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.”

Question: 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?

OIRA has always played a key role in helping agencies produce rigorous analysis that informs their policy decisions including on the analysis to identify potential alternatives with significant net benefits for society. That role is often guided by statutory requirements. This charge from the modernizing memo continues OIRA’s role by bringing analysis and good process on regulatory policy development. The decision to regulate and how much to regulate remains a policy judgment for the agencies and the President to make.

4) 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.

Question: Do you believe that costs and benefits should be measured in an equal manner?

The regulatory impact analysis under EO 12866 should strive to provide an accurate assessment of the impacts. Some impacts take place immediately (for example, purchases of pollution control equipment) but some impacts accrue over time (for example, health effects that lag exposure). However, the guidance on regulatory impact analysis clearly states that the timeline for both benefits and costs should be the same. Recognizing that benefits and costs do not occur at the same time, the guidance states that both benefits and costs be discounted appropriately. The timescale where agencies measure costs and benefits stems from the facts on the ground and the issues at hand.

For example, if unquantifiable benefits are considered in cost-benefit analysis, should unquantifiable costs also be considered?

Yes, the EO 12866 and the associated guidance state that regulatory impact analysis should consider unquantifiable impacts.

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?
Yes, both benefits and costs should be measured over the same timeline. If there are limitations in data or methodology that prevent such consistency, the agency should acknowledge the relevant analytic challenges in the regulatory impact assessment.

5) 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\(^1\) and former OIRA Administrators from both parties have called for OIRA review of these agencies.\(^2\)

**Question: Do you believe independent agencies and commissions should held to the same standards in their rulemaking procedures as Executive Branch agencies?**

Whether the regulatory impact analysis requirements of EO 12866 can apply to independent agencies and commissions may be dependent on their underlying statute. The appropriateness or legality of independent agencies rulemaking would be determined by counsel of those agencies and potentially the courts.

**Question: 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.

Congress decides the independence of certain agencies and commissions. Whether the regulatory impact analysis requirements of EO 12866 can apply to independent agencies and commissions is a legal and policy decision to be made by the appropriate agency counsels and potentially the courts.

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**On the GAO High Risk List:**

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1) Question: The Program Management Improvement Accountability Act, which became law in 2016, requires OMB to conduct “portfolio reviews” of items on the High Risk List. Mr. Dodaro noted that there has been no meaningful progress on implementing this requirement. Are you aware of this statutory requirement? If confirmed, will you begin review of the items on this year’s High Risk List?

I am aware of this statutory requirement and recognize the important role OMB can play to promote progress on GAO’s High Risk List. If confirmed, I plan to review progress to identify where implementation efforts may be improved.

On the Federal Workforce:

1) 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?

OMB and OPM have distinct roles regarding Federal workforce policy and by working in concert, both agencies can provide the necessary leadership to achieve Administration priorities. If confirmed, I expect to continue the collaborative relationship with OPM, and ensure alignment of Federal workforce policy with legislative, management, and budget proposals.

2) 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, which is the most recent data, time-to-hire was 98.3 days.

Question: 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?

OMB plays a pivotal role in developing and guiding the President’s Management Agenda (PMA), which is an effective tool in helping agencies address Federal workforce challenges. In this role, OMB coordinates efforts among OPM, OMB, and agency leadership to streamline and modernize regulations, policies, and processes supporting Federal human capital management. The PMA also provides a forum for agencies to share leading practices and, if confirmed, I look forward to working with our human capital community and Congress to tackle the challenges facing the Federal workforce.

Question: What long-term changes should be made in telework and remote work for the federal workforce after 2020-2021?

Telework and remote work have proven to be important tools in keeping our Federal workforce safe during COVID-19, while still meeting mission requirements and providing essential customer services. Based on this experience, there are clear opportunities for OMB, OPM, and agencies to develop a vision around how Federal agencies will operate in the future, and how the promotion of telework and remote work policies can support better work/life balance, reduce the carbon footprint, and ensure continued services in emergency situations.
On the Hyde Amendment and Weldon Amendment:

1) Question: 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?

If confirmed I will follow the laws put forth by Congress and signed by the President. The President has spoken in favor of Congress ending the Hyde Amendment as part of his commitment to providing comprehensive health care for all women. Further, eliminating the Hyde Amendment is a matter of economic and racial justice because it most significantly impacts Medicaid recipients, who are low-income and more likely to be women of color.

2) 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?

If confirmed I will follow the laws put forth by Congress and signed by the President. The President has laid out a health care plan that would provide comprehensive health care for all women, including reproductive health care services.
Senator Josh Hawley
Post-Hearing Questions for the Record
Submitted to Shalanda D. Young

Nominations of Shalanda D. Young to be Deputy Director, Office of Management and Budget, and Jason S. Miller to be Deputy Director for Management, Office of Management and Budget
Thursday, March 4, 2021

1) As you know, the Hyde Amendment is a decades-long bipartisan budget policy that simply says federal tax dollars should not go to elective abortions. If confirmed, will you advise that the President’s budget request to Congress for the next fiscal year exclude the Hyde Amendment, or will you support its continued inclusion in the budget?

The President has spoken in favor of ending the Hyde Amendment as part of his commitment to providing comprehensive health care for all women. Further, eliminating the Hyde Amendment is a matter of economic and racial justice because it most significantly impacts Medicaid recipients, who are low-income and more likely to be women of color.

2) Another 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?

The President has laid out a health care plan that would provide comprehensive health care for all women, including reproductive health care services. If confirmed, I will work with the Department of Health and Human Services to determine the effect the Weldon Amendment has on healthcare implementation, especially vulnerable populations.

3) You discussed in your testimony that you grew up in a small rural town in Louisiana. I grew up in a small rural town in Missouri. I believe one of the challenges of policymaking is making sure that our public policy—whether it be relief packages, appropriations, or otherwise—reaches Americans living in those rural areas. Can you elaborate for me what you think the challenges or hurdles are for rural areas accessing federal programs, and how you will address these barriers to access if you are confirmed?
I agree that one of the challenges of policymaking is making sure that our public policy reaches Americans living in those rural areas where we grew up. I understand that the Biden Administration intends to fundamentally change how the federal government interacts with rural communities that so often do not have access to federal programs. If confirmed, I commit to looking for and pursuing opportunities, such as the proposed StrikeForce effort, to partner with rural communities to help them fully access federal resources to create jobs and build wealth. Further, the pandemic has shown a need to ensure smaller localities have dedicated sources of funding. I heard from mayors of medium-sized and rural towns that felt left behind in the allocation of Federal funds.
Hearing before the U.S. Senate Committee on Homeland Security and Governmental Affairs

Mr. Jason Miller
Nominee to be Deputy Director for Management, Office of Management and Budget
March 4, 2021

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

Thank you for your service and for the opportunity to be here today in front of you.

I am humbled to be President Biden’s nominee for the Deputy Director of Management for the Office of Management and Budget. Serving the American people is a privilege. Having the opportunity to serve in a role with such broad responsibilities to ensure our federal government is delivering every single day for the American people would be an honor.

I am accompanied today by my wife, Katy Platt Miller; undoubtedly, I would not be here without her support and wisdom. And I want to thank her and my family for their willingness to allow me to serve, and the sacrifices that they are willing to make if I am confirmed.

I also want to thank my parents – Peggy and David Miller – who taught me the importance of integrity, hard work, and kindness. And my three children that could not be here today – Annabelle, Theo, and Cora – who always keep me on my toes.

Public service is my way to give back to a country that has given me and my family so much. My grandfather – after whom I am named – left Eastern Europe in 1913, escaping anti-Semitism and all that came with it, for a better life, settling with his parents and seven siblings in Flint, Michigan. My other grandfather served our country in WII, a Jew put in charge of the care of German prisoners of war; upon returning, through the G.I Bill, he completed college, going into business in Chicago and starting a family with my grandmother. Today would have been my grandmother’s 92nd birthday; she passed in December and I carry her love and fondness for good food with me today. These are American stories – creating a better life and a better world for our children – something that each of us should have the opportunity to pursue.

The challenges we face today as a country are substantial. It is in times like these when Americans expect their government to deliver – to beat back the pandemic, to provide critical relief, to create the conditions for recovery, to protect our security, and to position our country to lead.

The Office of Management and Budget sits at the heart of the Executive Branch, responsible for ensuring federal agencies are doing just that, delivering on the President’s priorities and the laws enacted by the Congress.
In my experience, successful delivery is built on three pillars—ambitious goals built around clear priorities, a system for measurement and accountability, and a talented and dedicated team.

The role of the Deputy Director for Management is to ensure those pillars are in place, that the support functions to enable agency missions are up to the task, that we are building a high-performance government, and that we have the very best of the American people serving their fellow citizens.

In my prior time in federal government, I had the opportunity to work closely with the talented career staff at OMB, and if confirmed, I am thrilled to have the opportunity to do so again. Our committed federal workers are an asset to our country, and addressing our challenges will require strengthening and energizing our federal workforce and inspiring even more Americans to serve.

I began my career in management consulting, working with large corporations to build smart strategies, create organizations to deliver on those strategies, and put in place the measures to ensure strong performance. I spent nearly seven years in public service at the White House, tackling a wide range of economic policy issues at the highest levels of government. Since then, I led an organization, which I built from the ground up, working on the most challenging economic issues at the state and local levels here in this region.

The common thread across those experiences—in the private, public and non-profit sectors—is that I get stuff done. It is what drives me. It is what I believe is needed right now. And, if confirmed, I would be honored to wake up every day and get stuff done for the American people.

Thank you for inviting me before this Committee, and I look forward to your questions.
1. **Basic Biographical Information**

Please provide the following information.

<table>
<thead>
<tr>
<th>Position to Which You Have Been Nominated</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Position</td>
</tr>
<tr>
<td>Date of Nomination</td>
</tr>
<tr>
<td>Deputy Director for Management, Office of Management and Budget</td>
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<thead>
<tr>
<th>Current Legal Name</th>
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<tbody>
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<td>First Name</td>
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<tr>
<td>Office Address (include street address)</td>
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<tr>
<td>Street: (home address)</td>
</tr>
<tr>
<td>City: Chevy Chase</td>
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</tr>
<tr>
<td>Birth Year and Place</td>
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<tr>
<td>----------------------</td>
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<tr>
<td><strong>Year of Birth</strong></td>
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<td>(Do not include month and day.)</td>
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<th>Marital Status</th>
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<td>Never Married</td>
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<th>Spouse's Name</th>
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<tr>
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<tr>
<td><strong>Spouse's First Name</strong></td>
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<tr>
<td>Katherine</td>
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<table>
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<td><strong>(current spouse only)</strong></td>
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<td><strong>First Name</strong></td>
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### Children's Names (if over 18)

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<th>First Name</th>
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### 2. Education

List all post-secondary schools attended.

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<tr>
<th>Name of School</th>
<th>Type of School</th>
<th>Date Began School (month/year)</th>
<th>Date Ended School (month/year)</th>
<th>Degree</th>
<th>Date Awarded</th>
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<tr>
<td>University of Pennsylvania</td>
<td>University</td>
<td>08/1990</td>
<td>Est</td>
<td>BA</td>
<td>05/2000</td>
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<tr>
<td>Kellogg School of Management, Northwestern University</td>
<td>University, Graduate Degree Program</td>
<td>08/2001</td>
<td>Est</td>
<td>MBA</td>
<td>06/2006</td>
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<tr>
<td>Kennedy School of Government, Harvard University</td>
<td>University, Graduate Degree Program</td>
<td>09/2004</td>
<td>Est</td>
<td>MPA</td>
<td>06/2006</td>
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3. 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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<th>Type of Employment</th>
<th>Name of Your Employer/ Assigned Duty Station</th>
<th>Most Recent Position/Title/ Bank</th>
<th>Location (City and State only)</th>
<th>Date Employment Began (month/year) (check box if estimate)</th>
<th>Date Employment Ended (month/year) (check box if estimate)</th>
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<td>Self-Employed</td>
<td>JS Miller, LLC</td>
<td>Managing Member</td>
<td>Chevy Chase, MD</td>
<td>06/2020</td>
<td>Est X</td>
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<tr>
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<td>PT Pard, Inc (Biden-Harris Transition Team)</td>
<td>Volunteer, USTR Agency Review</td>
<td>Washington, DC</td>
<td>07/2020</td>
<td>07/2021</td>
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<tr>
<td>Non-government</td>
<td>Greater Washington</td>
<td>CEO</td>
<td>Washington, DC</td>
<td>04/2017</td>
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<td>Brookings Institution</td>
<td>Non-Resident Fellow</td>
<td>Washington, DC</td>
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<td>Unemployment</td>
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<td>02/2017</td>
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<td>Federal employment</td>
<td>The White House</td>
<td>Deputy Assistant to the President and Deputy Director of the National Economic Council</td>
<td>Washington, DC</td>
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<td>San Francisco, CA</td>
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<td>Est. Percent</td>
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<td>U.S. Treasury Department</td>
<td>Summer Fellow</td>
<td>Washington, DC</td>
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<td>Chicago, IL</td>
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<td>Intern</td>
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<td>06/1999 (on)</td>
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<td>Intern</td>
<td>Chicago, IL</td>
<td>06/1988 (on)</td>
<td>06/1994 (on)</td>
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<td>Non-govt employment</td>
<td>Lake Shore Country Club</td>
<td>Tennis Pro</td>
<td>Glenview, IL</td>
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<td>06/1997 (on)</td>
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<td>06/1995 (on)</td>
<td>06/1999 (on)</td>
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(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 Begun (month/year) (check box if estimate)</th>
<th>Date Service Ended (month/year) (check box if estimate)</th>
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<td>Est. Percent</td>
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<tr>
<td></td>
<td></td>
<td>Est. Percent</td>
<td>Present</td>
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</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
(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.

In my role as the CEO of the Greater Washington Partnership, at times the organization I was leading publicly advocated for Congressional action, typically in concert with other similar organizations either within our region (Maryland, Virginia, DC) or with other similar regional organizations. I do not have records of every instance in which we advocated for these actions, but the following examples are illustrative of advocacy with the U.S. Congress.

- Example 1: April 2020 - Letter to Leaders from the “Metropolitan Civic Leadership Alliance” in support of the CARES Act (LINK)
- Example 2: March 2020 - Letter to Capital Region Delegation in support of federal action (LINK)
- Example 3: March 2020 - Letter to Leaders from the “Metropolitan Civic Leadership Alliance” in support of federal action (LINK)
- Example 4: May 2019 - Through MetroNow (coalition) applauding Senators Warner, Cardin, Caine and Van Hollen for introduction of Metro Safety, Accountability and Investment Act (LINK)

The organization similarly advocated for actions at the State and Local level consistent with the organization’s mission with an emphasis around transportation improvements, housing affordability, economic development, and workforce skills. In 2018, the Greater Washington Partnership worked closely with other Capital Region organizations through a coalition called MetroNow to advocate for and support coordinated action by DC, Virginia, and Maryland to provide dedicated funding and reforms to the Washington Metropolitan Area Transit Authority (WMATA), which is a federally chartered entity and the federal government plays a role in its governance. I similarly do not have examples of every instance of Greater Washington Partnership advocacy with Maryland, Virginia, and DC, although below are examples, particularly with respect to Metro and other transportation issues:

- Example 1: March 2018 - MetroNow: Letter in support of Maryland’s Metro Transit Funding Act (LINK)
- Example 2: March 2020 - Statement on Virginia’s Transportation Omnibus Legislation (LINK)
- Example 3: December 2019 - Statement supporting Virginia’s actions on rail (LINK)
- Example 4: Sept 2019 – Statement urging local and state elected leaders to support bus transit (LINK)

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.

- **Donald C. Burnham Manufacturing Management Award**: Received this award from the Society of Manufacturing Engineers in early 2018 in recognition of my contributions to U.S. manufacturing.
- **IEDC Award for Federal Leadership in Economic Development Programs**: Received this award from the International Economic Development Council which confers recognition on an individual in the federal government that has supported economic development programs.
- **University of Pennsylvania honors (undergraduate)**: Magna Cum Laude; Golden Key National Honor Society

### 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), discount clubs (such as Groupon or Sam’s Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

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

(A) Have you ever been a candidate for or been elected or appointed to a political office?

NO
(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.

NONE

(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.

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<th>Amount</th>
<th>Year of Contribution</th>
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<td>Ronnie Chatterjee</td>
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<td>New Congress Fund</td>
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<tr>
<td>Joseph R. Biden, Jr.</td>
<td>$1,000</td>
<td>2019</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>
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<tbody>
<tr>
<td>Puerto Rico’s recovery requires a sustained federal commitment</td>
<td>Brookings Institution</td>
<td>October 2017</td>
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<tr>
<td>(linked)</td>
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<tr>
<td>Why undermining fuel efficiency standards would harm the US auto</td>
<td>Brookings Institution</td>
<td>July 2018</td>
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<td>industry (linked)</td>
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<td>(linked)</td>
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<tr>
<td>The Trump administration’s fuel-efficiency proposal is unnecessary</td>
<td>Brookings Institution</td>
<td>August 2018</td>
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<td>and harmful (linked)</td>
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<tr>
<td>Letter to the Editor: The D.C. area deserves a better transportation</td>
<td>Washington Post</td>
<td>Sept 2019</td>
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<tr>
<td>system (linked)</td>
<td></td>
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<tr>
<td>Viewpoint: Amazon HQ2 news could come at right time (linked)</td>
<td>Washington Business Journal</td>
<td>Sept 2018</td>
</tr>
<tr>
<td>Radio: All For One? What It Takes To Unite D.C., Maryland And</td>
<td>WAMU – Kojo Nnamdi Show</td>
<td>Sept 2018</td>
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<tr>
<td>Virginia (linked)</td>
<td></td>
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<tr>
<td>Radio: Will Amazon Make The D.C. Region's Tech Skills Shortage Worse? (linked)</td>
<td>WAMU – Kojo Nnamdi Show</td>
<td>May 2019</td>
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<td>---------------------------------------------------------------------------</td>
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<tr>
<td>Radio: The Future of Regional Rail (linked)</td>
<td>WAMU – Kojo Nnamdi Show</td>
<td>Nov 2018</td>
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</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.

Both in 2016 at the White House in my role as the Deputy Director for the National Economic Council and subsequently in my role as the CEO of the Greater Washington Partnership, I provided remarks at a number of different events, consistent with those roles. I do not have records or copies of those remarks. I also have never been paid to give a speech. Examples of remarks that I can find include:

1. Remarks in 2014 on regional manufacturing hubs at the Brookings Institution ([LINK](#))
2. Remarks in 2016 on infrastructure at a Bloomberg Government event ([LINK](#))
3. Remarks on 2015 on infrastructure at The Century Foundation event ([LINK](#))
4. Remarks/moderator in 2019 on Amazon’s headquarters in Virginia at the Urban Land Institute annual event ([LINK](#))
(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.

I have not previously provided testimony before Congress. Please see (B) for list of speeches/remarks at various events.

<table>
<thead>
<tr>
<th>Title</th>
<th>Place/Audience</th>
<th>Date(s) of Speech</th>
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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
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 pross,” 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.

None

<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>
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(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.

None

<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>
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(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.

Not applicable

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>
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(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.)

*REDACTED*
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**

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)</th>
<th>Position Held From (month/year)</th>
<th>Position Held To (month/year)</th>
</tr>
</thead>
</table>

18
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>
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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 __________ day of __________ 20__.
The Honorable Gary C. Peters
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 Jason Miller, who has been nominated by President Biden for the position of Deputy Director for Management, 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. Under this agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

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

Sincerely,

DAVID APOL

Enclosures
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 Deputy Director for Management 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), obligations of the United States, or municipal bonds.

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 the Ethics Pledge (Exec. Order No. 13989) and that I will be bound by it. Among other obligations, I will be required to recuse from particular matters involving specific parties involving my former employer or former clients for a period of two years after I am appointed, with the exception of federal, state and local government.

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 position with the Brookings Institution. I previously resigned my positions with the Greater Washington Partnership and PT Fund, Inc. 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 – JS MILLER, LLC

I am the sole owner of JS Miller, LLC, a pass-through entity established to receive compensation for consulting services. JS Miller, LLC has been dormant since July 2020. During my appointment to the position of Deputy Director for Management, JS Miller, LLC, will remain dormant and will not advertise. I will not perform any services for the entity, except that I will comply with any requirements involving legal filings, taxes and fees that are necessary to maintain the entity while it is in an inactive status. Finally, during my appointment to the position of Deputy Director for Management, 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 for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 4 – FAMILY TRUST

I will retain my position as a trustee of the Family Conduit Trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of Deputy Director for Management. I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the Family Conduit Trust, 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).
SECTION 5 – DIVESTITURES

I will divest my interests in the following entities as soon as practicable but not later than 90 days after my confirmation:

- Apple, Inc.
- Procter & Gamble, Inc.

With regard to each of these entities, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of the entity until I have divested it, 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 have verified that I will be able to carry out the divestitures within the timeframe described above.

I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets. I understand that I must timely submit my request for a Certificate of Divestiture to allow for adequate time for OGE to process the Certificate of Divestiture, and in order to divest assets within the agreed upon timeframe.

I (including my spouse and dependent children if applicable) will not repurchase any asset I was required to divest without my consultation with my agency ethics official and the U.S. Office of Government Ethics.

SECTION 6 – SPOUSE EMPLOYMENT

My spouse is an employee of AstraZeneca Pharmaceuticals LP. As a result of her employment, my spouse holds AstraZeneca stock and unvested restricted stock units. She does not hold stock options, restricted stock, or vested restricted stock units. A portion of her unvested restricted stock units will vest in March 2021.

If I am confirmed for the position of Deputy Director for Management, my spouse will divest her interests in AstraZeneca Pharmaceuticals LP as soon as practicable but not later than 90 days after my confirmation. Pursuant to AstraZeneca Long Term Incentive (LTI) Awards and Potential Conflict of Interest Policy ("Company Policy"), the company will exchange my spouse's unvested restricted stock units for a cash equivalent within 90 days of my confirmation. Also, within 90 days of my confirmation, consistent with the above Company Policy, AstraZeneca will restructure my spouse's compensation so that she will not receive equity in the company for the duration of my appointment as Deputy Director for Management. Until my spouse has completed this divestiture, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of AstraZeneca Pharmaceuticals LP, 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). In addition, pursuant to the impartiality regulation at 5 C.F.R. § 2635.502, for as long as my spouse continues to work for AstraZeneca Pharmaceuticals LP I will not participate personally and substantially in any particular matter involving specific parties in which I know AstraZeneca Pharmaceuticals LP is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

SECTION 7 – 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,

Jason Miller
U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Jason Miller to be
Deputy Director for Management, 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 Deputy Director for Management, Office of Management and Budget (OMB), and if so, what were they?

No.

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 Deputy Director for Management? If so, what are they, and to whom were the commitments made?

No, I have made no specific commitments regarding the policies I will attempt to implement. I have committed to serving with the highest integrity, treating people the right way, and getting things done on behalf of the American people.

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. Consistent with my approach during my previous federal service, I plan to engage closely with the appropriate designated ethics officials and follow their guidance to avoid a potential conflict of interest or the appearance of one.

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 retained Frost Tax in order to support me in addressing tax matters. I have paid a retainer of $7,000.
II. Background of the Nominee

6. Why do you want to serve as the Deputy Director for Management (DDM) of the Office of Management and Budget?

I am deeply committed to public service. I have been blessed by many lucky breaks. I am the descendant of immigrants that found a better life in America, escaping from the hardships and pogroms of Eastern Europe in the early 20th century. My paternal grandfather, after whom I am named, arrived by boat with his father to the United States over 100 years ago, at the age of 13, settling in Michigan, with his mother and 7 siblings following shortly after WWI. My maternal grandfather served in WWII and completed his college using his GI benefits, before going into business in Chicago. I am the product of the benefits and breaks this country has provided me and my family. The opportunity to serve is a responsibility and an honor.

I believe the current moment requires capable, experienced individuals willing to step up and address the multiple crises our country is facing. I am beyond appreciative of my wife and children for their willingness to allow me, if confirmed, to serve again, knowing the sacrifice that will come with it.

OMB is at the heart of ensuring the executive branch agencies are executing the President’s priorities through its budget, management, and regulatory responsibilities. The Deputy Director for Management (DDM) plays a critical leadership role in executing those priorities. In so doing, we strengthen the federal government’s ability to carry out its many critical, life-changing missions. Driving the execution of the President’s agenda and strengthening the institutions that make up our federal government is critical work. I would be honored by this extraordinary opportunity.

7. What specific background, experience, and attributes affirmatively qualify you for this role?

The combination of my prior federal experience, my experience in the private sector, and my most recent experience building a new organization working on policy issues at the state and local level provides me with experience and perspective that would serve me well in this role. Early in my career, I helped large organizations tackle challenging strategic and operational issues, giving me perspective on management issues across leading organizations. I have worked at the senior-most levels of the federal government a broad range of issues – strengthening U.S. manufacturing, addressing American infrastructure, improving U.S. technological competitiveness, and supporting Puerto Rico, to name a few. I worked side-by-side with OMB and the DDM during the Obama-Biden Administration, developing new capabilities in agencies, ensuring clear goals were established for key
priorities, and coordinating execution across agencies. Together, these experiences provide me with a strong foundation to serve as DDM.

8. 31 U.S.C. § 503(a) tasks the Deputy Director for Management with 14 specific tasks related to the financial management of Federal agencies. Please describe your ability and experience in financial management of large organizations with regard to those 14 areas.

As a management consultant, I advised several large multinational corporations on their financial management systems. These corporations were in different industries and different lines of business. For example, one such entity was highly capital intensive, where focus was typically related to return on capital measures, whereas another was a distribution business where financial performance was driven by maintaining operating margins from operating efficiencies against strong topline sales performance. I worked directly with CFOs and other corporate leaders on this work. I led project teams that helped advised these companies on strategy, on using financial performance measures, and on financial operations. That work included overhauling financial targets at the corporate level and by business unit, adjusting financial accounting systems to better allocate costs by activity for a more accurate assessment of performance, integrating new businesses into existing financial systems, adapting financial acquisition approaches, and realigning business unit incentives to meet new corporate financial performance targets.

In my prior federal service, I worked with agencies on performance measures, on establishing new programs, on multi-agency agreements for joint programmatic outcomes across different federal budgets. I worked closely with Deputy Secretaries at several agencies on strengthening implementation of key programs, including the budget proposals and resulting financial measures necessary to deliver overall performance outcomes.

9. Please describe:

a. Your leadership and management style.

In management and leadership, success starts with the team – a talented, motivated team. I believe strongly in the saying that “If you want to go fast, go alone. If you want to go far, go together.” Building, developing, and supporting a strong team is always where I start. In establishing goals to measure success and defining how a team is going to work, my approach is to be inclusive and listen first. Establishing shared belief in the outcome allows teams to reach higher and raise collective expectations. I seek to empower and enable my teams, while reinforcing the importance of how work gets done. A consistent, credible, inclusive approach throughout is more likely to lead to effective execution, particularly in government, where there are a wide range of stakeholders on any important issue.

b. Your experience managing personnel.

I have managed teams in many settings throughout my career, including directly managing personnel during my years in consulting, in the federal government, and in
the non-profit sector. Most recently, I was the CEO of the Greater Washington Partnership. As the inaugural CEO and first employee, I had to build the organization from the ground up, hiring the team and defining the processes and procedures for personnel management within our organization.

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

In terms of direct management, I oversaw the full-time staff of 24 employees, in addition to part-time employees and contractors. I have also run and coordinated large teams in both consulting and federal government.

10. What would you consider your greatest successes as a leader?

My federal service began with a focus on U.S. manufacturing policy, at a time when many believed the federal government had little role to play in the sector’s success. I worked collaboratively and in a bipartisan manner to strengthen and enact programs that demonstrated meaningful progress and have served as potential models for larger and bolder efforts, such as the Manufacturing USA initiative and its now 16 manufacturing innovation institutes around the country. Those institutes alone include over 1,900 member organizations – companies, universities, and other organizations – all dedicated to strengthening specific aspects of domestic manufacturing. These efforts have developed a strong foundation for broader progress on U.S. manufacturing. I am proud of the progress that has been made over the last decade in building support for a more comprehensive federal approach to address U.S. manufacturing and innovation, although there is still substantial work to be done.

In 2018, I led the White House’s work to support Puerto Rico, which resulted in the passage of important bipartisan legislation in 2016. Without that legislation, the outcomes in Puerto Rico would have been undoubtedly worse.

I am also proud of my role in helping to build the Greater Washington Partnership into a viable organization as its first CEO and first employee. Every region needs the collaborative partnership of all key stakeholders to improve issues like transportation access, education, and housing affordability. Many of the founding board members did not believe the organization would succeed, but it is now a vital part of the community and the region.

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

Like any leader, I have faced failures and done my best to learn and grow from them. One of my successes is also one of my failures. While our team was able to work with Congress in passing necessary legislation for Puerto Rico, the subsequent implementation in support of the people of Puerto Rico has been inadequate. Some of that, I believe, results from the
failure to build a broad enough coalition in Puerto Rico and amongst the millions of Puerto Ricans on the mainland behind the legislation and the resulting actions required. In addition, there was insufficient aid available to Puerto Rico to support economic recovery in that legislation, a problem which was dramatically exacerbated by the challenges brought by Hurricane Maria and its aftermath. And some of the decisions by the Oversight Board that I helped to create have contributed to additional challenges for Puerto Rico. Watching this unfold has reinforced the importance of implementation of a policy to deliver real benefits to people. Follow-through is where the results are realized, requiring a strong team and conditions necessary for success.

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

In my role as the CEO of the Greater Washington Partnership, I wanted our organization to play a central role in supporting the localities of the Washington area to try to tackle housing affordability. Housing affordability is a politically difficult issue, one that can often pit neighbors within communities against one another. It is also an issue that few metropolitan areas have demonstrated meaningful success. As a result, it is an issue that some members on my Board did not want our organization to tackle, both because of the potential political risk and because of the perceived low probability of success. Given the impending arrival of Amazon to the region, though, I believed it was important to demonstrate that the organization was willing to tackle hard issues. I was able to build sufficient support to work with the Urban Institute to provide the analysis necessary for local decision-makers to enact policies that would increase the supply of housing at all price points. That said, the Board decided our organization would play a supportive, partnership role to mitigate the risk associated with the low probability of success, rather than being a lead out in front on the issue. Prior to the pandemic, the region’s localities agreed to a series of actions to increase housing supply over the coming years for residents at all price points.

13. 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. I tend to tell new colleagues, particularly those who report to me and may be hesitant to challenge me, that “if the two of us always agree, then only one of us is thinking." Good decision-making requires soliciting different views and regularly challenging our own thinking. In my previous role as a Deputy in the policy councils at the White House, I coordinated decision-making processes on key policy issues—a process that worked best when all views were brought to the table and openly and honestly debated based on facts and sound analysis.

14. Please list and describe examples of when you made politically difficult choices that you thought were in the best interest of the country or your organization.
My approach both when I was at the White House and as the CEO of the Greater
Washington Partnership was to start from the position of what I believed to be the right
answer, for the country or in the latter case for the Capital Region. As the lead on
manufacturing policy for the NEC, I was unapologetically supportive of a more forceful
federal role in supporting U.S. manufacturing and competitiveness, before such an approach
had the broad support and backing that it now commands. At the Greater Washington
Partnership, I advocated for two different transportation policies that did not have broad
political support—the first was in favor of using managed toll lanes on the Capital Beltway
as a tool to improve transportation outcomes and the second was to reinvest in buses as a
tool to improve the region’s transportation system.

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

Effective teams are built on trust. My approach to building credibility and trust is to model
accountability, develop real relationships and connections, demonstrate vulnerability when
appropriate, openly acknowledge challenges, and seek to address them rather than
apportion blame. I also believe it is important to listen, ask questions, and demonstrate that
good ideas can come from anywhere and anywhere, both within and outside of the
organization. The combination of openness, inclusivity, and accountability are important
for trust and important for strong teams.

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

No.

III. Role of the OMB Deputy Director for Management

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

OMB’s mission is to ensure the effective execution of the President’s agenda, which said
differently means that OMB serves as the central node of the EOP to ensure that federal
agencies are delivering outcomes for the American people. OMB is traditionally viewed as
having three primary functions: budget process, management, regulatory process. If
confirmed, as the DDM I would be responsible for the management functions of OMB,
working closely with the OMB Director and Deputy Director. I would develop the
President’s Management Agenda working closely with the President’s Management
Council. As part of the OMB leadership team, I would be responsible for overall agency management, and ensuring the OMB staff are supported. I believe that OMB plays a critical role in connecting policy objectives with real outcomes for people, and in so doing ensures that the federal government is both delivering for the American people and is a steward of the American people’s resources and trust.

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

My immediate priority would be to support the government-wide effort to tackle the pandemic and economic crisis. All of OMB, including the Deputy Director for Management, will play a central role in that effort, including ensuring effective implementation of the resources and programs enacted by the Congress. In addition to tackling the crisis, I am focused on improving the capabilities of the federal government, enabling effective implementation of agency missions, and strengthening the foundations of trust in our public institutions.

19. If confirmed, what do you anticipate will be your greatest challenges as DDM?

The country faces multiple, overlapping crises. Containing the pandemic and addressing its economic fallout are front and center. Ensuring effective implementation of an ambitious agenda, including substantial new programs enacted by Congress, will require rapid, coordinated action through the Office of Management and Budget. At the same time, agencies have developed and are developing new ways to keep federal workers safe and continue delivering for the American people. As the DDM, ensuring that federal agencies can tackle these challenges in a coordinated manner, while strengthening the underlying management of federal agencies will be a significant undertaking.

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

If confirmed as DDM, I would seek to work with the OMB Director and the Deputy Director to ensure we have the strongest, most engaged OMB team, starting with supporting our career staff. I previously had the privilege of working with many of OMB’s fantastic career officials, and, if confirmed, I look forward to doing so again as part of the OMB team. I also would plan to work with the Director and Deputy Director to identify tangible steps that we could take to improve the integration of the budget and management functions at OMB.

21. What do you see as the most important management challenges facing the federal government? If confirmed as DDM, what would you do to address those challenges?
There are immediate challenges related to tackling the pandemic and resulting economic fallout while ensuring agencies are able to deliver on their missions while keeping federal workers safe. More broadly, however, the federal government faces a number of broad management challenges, and if confirmed as the DDM, I would welcome the opportunity to work with the Congress and Members of the Committee to together assess areas for shared progress. I believe that a successful organization starts with a talented and motivated team. The federal workforce has been plagued by low morale and engagement in recent years, and in some instances, this has been associated with higher rates of attrition. Additionally, the capabilities of the workforce have not kept pace with the needs of agencies. Strengthening the federal workforce is an imperative. President Biden has made clear to federal workers that we are on one team together working for our country. There are a number of additional management challenges that I believe need to be addressed, which include modernizing our technology and better addressing cybersecurity threats, improving the delivery of services provided by the federal government, and ensuring that the government is adequately and appropriately utilizing resources provided by the Congress to deliver economic relief.

22. How do you view the role of Deputy Director for Management in the context of the Deputy Director as well as OMB’s three main offices: the Office of Information and Regulatory Affairs, the Office of Federal Procurement Policy, and the Office of Federal Financial Management?

I believe the Deputy Director for Management is responsible for leading the management offices of OMB, which include the Office of Federal Procurement Policy (OFPP), the Office of Federal Financial Management (OFFM), the Office of the Federal Chief Information Officer (OCIO), and the Office of Performance and Personnel Management (PPM), and serving as part of the overall leadership team of OMB to manage the entire organization. If confirmed, I would expect to play a role in selecting the nominees to lead OFPP and OFFM and filling other key leadership roles. I would expect to partner closely with the OIRA Administrator to support the regulatory review process and other OIRA functions. I view the Deputy Director as a key partner in executing the management functions of OMB and ensuring that there is strong integration between the budget and management functions to improve effective delivery of federal programs.

23. If confirmed, what would your priorities be as Chair of the Program Management Policy Council?

Effective program management is critically important throughout the project’s lifecycle—from defining the government’s requirements through managing performance. I understand that OMB plays an important role in implementing the Program Management Improvement and Accountability Act and that the Program Management Policy Council is a key component of that effort. If confirmed, I would work with the community to ensure that agencies share best practices, measure program performance, and train and develop
program managers so they can help agencies meet their cost, schedule, and performance objectives.

IV. Policy Questions

COVID-19 Response

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

OMB plays a central role in coordinating the execution of the President’s priorities, and the same will be the case regarding the federal government’s response to the pandemic. That role will include supporting necessary budget requests, implementing existing and any new legislation to address the pandemic, including economic relief. The proposed American Rescue Plan includes substantial investments to expand vaccinations and testing, to help schools reopen, to help state and local governments perform their vital missions, and provide economic relief to households. OMB will support the development of these efforts and would support agencies in their execution. OMB will also play a central role in coordinating with agencies how to operate safely and effectively during the pandemic, appropriately protecting workers while delivering on each agency’s mission. OMB must also ensure accountability and transparency in how these programs are executed financially and programatically, to ensure there is an assessment of ongoing performance and there is transparency related to the expenditure of resources. The pandemic requires an aggressive and consistent all-of-government response, and OMB plays a central role to make that happen.

25. Do you believe OMB is well-equipped to respond to a pandemic of this scale?

If privileged to be confirmed, I will be able to provide a more fulsome answer to this question. Absent full information, I can say that the career staff at OMB are excellent; they are dedicated and talented public servants ably serving across administrations. I have confidence in their ability to carry out OMB’s critical functions.

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

If confirmed, I will work to assess where and how OMB performed well and where any gaps existed, relative to the current pandemic. More broadly, responding to current and future pandemics is a priority for this Administration, and if confirmed as the Deputy Director for Management, I will support and coordinate efforts to ensure the right management capabilities and tools are in place for the federal government to respond domestically and internationally. OMB must work with agencies to strengthen the
capabilities necessary to coordinate federal action, including restoring the role of the National Security Council in preparing for and fighting pandemics.

If confirmed, I will also assess lessons learned in the coordination between the federal government and state and local governments, including what structures are necessary to enhance coordination moving forward for pandemics and other challenges.

27. 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?

Developing clear and transparent reporting of federal spending is important for CARES Act programs, as with all programs. It is necessary for appropriate performance management and for building ongoing public trust in federal programs. Any retroactive review should include an assessment of performance, in addition to how funds were spent. Such information provides important input to both performance improvement and future policy and program development. The approach to such a review should be balanced with current activity in addressing the crisis, to ensure that retroactive review does not hamper crisis response.

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?

President Biden is committed to transparent and accountable governing, which he demonstrated as Vice President leading the implementation of the American Recovery and Reinvestment Act. If confirmed, I will work with the Director and the staff at OMB to ensure that agencies are taking necessary steps to provide timely and accurate information regarding spending data. Progress has been made in public reporting of spending data, and if confirmed, this is an area I would expect to work closely with the Committee to ensure further progress is made.

28. 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. As of the date that I am drafting this response, too many Americans are dying every day and too many Americans are out of work as a result of the pandemic. Substantial relief to address the pandemic and support those that are struggling is absolutely necessary, and the American Rescue Plan put forward by President Biden is critical to tackling the crisis. If confirmed, I will support the Administration’s efforts to pass legislation to defeat the virus and address the economic fallout. And if confirmed, I will work every day to ensure that we are executing to deliver on the funds and programs provided by the Congress, and I would expect to work closely with the Committee to ensure we fully tackle the public health and economic impacts of the pandemic.

Regulatory Affairs

29. What is your opinion of the rulemaking process?

Rulemaking is a critical function of most government agencies, establishing the necessary guidelines to interpret and implement the laws that Congress passes. Rulemaking is a critical tool, when well executed, in improving lives and addressing the challenges we confront as a country. Rulemaking must be based on good analysis based on credible data and the very best available science. Rulemaking must engage with stakeholders and take input into account to get the rule right and ensure it can be implemented appropriately. Rulemaking can also promote consistency and reduce uncertainty. And rulemaking should be thoughtful in its approach to compliance, ensuring that it is not overly burdensome while achieving its core intent.

30. What role do you anticipate having in OMB’s regulatory function?

As the Deputy Director for Management, I expect to support the OMB Director and partner with the OIRA Administrator to execute against the President’s priorities, including ensuring the effective and efficient processes across the federal government, which includes regulatory activities of agencies and how those activities interact with OMB and specifically with OIRA. The management offices of OMB also utilize regulatory activities to promote smart and effective approaches across agencies. For example, President Biden issued an Executive Order titled Ensuring the Future Is Made in All of America by All of America’s Workers that, amongst other things, directs the Federal Acquisition Regulatory Council (FARC Council) to consider proposing new regulations that would update how Buy American requirements are implemented through federal procurement. The FAR Council is chaired by the Administrator for Federal Procurement Policy, which reports to the Deputy Director for Management. If confirmed, I would look forward to the opportunity to work with the Committee on ensuring the effective implementation of the Executive Order in order to strengthen the future usage of domestic content requirements that the Congress has enacted.

Management
31. 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?

I generally believe there is always opportunity for improvement in any system, and if confirmed I would welcome the opportunity to work with the Committee and the Congress on continuing to strengthen the implementation of government performance management tools under GPRA. Performance management systems, when effective, are used by managers as tools to drive decision-making around implementation. To the extent those systems are not being well-utilized by managers, there is opportunity for improvement. As I understand it, there is evidence and analysis demonstrating that the performance management system established by GPRA has delivered positive results. More broadly, there have been improvements in utilizing these systems to enhance transparency of government performance. In my view, again, it is imperative that these systems be linked to the most critical agency priorities, and that what is being measured is well connected to the desired impacts and the levers that management can use to improve impacts. If confirmed, I am committed to assessing the current approach and working to continually improve the government’s performance management approach, which would include increasing senior leadership engagement at agencies; reducing burden and improving usefulness of performance reporting; and better supporting decision-making using data and evidence.

32. The previous administration revised agency guidance governing agency performance and compliance with the Government Performance and Results Act. What are your views on the revision? How do you believe OMB can drive government-wide performance planning and reporting?

My understanding is that the previous Administration removed OMB’s guidance on performance management. I believe it is important that OMB provide consistent guidance to agencies on the information that should be reported regarding performance management and the approaches agencies should take to implement GPRA. OMB guidance should support and enhance the overall objectives of government performance management. In addition, OMB plays a critical role in developing and supporting the implementation of Cross-Agency Priority (CAP) goals, ensuring accountability and measurement around clear objectives. If confirmed, I will ensure OMB has in place guidance for agencies which strengthens performance management across government, while also preserving agency flexibility and reducing burden.

33. 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?
In general, 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 the DATA Act to assess performance to date and where potential improvements can be made. I would welcome the opportunity to work with Senators Warner and Portman, and the Committee, to ensure strong implementation of the DATA Act, and I am fully committed to doing so.

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

If confirmed, I would similarly seek to review implementation of this legislation to determine where it stands and how best to continue moving it forward. I am committed to effective implementation, and I would look forward to working with the Committee on it. I would work with the OMB Director and staff to ensure 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.

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

Substantial progress has been made since the CFO Act of 1990, which amongst other things created the role of the Deputy Director for Management. OMB’s role is critical to continuing to strengthen and improve financial management across the federal government. As a result of the CFO Act, OMB is at the center of the federal government’s financial management system and must continue to play its coordination role to drive cross-agency transformation and ongoing improvements in accountability and transparency. It is my view that OMB should establish the vision and priorities for government-wide financial management, working closely with agencies to ensure effective execution and ongoing improvement. I am fully committed to ensuring the efficient and effective delivery of programs and ensuring that Federal agencies are strong stewards of public resources.

36. 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?”

As I understand it, OMB has generally worked closely with GAO and with agencies to address agency high-risk programs. This has included convening meetings between agency leadership and GAO leadership to discuss specific programs on the high-risk list on an ongoing basis to ensure focus and improvement, with the goal of ultimately having programs removed from the high-risk list. If confirmed, I am committed to maintaining a similar approach to ensure progress.
a. Of the areas identified by GAO as “high risk,” which do you find to be the most concerning and why?

If confirmed, I would plan to meet with GAO leadership to better understand their assessment of programs on the high-risk list, as well as opportunities to reduce and mitigate the impacts of these risks. One area that the report focuses on is cybersecurity, which is only reinforced by the recent SolarWinds breach. The President has called for substantial investments, through the Technology Modernization Fund, to help advance IT modernization in part to mitigate cybersecurity risks. OMB plays a critical role across the federal government in improving agencies’ posture.

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

If confirmed, I would like to better understand progress against key items included in the most recent list, while reviewing the newest items added in GAO’s 2021 report, which as I understand it has not yet been provided to Congress. The 2019 report included items where OMB plays a central role, specifically “Improving the Management of IT Acquisitions and Operations” where OMB plays the lead role and “Strategic Human Capital Management” where OMB should work closely with OPM, both of which I would want to assess current status and ensure that OMB is acting accordingly to address these issues moving forward.

37. 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 (OPM)?

Strengthening and supporting the federal workforce is critical to executing successfully on federal missions and effectively and efficiently managing federal resources. OMB works to ensure workforce policy is aligned with legislative, management and budget proposals, including through the President’s Management Agenda. As the Deputy Director of Management, if confirmed I would be responsible for determining how and where cross-government improvements can be made, working closely with OPM and agency leadership, particularly through the President’s Management Council (PMC) and the Chief Human Capital Officers Council (CHCO Council). OMB and OPM should be productive partners in addressing federal workforce issues, working with key stakeholders, and ensuring that the federal workforce of today and tomorrow is strong and supported.

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

Over the past decade, there have been specifically identified skills gaps in the federal workforce, despite the deep expertise and capabilities of today’s workforce, particularly in areas of growing need, like IT. The President’s Management Agenda is one potential tool
to work with OPM and agencies to address skills gaps across the federal government, including identifying actions and barriers that can provide adequate training and hiring to address current and forecasted gaps moving forward. OMB would also play a central role in identifying opportunities for administrative, regulatory, legislative, or budget proposals to support agency efforts.

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

As noted above, if confirmed I would plan to better understand the issues associated with strategic human capital management in the federal government. As I understand it, this issue has received appropriate bipartisan attention within the Congress. I believe OMB should play a central role in improving human capital management, working with OPM and agency leadership, leveraging its convening and coordinating functions, such as the PMS, and through its ability to pursue legislative, regulatory, administrative, and budget proposals to improve human capital management. As I noted at the beginning of this questionnaire, effective management starts with a strong team.

40. What do you believe are the three most important issues facing the federal workforce today?

President Biden is committed to ensuring federal workers have the skills, tools, and support needed to carry out their jobs to meet critical federal missions and deliver results for the American people. His video to the federal workforce reinforced that commitment. Issues I would seek to explore further include: (i) strengthening the morale and engagement of the federal workforce; (ii) ensuring agencies can meet their needs with a diversity of backgrounds, experience, talent, and abilities; and (iii) inspiring more individuals to seek out federal service.

41. 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?

Yes, absolutely. I believe strong partnerships between management, unions, and employees can result in better mission outcomes and better employee outcomes. Strong partnerships between management, unions, and employees can enhance productivity, address organizational issues, and strengthen employee engagement. President Biden is committed to ensuring that the federal government can serve as a role model for employers to treat their workers fairly. If confirmed, as a senior leader of OMB, I would seek to model this approach and behavior, and work with agencies accordingly.
42. What is your opinion on telework in the federal workforce?

At the current moment, with a raging pandemic, telework is a critical tool to keeping federal workers safe and ensuring that agencies can continue to deliver on their missions. If confirmed, I would seek to assess learnings from telework as a result of the pandemic, including where agencies might be able to better utilize telework going forward. Agencies need to have the tools for telework to be maximally effective. Telework can be a valuable tool for organizations, including federal agencies, to improve work-life balance, strengthen employee engagement and productivity, and reduce the carbon footprint.

43. 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?

If confirmed, I would seek to first better understand the set of capabilities required across agencies. Grounded in data and analysis, I would work with OPM and federal agencies to identify specific steps that could effectively reskill existing employees, as needed, given technological advances. This issue is not unique to the federal government, and there is ongoing work being done by organizations throughout the United States to reskill existing employees given the changing nature of work. I would also seek to work with OPM and agencies to leverage best practices from and learnings from outside of the federal government to support addressing this challenge.

44. Each year, 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?

If confirmed, I will start by assessing the root causes for dips in morale and engagement. I believe strongly that morale and engagement are critical for an effective, high-performing team and organization. I would be fully committed to take proactive steps, working with the OMB Director and OMB staff to improve morale and engagement at OMB. With root causes identified, we could seek to identify specific actions to address those issues, while assessing morale and engagement on more regular intervals than only the annual FEVS.

b. How would you use FEVS data to inform management decisions, both at OMB and government-wide?

I would use FEVS data as one piece of information to inform management decisions. I understand that the FEVS data is rich – with data breakouts that reach down to the
work unit level, which will allow us to look across agencies, and to compare work units, components, and agencies to one another in relative terms, across a range of metrics. If confirmed, I will work with the federal agencies to use this data as helpful potential indicators of areas where management attention can or should be focused – either as a best practice, or as an area for improvement.

45. What do you believe is the biggest obstacle to safely returning federal employees back to their worksites? What steps do agencies need to take to ensure a safe return for their employees?

Currently, the prevalence of COVID-19 in our communities, including in the Washington, DC area, are not in a place where a safe return of federal employees back to their worksites is warranted. With that said, there are many federal essential mission critical employees who must report to work, to keep our government functioning. For these employees, we are working to ensure the safest workplace possible, through implementation of various workplace safety measures, as required in OMB’s M-21-15. Moving forward, as COVID-19 prevalence declines, we will carefully assess return to the workplace for those who are currently working remotely. If confirmed, I will ensure OMB will continue to work closely with the White House COVID-19 Response Team, health professionals and scientists at the CDC, and through the newly created Safer Federal Workforce Task Force to guide any return to work plans. Conducting a safe return should also include an assessment of what practices agencies have been using during the pandemic that could be beneficial to ongoing work practices.

46. 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 performance improvement, human capital management, and management coordination. If confirmed, I look forward to working with the PPM team to identify clear priorities which I expect will include the following: (i) developing evidence-based federal personnel policies to strengthen the federal workforce and support achieving Administration priorities; (ii) managing the federal performance management framework; (iii) leading on key cross-agency reform and modernization priorities; (iv) supporting the development and implementation of the President’s Management Agenda

47. What can OMB do to ensure that agencies are providing a positive customer experience to the American people?

I believe the federal government must do better delivering for the customers it is intended to serve. During my previous federal service, I saw firsthand how OMB has a role to play in driving a government-wide approach to solving problems, irrespective of where bureaucratic silos and organizational lines may exist. Since then, I understand that OMB
has made progress on federal customer experience efforts, including designating a number of high impact service providers, which have begun collecting customer feedback. If confirmed, I will work closely with OMB staff, including the U.S. Digital Services team and agency leaders, to determine specific steps to strengthen the federal government’s performance delivering services, experience, and rebuilding trust in government.

48. 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?

If confirmed, I would commit to supporting the OMB Director and OMB staff in conducting a 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.

49. 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 hearings, 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?

I agree that it is critical that we safeguard American scientific innovations and research assets. I also believe that the open and collaborative ecosystem around America’s research enterprise is important and an asset for the United States. If confirmed, I would look forward to working with Congress and Members of the Committee to achieve the appropriate balance between research openness and security.

50. 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 work with agency leaders and with the Inspector General (IG) community to ensure agencies are following relevant laws and guidance. The agency reports required under the Payment Integrity Information Act of 2019 (PIIA) should also be a helpful tool for agencies and OMB to identify areas for improvement.

*Cybersecurity and Information Technology*

51. 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?

SolarWinds demonstrates cybersecurity must be addressed as a top priority across federal agencies. OMB’s role is to develop and oversee the implementation of government-wide cybersecurity policies. I understand that OMB also oversees agency compliance with the implementation of required cybersecurity protections. If confirmed, I would work closely with the Federal Chief Information Officer (CIO) and the Chief Information Security Officer (CISO) to set cybersecurity as an urgent priority throughout government. I would welcome the opportunity to work with Congress and Members of the Committee on this critical issue.

52. 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 the Federal Government has a growing number of cybersecurity positions that agencies are unable to fill. I believe that OMB has opportunities to collaborate with other agencies, such as the Office of Personnel Management, to ensure that agencies are able to recruit, retain, and train top cybersecurity talent. If confirmed, I will work with OMB’s interagency partners to focus on hiring cybersecurity and digital service experts.

53. Much of federal cybersecurity today is grounded in compliance activity and controlling the boundaries of systems, rather than presuming a potential compromise which assumes 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?

The recent SolarWinds incident and ongoing threats reinforce the need to accelerate activity to address cybersecurity risks. I understand that current statute, as well as OMB guidance to agencies, requires a risk-based approach to cybersecurity, and that OMB works with
other agencies such as NIST to assess risks and set standards for protection and mitigation of those risks. I believe we need to better utilize state of the art cybersecurity approaches. If confirmed, I will work with the Federal CIO, the Federal CISO, and the CIO Council to help agencies mature their cybersecurity capabilities and programs. Our cybersecurity capabilities and programs must evolve to take advantage of advanced techniques, and it is imperative that we align budgetary requests with demonstrated outcomes to accomplish this. Protecting the public from these threats should be a top priority for OMB.

54. 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 through 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?

I understand that OMB, through the FASC, coordinates federal activities and informs federal strategy to identify supply chain risks to the Federal Government. Protecting the Federal information technology and communications supply chain is a priority. I also understand that OMB has a role, through the Administrator for Federal Procurement Policy and in partnership with the Federal Acquisition Regulatory (FAR) Council (GSA, DOD, and NASA), to oversee the implementation of supply chain risk protections in across federal acquisition system. If confirmed, I look forward to working with the OMB team and with the FASC and the FAR Council to ensure a secure supply chain and strengthen federal risk management capabilities.

55. 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?

Improving Federal cybersecurity will require additional investment, in addition to increased focus and activity. If confirmed, I would prioritize protecting against future cybersecurity risks and strengthening Federal cybersecurity. This includes, as called for in The American Rescue Plan proposed by President Biden, support for expanding the Technology Modernization Fund, the Information Technology Oversight and Reform fund to hire cybersecurity and digital service experts, the Technology Transformation Services at GSA, and funding for the Cybersecurity and Infrastructure Security Agency. If confirmed, I look forward to working with the Federal CIO, Federal CISO, and the agency IT community to improve Federal Government cybersecurity and address GAO’s concerns.

56. What is your view of the role of the Chief Information Officer at federal agencies, and, if confirmed, what would be your priorities as Chair of the Chief Information Officers Council?
Like at any large organization, the CIO should be a key member of an agency’s leadership team in order to support delivery of the agency’s mission. Improving the use and adoption of technology within agencies can improve operations and enhance how agencies deliver results for people, especially as many agency services are increasingly delivered through a digital interface. CIOs play a key role in federal agencies to improve existing technology systems, manage technology acquisitions, improve the delivery of customer services, and address current and future cybersecurity threats. If confirmed, I would work closely with the Federal CIO to develop a clear agenda for the CIO Council. I expect that in the near-term, two areas of focus will be strengthening federal cybersecurity as a number of agencies continue to work through the impacts of the SolarWinds attack and developing a robust plan to modernize technology systems. I would expect that the CIO Council will be a core entity to support broader federal workforce efforts as it relates to needed technology skills in agencies and throughout the federal government.

57. 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 and 18F at GSA provide unique ways to bring tech talent into the federal government to tackle a wide-range of technology needs across federal agencies. If confirmed as DDM, I would like to improve the clarity of roles and responsibilities between USDS and 18F, including how projects are selected and funded, to ensure the appropriate balance and relationship between OMB and GSA in supporting federal agencies improve their utilization of technology tools to deliver on agency missions.

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

If confirmed, I will work with the Director of OMB to ensure that USDS resources are placed against the most pressing priorities of the President where USDS’s talent can enhance near-term capabilities at agencies in support of their missions and embed those capabilities for ongoing operations. The President’s American Rescue Plan calls for new resources to support increased staffing at USDS to address technology delivery and modernization needs.

59. 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 leads government-wide IT modernization activities. I believe one way that OMB can accelerate IT modernization activities within agencies is to connect this modernization work with efforts to deliver against Administration priorities to effective and equitable programs and services. I see the Technology Modernization Fund as an innovate
mechanism for doing just that—delivering secure and efficient services to the American public while completing IT modernization programs. Supported by the Technology Modernization Fund, agencies can transition to secure, modern, and effective IT solutions.

60. 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. This role extends to the acquisition and use of artificial intelligence (AI) technologies as well. I believe OMB has an important role, in partnership with the Office of Science and Technology Policy and Federal agencies, in implementing principles to guide Federal use of artificial intelligence technologies. This role includes issuing guidance and conducting oversight, and ensuring that the use of AI technologies is consistent with law, Administration priorities, and principles that ensure that where AI is used, its use is ethical, safe, lawful, equitable, accountable, and transparent. If confirmed, I would work with the Director of OMB and across the Federal Government to ensure the application of these principles wherever the Federal Government is using AI.

61. 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's Deputy Director for Management, I look forward to working with Federal agencies and Congress to address cybersecurity gaps across agencies. The Technology Modernization Fund plays a critical role in making needed resources available to agencies to invest in modernizing their systems.

62. 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?

If confirmed, I will work with the Director of OMB, the Federal CIO, and the Federal CISO 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, toward the Administration’s priority focus on ensuring cybersecurity across Federal agencies.

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

I believe the Administration is appropriately focused on ensuring robust cybersecurity activities across Federal agencies, including by improving monitoring, incident response, hiring and retaining cybersecurity professionals, and supporting the Technology Modernization Fund to secure Federal agency IT and networks. If confirmed, I will work with agencies to understand the actions and investments needed to strengthen their abilities to identify threats, defend and prevent incidents, and quickly recover when incidents do occur.

64. Under the National Defense Authorization Act of 2021, Congress established a National Cyber Director and an accompanying office in the White House. How will you support the coordination of OMB’s current responsibilities with the new Cyber Director to prevent confusion and duplication?

OMB plays a central role in establishing cybersecurity policies and guidelines through the Federal Chief Information Officer and Federal Chief Information Security Officer. If confirmed, I would work within the Executive Office of the President (EOP) and with the Congress to ensure the Office of the National Cyber Director (ONCD) is established effectively, with clearly defined roles and responsibilities between OMB and ONCD to address our country’s critical cybersecurity priorities. I believe we need collaboration and focused effort across EOP components and the Federal agencies on this high priority effort, while avoiding any duplication of effort, and, if confirmed, I will support this collaboration to advance shared cybersecurity goals.

65. 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 support the process specified in the OMB Guidance?

The application and adoption of artificial intelligence is an important issue in the modernization of the Federal Government systems and processes. If confirmed, I will work with the OIRA administrator to ensure Federal agencies are developing regulations that align with OMB guidance, and will continue to work with the President’s science and technology advisors on the Federal Government’s overall approach to these and related issues.
Improper Payments

66. 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, in my role as the DDM I would expect to work in partnership with agency leaders, GAO, and through CIGIE to ensure agencies comply with improper payment laws. The continued implementation of the Payment Integrity Information Act of 2019, requiring agency reports, will also provide useful information to OMB to assess compliance and identify areas for potential improvement.

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

Tackling improper payments requires focusing on areas that result in the most significant sources of loss to the taxpayer, which in turn allows the federal government to make maximal progress and mitigate further risk. In the near-term, the Congress has appropriated substantial resources to combat the pandemic and resulting economic crisis, and I believe OMB should play a central role in ensuring agencies are effectively implementing these programs while combating improper payments through these programs given the urgent need for immediate relief. More broadly, continued implementation of the Payment Integrity Information Act (PIIA) of 2019 will enhance the ability of OMB to combat improper payments across the federal government. If confirmed, I will work with the OMB Director and OMB staff to use PIIA to combat improper payments, including by enhancing policies and guidance that can improve approaches agencies use to reduce waste in payment systems.

68. 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?

I strongly support efforts to ensure productive transparency into federal spending, which when well-executed enhances confidence in the federal government. If confirmed, I would assess current performance on providing transparency into implementing the Transparency Act, and I would welcome the opportunity to work with the Congress and Members of the Committee to ensure appropriate implementation, recognizing the important balance between improving transparency and managing any additional burden on recipients.

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

Yes. If confirmed, one of my responsibilities as the Deputy Director for Management would be to oversee OMB’s approach to cross-government performance management,
including the public disclosure of performance goals and results. The GPRA Modernization Act established an approach and set of requirements for agencies to establish goals, conduct internal management reviews, and report performance publicly, both through Performance.gov and through agency-specific plans and reports. The public disclosure elements of the law are an important component, enabling accountability and transparency. If well-executed, I believe that public disclosure that facilitates transparency enhances the trust in federal programs, reinforcing the ability to execute effectively.

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

It is critical for Congress and the public to have timely and high-quality information which provides insight into program performance and results. Providing this transparency was a bedrock of the original Government Performance and Results Act of 1993, and strengthened with the Modernization Act of 2010. If confirmed, I will continue to advance the work of federal agencies on improving the consistency and quality of performance reporting and build on existing platforms such as Performance.gov.

Federal Property Management

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

The U.S. Government procures more than $600 billion in goods and services annually, and these procurements must be done effectively and responsibly to deliver on agency missions on behalf of the American people. President Biden has made clear the importance of procurement as a tool for the federal government to help address the pandemic – including through the procurement of vaccines and PPE, to strengthen and support the economic recovery, to help small and disadvantaged businesses and thus increasing the diversity of federal suppliers, to lead by example in addressing the climate crisis, and to rebuild supply chains. Operationalizing this approach will require strong execution and coordination from OMB through the OFPP. On January 25, President Biden released an Executive Order titled Ensuring the Future is Made in All of America by All of America’s Workers. This order directs OMB to establish a new Made-in-America office to ensure that the federal government through both procurement and other forms of federal assistance is fully utilizing domestic content requirements enacted by the Congress to support domestic economic activity and U.S. jobs and rebuild supply chains. Implementing this order can support the economic recovery and strengthen the foundation of America’s industrial base. If confirmed, I will work with OFPP to support the implementation of this order, particularly as it relates to procurement, for example through Buy American provisions.

72. What do you see as the appropriate relationship between OFPP and the acquisition policy functions of the General Services Administration?
As I understand, OFPP sets the policy and parameters for federal acquisition consistent with Presidential priorities. GSA then develops implementing regulations and provides data analytics that can be used by all agencies to make smart buying decisions. If confirmed, I would want to ensure a strong working relationship between OFPP and GSA to ensure acquisition regulations, policies, and other resources are meeting the needs of the acquisition workforce as it addresses the needs of our country.

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

I understand that 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 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 priorities. A first step can include reviewing existing policy and guidance.

74. 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?

If confirmed, I would assess the progress on implementation of both of these laws over the past five years. Progress has been made over the past decade, as I understand it, with regards to management of federal property. Generally, enhanced transparency and accountability for agencies’ real property management efforts should strengthen ongoing performance, but I would need to learn more about the current status. Similarly, with regards to FASTA, I would like to better understand how the authority has been executed in order to determine how best to move forward. I would welcome the opportunity to work with the Congress and Members of the Committee to ensure effective implementation of these laws.

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

President Biden has made addressing the climate crisis one of his top priorities, and if confirmed, I would support the execution of initiatives across agencies on that priority. As the world’s largest buyer, the federal government can lead by example while also strengthening domestic activities supporting goods and services that can address the climate crisis. Through OFPP’s role as the chair of the FAR Council, OMB would play a central role in implementing procurement policy to combat climate change. In addition, OMB should work with the Council of Environmental Quality (CEQ) to establish agency sustainability targets and support implementation and accountability against those targets.
76. 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?

If confirmed, I will work closely with CEQ to establish sustainability goals, which would encompass energy efficiency objectives, that would be tracked through ongoing scorecards. Working with agencies and GSA, OMB’s general role would be to establish policy to increase energy efficiency in federal buildings, consistent with the President’s overall priority in ensuring the U.S. Government is leading by example in working to address the climate crisis. If confirmed, I would work with the Director of OMB and OMB staff to ensure that agency budgets reflect both the investments and the savings from energy efficiency initiatives.

Environment

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

OIRA would be responsible for supporting the regulatory process, working with the Environmental Protection Agency (EPA) and other agencies, as needed, to coordinate the review of a hazardous substances designation for PFAS and enforceable limits in a timely manner using the best available science. Within my team, the Office of Federal Procurement Policy would work to ensure that we are taking a whole of government approach to identifying and procuring substitutes to PFAS. Finally, through the President’s proposed budget, OMB and agencies will submit a request to Congress to make meaningful investments in improving water quality and PFAS research.

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

Yes. If confirmed, I will commit to working with leadership at the Department of Defense to identify opportunities to phase out fluorinated fire-fighting foam.

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

OMB plays a critical role in driving the implementation of all of the President’s priorities. Addressing the climate crisis is one of President Biden’s key priorities and requires a whole-of-government approach, requiring action through legislation, funding for investment, research and development, regulations, procurement, and additional actions. It is critical that as we tackle the climate change challenge, we prioritize investment in the American workforce.

V. Accountability
**Whistleblower Protections**

80. 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 do not have any previous experience handling a whistleblower complaint.

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

      I strongly believe that whistleblowers should be protected and systems are necessary to do so. If confirmed, I would work with the OMB Director as appropriate to ensure systems are in place across OMB to properly handle whistleblower complaints, including an assessment of existing practices and policies. In addition, I would work with the OMB Director and OMB leadership to ensure that all staff know the necessary practices to ensure full compliance with the legal protections of whistleblowers.

   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?

      If confirmed, I will work with the OMB Director to ensure that all OMB staff understand the importance of protecting the identity of whistleblowers, protecting them against retaliation, and processing complaints of retaliation fully and fairly. As noted above, I would work with the OMB Director and OMB leadership to assess current practices and policies, and I will work with them to make such changes as are necessary to ensure that whistleblowers are appropriately protected.

**Cooperation with Inspectors General**

81. 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)?

    The Deputy Director for Management serves as the Executive Chair of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), so I know that my role is critical in ensuring IGs have the support that they need to conduct their important work. As we have seen over time, particularly in recent years, the function of the Inspectors General is critical to a well-functioning Executive Branch. IGs require appropriate independence to conduct
their work of auditing, inspecting, and investigating federal agencies to ensure that agencies are complying with requirements, performing work effectively and efficiently, and acting in the public interest. OMB, in its role, should be a partner to the IG community given the shared objectives of accountability, transparency, and good governance. The work performed by IGs can further support the work of OMB, identifying issues related to efficiency, waste, duplication, and failure to comply with statutes and regulations.

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

OMB should at all times comply with its statutory obligation to provide information and assistance to OIGs across the Executive Branch.

83. 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?

While the day to day interaction with IGs and PRAC is with individual agencies, I am committed to assisting IGs and the PRAC with their important work should they request assistance from OMB.

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

If confirmed, in my role as the Executive Chair of the CIGIE I would expect to work with CIGIE leadership to identify issues and challenges facing the community of IGs. Through CIGIE and through OMB leadership, I would seek to work in partnership to resolve any identified ongoing issues regarding timely cooperation by federal agencies. With regards to the PRAC, I would support the Director of OMB in ensuring that OMB is complying with the PRAC. I take these responsibilities seriously, and if confirmed it would be a standard I would expect of others, as well.

**Cooperation with GAO**

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

If confirmed, I would plan to meet regularly with the Comptroller General of GAO in order to facilitate a strong and ongoing partnership between OMB and GAO. With respect to GAO requests to OMB, I would consult with OMB staff on current practices and ensure that OMB is responsive to GAO’s requests. I recognize the important role GAO provides
in public oversight of federal programs and hope to work cooperatively with them to ensure accountability.

86. 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, which is a critical part of good governance.

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

If confirmed, I would plan to meet regularly with the Comptroller General of GAO in order to facilitate a strong and ongoing OMB-GAO partnership. I would consult with OMB staff to understand additional practices in working with GAO, and I would work with the OMB Director and staff to support timely cooperation from federal agencies.

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

If confirmed, I will work with the OMB Director and OMB staff to help ensure OMB functions and employees provide appropriate and prompt responses to GAO requests.

VI. Relations with Congress

89. 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 and accountable in its actions, including to Congress.

90. 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 committees of Congress if you are confirmed?
I understand that the longstanding practice at OMB to make Senate confirmed appointees available for testimony. If confirmed, I will work with the OMB Director to continue this practice.

91. 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 intend to work productively and collaboratively with the Congress and the Members of the Committee, if confirmed. I believe in the importance of transparency in the work of governing, and I understand and respect the vital role Congress plays in oversight of the Executive Branch. If confirmed, I will work with the OMB Director and 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.

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

If confirmed, I will work with the OMB Director and OMB staff to assess how to address Member requests to ensure that responses are timely provided. Our goal will be to respond as expeditiously as possible to Member requests.

93. 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?

If confirmed, I will work with the OMB Director 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.

94. 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

95. Are these answers completely your own? If not, who has provided you with assistance?
These answers are my own. In compiling the information for these answers, I have been assisted by OMB staff.

96. Have you consulted with OMB, or any other interested parties? If so, please indicate which entities.

I have consulted with OMB staff but no other parties.

I, [Signature], 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.

This ___ day of _____ , 2021
Chairman Gary C. Peters Post-Hearing Questions for the Record
Submitted to Jason S. Miller

Nominations of Shalanda D. Young to be Deputy Director, Office of Management and Budget, and Jason S. Miller to be Deputy Director for Management, Office of Management and Budget
Thursday, March 4, 2021

1. How will you work with the Office of Personnel Management to address issues facing the federal workforce?

In general, I am committed to a strong OMB-OPM partnership focused on strengthening and energizing the federal workforce. If confirmed as the Deputy Director for Management, I will serve as Vice Chair of the Chief Human Capital Officers Council, which the OPM Director chairs. The Deputy Director for Management also chairs the Suitability and Security Clearance Performance Accountability Council, where the OPM Director serves in a leadership role as the Suitability Executive Agent. I also expect that my staff will continue to collaborate with OPM staff on many shared interests, while deferring to OPM where it has statutory authority. For example, in the areas of pay and compensation, both OPM and OMB collaborate on both statutory requirements – such as implementation of annual pay increases; and, non-statutory roles – such as policy discussions surrounding total compensation and how decisions in this area can help to recruit and retain a diverse workforce.

2. What steps will you take to address the ongoing challenges in strategic human capital management?

I understand that the OPM and OMB leadership teams are already focused on working with the Chief Human Capital Officers and labor leaders to modernize human resources systems, procedures, and practices, and if confirmed, I look forward to focusing on these efforts as well. I also understand that agencies are looking at how they can best align their strategic human capital actions with strategic plans and mission outcomes, while taking an approach that honors civil servants – an important priority for me. If confirmed, I will also want to understand more about GAO’s recent high-risk report to determine an effective path to resolving outstanding strategic human capital management issues.

3. The CARES Act established detailed reporting requirements to ensure public transparency in pandemic relief spending. Unfortunately, the previous Administration undermined these transparency efforts and issued guidance directing agencies to ignore several of these requirements. If confirmed, will you commit to reviewing, and where needed, updating, this guidance to ensure all agencies are collecting and reporting the required information, including information that may not have been reported due to the previous Administration’s misguided actions?

Restoring trust, transparency, and accountability to our government is a commitment of the Biden Administration. If confirmed, I commit to reviewing how to increase transparency and accountability for pandemic relief spending, including building productive working
relationships with key stakeholders, such as the Pandemic Response Accountability Committee (PRAC) and the Inspectors General.

4. If confirmed, what steps will you take to encourage cooperation with independent oversight entities such as the Government Accountability Office, the Pandemic Response Accountability Committee (PRAC), and agency Inspectors General?

If confirmed, I will exercise my statutory responsibility as Executive Chair of the CIGIE to encourage cooperation and establish a productive working relationship between OMB, the agencies, and the IG community. Through that role, I would aim to ensure that the IG community has the support and resources needed to carry out their important responsibilities. I will also explore ways to partner with the GAO on important matters such as work related to the pandemic response. During my testimony at the hearing, I also noted that if confirmed, I would reinstate a past practice where the DDM served as a convener for GAO and agency leadership to ensure attention and progress on issues on the High-Risk List.

5. Will you commit to ensuring that OMB fully and promptly cooperates with requests from GAO, the PRAC, and Inspectors General, and that you will encourage other agencies to do so as well?

Yes, if confirmed, I will commit to exercising the authorities granted to the Deputy Director for Management to support the GAO, PRAC and IGs and further bolster constructive dialogue between agency management and these oversight bodies.
Senator Kyrsten Sinema  
Post-Hearing Questions for the Record  
Submitted to Jason S. Miller  

Nominations of Shalanda D. Young to be Deputy Director, Office of Management and Budget, and Jason S. Miller to be Deputy Director for Management, Office of Management and Budget  
Thursday, March 4, 2021  

1. The Office of Personnel Management is tasked with enterprise human resource management. Over the past decade, OPM has experienced multiple operational challenges including 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. What steps can OMB take to help OPM move beyond these challenges?

If confirmed, I will ensure that OMB works closely with OPM and Congress to ensure OPM has the resources and capabilities needed to carry out its important mission. Those efforts should include continued support for IT modernization efforts and related human resource management initiatives so that the Federal workforce has the tools and talent needed to meet agencies’ mission needs. Given the importance of IT modernization in this effort, I look forward to working with the Federal Chief Information Officer and this Committee to ensure OPM is positioned for success.

2. 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 should play working with OPM, and across the Federal agencies, to enhance Federal hiring and improve employee engagement?

I believe that OMB can play a strong role in modernizing the workforce, improving hiring and retention, and improving employee engagement. If confirmed, my team will partner with OPM and agencies on these, and other topics that require cross-agency and cross-functional cooperation – fully leveraging the policy, legislative, regulatory, and budget processes to drive actions across agencies. If confirmed, I am committed to making strengthening and energizing the federal workforce a priority.

3. The GAO’s 2021 High Risk List stressed the need, across multiple agencies, to improve and modernize information technology systems. This has been a focus for many years, and GAO continues to recommend that OMB lead these efforts government-wide.
What steps can OMB take to ensure federal agencies have a plan, and are appropriately resourced, to modernize IT and retire legacy systems?

OMB plays a critical role in supporting and accelerating IT modernization by ensuring the President’s budget is aligned to Administration priorities, and by leading and coordinating government-wide modernization activities. I understand that funding can be a major impediment for agencies to retire legacy technology and the government must look at innovative mechanisms to fill these gaps. The Technology Modernization Fund provides opportunities for agencies to reduce the number of outdated and insecure systems, and transition to modern solutions. The enacted American Rescue Plan includes an expansion of this fund. If confirmed, I would support agencies’ ability to establish IT working capital funds, and I would work with Congress to ensure that agencies have the necessary transfer authorities to fund these working capital funds appropriately.

In addition to funding, OMB can work with stakeholders, including OPM and the CIO Council, to identify ways to attract and retain top IT talent across the government and support the elevated role of agency CIOs in leading transformative technology projects for their many, diverse missions. If confirmed, I look forward to working with the Office of the Federal Chief Information Officer in OMB, our Federal agencies, and Congress to oversee IT modernization and deliver more secure and efficient services to the American public.
Nominations of Shalanda D. Young to be Deputy Director, Office of Management and Budget, and Jason S. Miller to be Deputy Director for Management, Office of Management and Budget
Thursday, March 4, 2021

1) Should you be confirmed as Deputy Director for Management, you will likely have a leading voice in the federal procurement process. Last year, the Office of Management and Budget finalized the processes governing the Federal Acquisitions Security Council, which originated from congressional legislation. This council, in which OMB has a leading role, has the authority to recommend that certain products be removed from government networks. If confirmed, will you investigate and work to ensure that Chinese-based products are removed from sensitive government networks, given the national security threat that the Chinese Communist Party continues to pose?

The security and integrity of Federal networks is an Administration priority. The SolarWinds attack on federal networks reinforces the importance of this issue and the challenges the federal government faces in securing its networks from malicious actors. While I do not have the latest intelligence information regarding either SolarWinds or other threats, I would approach these threats – whether from the Chinese Communist Party or from other actors – with the utmost seriousness. The Federal Acquisition Security Council’s mission to evaluate supply chain risks across the Federal network is critical to that achieving that security. If confirmed as Deputy Director for Management, I will work with the Federal Acquisition Security Council to ensure that agencies remove covered articles from Federal agency information systems when a removal order is issued in conformance with law and regulations.

2) I’ve long believed that TikTok represents a national security threat. It has uniquely intrusive data collection practices and because it is owned by a Chinese parent company, all of its data is subject to China’s intelligence law, which may mean the personal data of millions of Americans who use this app are at risk. Do you share this view that TikTok represents a real security risk, particularly if the app is downloaded on government devices? Is this something you would look into if confirmed?

The security of Federal information and information systems is of utmost importance. I believe that any technology the U.S. government uses should adhere to robust cybersecurity policies and data privacy practices. If confirmed as Deputy Director for Management, I will work with the intelligence community to ensure OMB has the best threat information related to these practices, and I will work with the Federal Chief Information Officer and the Federal Chief Information Security Officer to further
enhance and improve government security from all malicious cyber actors including those from nation states.

3) Last year, I was pleased to see the Senate unanimously pass my legislation to ban TikTok on government devices, but it did not receive a vote in the House. I’m hopeful to get this legislation across the finish line during this Congress. If confirmed, would you be willing to work with my office on that legislation and other efforts involving federal procurement policy and Chinese products in our government networks?

Yes. If confirmed as Deputy Director for Management, I would be happy to work with Congress and provide technical assistance and feedback on any pending legislation.
On the GAO High Risk List:

1) Question: The Program Management Improvement Accountability Act, which became law in 2016, requires OMB to conduct “portfolio reviews” of items on the High Risk List. Mr. Dodaro noted that there has been no meaningful progress on implementing this requirement. Are you aware of this statutory requirement? If confirmed, will you begin review of the items on this year’s High Risk List?

I understand that OMB plays an important role in helping agencies address the issues that GAO raises in their report on these high risk areas. If confirmed, I look forward to understanding more about this important effort and working closely with GAO to address their specific concerns related to the implementation of the Program Management Improvement Accountability Act. Also, as I noted during my March 4 testimony in front of the Committee, if confirmed I would plan to convene agency leadership with Mr. Dodaro and his team on a regular basis across items on the High Risk List to ensure consistent attention to these items.

On the Federal Workforce:

1) 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?

If confirmed, I will work in partnership with the OPM career and noncareer leadership, recognizing that OPM and OMB each have different statutory roles. I understand that OMB primarily focuses on the President’s Management Agenda and will reflect the Administration’s priorities through executive actions and policy proposals, responses to legislative requests, and budget and oversight functions. I appreciate that OPM manages the programs Congress authorizes, and provides leadership to guide agency policy setting and implementation across the Government. If confirmed, I look forward to ensuring a strong OMB-OPM partnership to advance effective federal workforce policy in order to strengthen and energize our federal workforce.

2) 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, which is the most recent data, time-to-hire was 98.3 days.

**Question:** 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?

A strong and effective organization starts with its people. Strengthening and energizing the federal workforce will be a priority for me, if confirmed. I understand that OMB is working with OPM and the Chief Human Capital Officers to reinvigorate efforts around closing skills-gaps. President Biden’s Executive Orders on diversity, equity, inclusion, and accessibility will jumpstart our ability to recruit and retain diverse talent across the government. However, areas of additional opportunity exist, such as modernizing our internship programs that now include only a few thousand interns in a 2.1 million person workforce. Internship programs are a key source of recruitment for many private sector organizations, and they should be a tool for the federal government.

If confirmed, I would be interested in looking at ways we could reform the Pathways program, which includes internships, recent graduate hiring, and the President’s Management Fellowship program. I would also plan to review the regulatory and legislative landscape to reduce any barriers to hiring young people into the government, if confirmed. In addition to improving the sources of talent and the hiring process, if confirmed I would welcome the opportunity to work with the Members of the Committee on inspiring more young people to seek out public service.

**Question:** What long-term changes should be made in telework and remote work for the federal workforce after 2020-2021?

I understand that agencies have responded to the telework environment with admirable results. Thanks to the Telework Enhancement Act of 2010, many agencies were better prepared to pivot. If confirmed, I will work with agencies to evaluate the lived experience of the last year in order to determine lessons learned and enhance telework and remote work as a tool to strengthen the efficiency and effectiveness of federal agencies. When deployed strategically, telework and remote work can be used to recruit and retain talent, improve employee engagement, and strengthen workforce productivity. I would not expect that a snap back to the operating model of February 2020 would be optimal for the federal workforce overall. For such an effort to be effective, I believe we need to assess how well agencies have met mission needs through the current lived experience, while also exploring identified operational issues, such as how best to train new employees and how to determine proper duty station locations.

**On the Hyde Amendment and Weldon Amendment:**

1) **Question:** 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?

The President has spoken in favor of ending the Hyde Amendment. I am committed to complying with and implementing enacted statutes.

2) **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?

I am committed to complying with and implementing enacted statutes.