

NOMINATION OF HON. RUSSELL VOUGHT

HEARING

BEFORE THE

COMMITTEE ON
HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE
ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

NOMINATION OF HON. RUSSELL VOUGHT TO BE DIRECTOR,
OFFICE OF MANAGEMENT AND BUDGET

JANUARY 15, 2025

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NOMINATION OF HON. RUSSELL VOUGHT

WEDNESDAY, JANUARY 15, 2025

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 1:02 p.m., in room SD-342, Dirksen Senate Office Building, Hon. Rand Paul, presiding.

Present: Senators Paul [presiding], Johnson, Lankford, Rick Scott, Hawley, Moreno, Ernst, Peters, Hassan, Blumenthal, Kim, Gallego, and Slotkin.

OPENING STATEMENT OF SENATOR PAUL¹

Chairman PAUL. The hearing to consider the nomination of Russell Vought to be Director of the Office of Management and Budget (OMB) will come to order. Since taking office four years ago, President Biden has added \$8.4 trillion to our national debt. To be fair, the Trump administration added \$7.8 trillion to the national debt. This is truly a bipartisan problem. To put the pace of our Federal Government spending into perspective, for the last eight years, our government has added on average \$1 trillion to the national debt every six months.

Now, for the first time in history, servicing our debt has come at a cost that is more than our entire defense budget. Interest now exceeds our military budget. This isn't sustainable. The Office of Management and Budget, is the largest office within the Executive Branch, with the primary responsibility of producing a workable budget for the President.

Unfortunately, over the past four years, OMB failed to address our nation's fiscal situation, and in fact, took actions that accelerated the country's fiscal crisis. Make no mistake, my colleagues on both sides of the aisle and Congress are also complicit in this reckless approach to spending by refusing to put any meaningful guardrails or parameters on taxpayers' money.

For example, each year I put forth a budget, a plan to balance the budget in five years. Last year, I put forth a six-penny plan. Started out as a one-penny plan. You could cut one percent over five years and balance your budget last year was six percent because of the explosion of money that happened during Coronavirus Disease 2019 (COVID-19). Every single Democrat opposed this and

¹The prepared statement of Senator Paul appears in the Appendix on page 41.

seven Republicans, but we got a big chunk of the Republican caucus on that bill.

But instead of taking advantage of an opportunity for fiscal responsibility in 2025, we have added another \$1 trillion to our deficit in four months since I introduced my budget. Reports out today, were over \$700 billion in debt in the last three months. For years, I have been beating the drum on waste in our government. Each year I release a Festivus Report highlighting the new and egregious examples of waste I found.

Just last month, I released the most recent iteration of this report, which identified over a \$1 trillion in unnecessary and often absurd government spending such as; \$400,000 to determine whether lonely rats seek cocaine more than happy rats, \$3 million for girl centric climate action in Brazil, \$10 billion in maintaining, leasing, and furnishing empty Federal Government buildings, \$12 million for a pickleball complex in Las Vegas, \$4.8 million for social media influencers in Ukraine, \$20 million on teaching Pakistan, Vietnam, Columbia, and Brazil how to use fertilizer, \$2 million to New York University (NYU) to study kids looking at Facebook ads about food. The list goes on and on. It is beyond time for our Federal Government to start taking responsibility for this reckless and irresponsible approach to spending.

While I was disappointed to see our nation's annual budget deficit grow during President Trump's first term, I remain optimistic about President Trump's nominee Russell Vought. Mr. Vought has been a consistent advocate for fiscal sanity and has continually suggested strategies to decrease excess spending.

The Director of OMB plays a pivotal role in our economy, especially now. Our government is over \$36 trillion in debt, and the Congressional Budget Office (CBO) predicts an average of about \$2 trillion per year for the next 10 years. No end in sight. We need someone with the strength of character like Mr. Vought to put the foot down, to put the hammer down and say enough's enough.

Mr. Vought is well qualified for this role. Having previously served as the director in both an official and acting capacity, and as well as being the deputy director. As Director, Mr. Vought will be tasked with spearheading the President's budget. He will also be tasked with overseeing agency use of funds, coordinating agency activities across the Federal Government and working with Elon Musk and Vivek Ramaswamy's Department of Government Efficiency (DOGE).

However, unless the new administration has the courage to tackle entitlement reform, the national debt will continue to explode. I support Mr. Vought's nomination, and I remain hopeful that the incoming administration will take the necessary steps to restore fiscal sanity.

With that, I would like to recognize the Ranking Member, Senator Peters.

OPENING STATEMENT OF SENATOR PETERS¹

Senator PETERS. Thank you, Mr. Chair. Mr. Vought, welcome to being here before us today.

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

I want to begin by noting that this Committee has moved forward with this nomination on a very expedited timeline that has given Committee Members a very short amount of time to adequately review all the documents and information that our Committee normally requires before having a hearing. We have a constitutional duty to thoroughly review the backgrounds, the experience, and qualifications of nominees that lead our Federal Government agencies, and to provide transparency and accountability to the American people.

While I recognize that this is not your fault Mr. Vought, we should all be able to agree that this Committee needs sufficient time and access to this information to effectively carry out our responsibility. I will continue to review all the information and documents provided so far, and I also intend to seek additional information about your background ahead of any Committee vote on your nomination.

The Office of Management and Budget, is a critical office in the Executive Office of the President (EOP) with significant responsibilities ranging from developing and executing the budget, to improving agency performance, as well as reviewing regulations. Mr. Vought, you have previously served as both the director and deputy director of OMB. Unfortunately, your record and actions in these roles raise serious concerns about how you are going to lead this critical agency that touches literally every single part of the Federal Government.

Above all, I am concerned by actions you took to demonstrate a total disregard for following the laws that Congress has passed, particularly regarding on how to spend taxpayer dollars. The Constitution, as part of the key checks and balances of our democracy, gives Congress the responsibility to decide how Federal resources should be spent. Federal courts have consistently affirmed this Congress's role and not the President. It's Congress's role.

As a member of the U.S. Navy Reserve, and again, as a member of the U.S. Senate, I swore an oath to uphold and follow our Constitution. It's my expectation that if confirmed, you will do the same. Yet, during your time at OMB, you consistently ignored laws passed by Congress that directed how taxpayer dollars should be spent.

In 2020, an investigation by the Government Accountability Office (GAO) found that OMB, under your leadership, broke the law eight times. That's quite a record. Eight times, breaking the law, by directing certain Federal agencies to continue to operate during the 2018–19 shutdown. GAO also found that under your leadership, OMB violated the law by withholding vital security assistance to Ukraine, that Congress explicitly provided putting our national security at risk.

In 2021, the Inspector General (IG) for the Department of Housing and Urban Development (HUD) found that, again, under your leadership, OMB inappropriately delayed disaster relief funding for Puerto Rico, following devastations after Hurricane Maria, people who were hurting, people who were suffering, people who were not knowing whether they are going to put a roof over their head, to have food in their belly. You inappropriately delayed disaster funding to those people in need.

OMB knowingly delayed getting critical resources to communities following a disaster even after we passed a law specifically requiring the funds to be dispersed on time. As communities across our country continue to face devastating natural disasters, including these recent wildfires in Los Angeles, I find it very concerning that you played a critical role in slowing down needed Federal assistance to people who were desperate.

I am deeply concerned by another action you pushed for during your time in OMB to replace nearly 50,000 nonpartisan career civil servants with appointees whose only qualifications is that they are politically loyal, not that they are competent, not that they follow the law. They have to be politically loyal. That's unacceptable. This would have removed employees who have had years of knowledge and experience, and posed a grave threat to our national security. More than 70 percent of the Federal workforce serve in agencies that are critical to our national defense and our national security.

Last September, this Committee held a hearing on the issue, and we heard testimony from former national security officials who served under Presidents of both parties about how removing nonpartisan career experts would slow down vital services to the American people, make us less prepared for disasters or emergencies, and the public's trust in government.

In fact, you have even referred to the dedicated public employees who secure our borders, who are keeping us safe every day on the border, who are responding to emergencies and helping those who have been devastated by natural disasters, and folks who ensure that Americans get things like their Social Security checks on time, which every senior citizen needs. You refer to these people as "villains". These people who are doing this work every day, you refer to them as villains.

Statements like this reflect a troubling disregard for the dedicated civil servants who work tirelessly to support our government and serve the American people. Mr. Vought, you are one of the architects of Project 2025, which sets forth a blueprint for implementing these unlawful and dangerous plans under this new administration. Leading the Office of Management and Budget is an enormous responsibility. Given you a record, I have serious questions about whether you can be trusted to carry out the laws that Congress has passed under the Constitution.

I appreciate you being here with us today to answer these and other questions about how you intend to manage the operation and budget of the Federal Government, if confirmed, and I look forward to hearing your response to questions you will be getting from my colleagues.

Chairman PAUL. Russell Vought is currently the President of the Center for Renewing America (CRA). During President Trump's first administration, Mr. Vought served as the 42nd Director of the Office of Management and Budget, the same position he's being considered for here today. Prior to becoming Director, he served as the deputy director and acting director of OMB. Mr. Vought has also served in various roles across Congress throughout his career. Mr. Vought received his Bachelor of Arts (BA) from Wheaton College, and his law degree from the George Washington Law School.

Mr. Vought, please stand. It's the practice of the Homeland Security and Governmental Affairs Committee (HSGAC) to swear in witnesses. Mr. Vought, please stand and raise your right hand. Do you swear that the testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. VOUGHT. I do.

Chairman PAUL. You are recognized for your opening statement.

**TESTIMONY OF THE HONORABLE RUSSELL VOUGHT¹ TO BE
DIRECTOR, OFFICE OF MANAGEMENT AND BUDGET**

Mr. VOUGHT. Thank you, Mr. Chair, Ranking Member Peter, and Members of the esteemed Committee for the opportunity to be appear before you today. Let me begin by thanking my girls, Ella and Porter, who are now returning to the scene of congressional confirmation hearings as wily veterans. Their love, and support, and enthusiasm for me serving again is a major reason for why I feel that my going back into OMB is the right endeavor, at the right moment beyond my enthusiasm for being at President Trump's side.

It is a profound honor to be nominated a second time by President Trump to serve as the Director of the Office of Management and Budget. The President has promised the American people a Federal Government that works for all Americans, not the interest of bureaucrats and an entrenched establishment. Making a start in fulfilling that vital promise during my previous time at OMB, as deputy director and director, was among the most rewarding experiences of my career.

Throughout my career, I have been driven by a commitment to taxpayers and their families. Growing up as the son of an electrician and a school teacher, I saw firsthand the sacrifices my parents made to balance their budget and save for the future. They are a reminder of the burden of government spending can place on everyday Americans. My parents, and countless others like them have always been the measure of which I evaluate policies and spending decisions.

Today, nearly 80 percent of Americans do not feel confident that their children will lead better lives than they have. That's nearly double the 40 percent of Americans who said the same just two decades ago. When I look at government waste in our national debt, I know I fear for my daughter's future. Almost half of our fellow citizens expect their standard of living to be worse than that of their parents, a critical part of understanding the President's overwhelmingly successful election. I am eager to get back to fulfilling the promise of the Federal Government that works as hard as people like my parents.

OMB's mission goes beyond crafting the President's budget. It encompasses the management of the Federal Government, reforming regulation, and coordinating policies across agencies to ensure efficient and effective implementation of the American people's will as expressed by both their legislative and executive representatives. A strong interagency process delivers the best results for all

¹The prepared statement of Mr. Vought appears in the Appendix on page 46.

Americans, and I believe OMB's collaborative ethos is key to achieving those outcomes.

The civil servants at OMB are among the most resourceful and innovated individuals I have worked with. It has been my privilege to work alongside them, and I look forward to leading and supporting them as Director once again as we labor to make the American government work again. We have to use taxpayer dollars wisely because inflation driven by irresponsible Federal spending taxes Americans twice. The average American household has lost roughly \$2,000 of purchasing power just since January 2021.

The forgotten men and women of this country, those who work hard every day in cities and towns across this country, deserve a government that empowers them to achieve their dreams. While Office of Management and Budget may not be a household term, the agency's work is profoundly one that impacts their lives. If confirmed, I will continue to serve with their best interests at heart to serve and strive to ensure every decision contributes to a more prosperous future for all Americans.

Thank you for considering my nomination. I look forward to answering your questions, and the opportunity to discuss how OMB can continue to deliver on its vital mission.

Chairman PAUL. Thank you. We will now proceed to questions where each Member will have seven minutes. I want to be clear at the outset that the Committee will not tolerate any disruptions of today's procedures. The Committee will direct the Capitol Police to immediately remove any member of the audience that attempts to disrupt the hearing.

Mr. Vought, it is the practice of this Committee to ask this question, 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?

Mr. VOUGHT. Yes, I will be up here always with the advice and counsel of our team.

Chairman PAUL. I reserve the rest of my time and recognize the Ranking Member for his questions.

Senator PETERS. Mr. Vought, under your leadership, in 2019, OMB illegally withheld \$214 million that Congress appropriated to the Department of Defense (DOD) to provide security assistance to Ukraine. The Government Accountability Office concluded that OMB's actions were a violation of the Impoundment Control Act (ICA), and that your actions then forced Congress to reappropriate the funds.

Just four years ago, you told this very Committee that under your leadership, OMB would abide by the Impoundment Control Act. However, your past actions and public statements suggest that you may not follow this law in the future. My question for you, sir, is if you are confirmed as OMB Director, again, do you commit to follow the law and not allow OMB to withhold funding from programs that Congress has appropriated?

Mr. VOUGHT. Senator, thanks for the question. I will always commit to upholding the law. I disagree with the characterization of the General Accounting Office. My time at OMB, we followed the law consistently and we will continue to do so,

Senator PETERS. So, that you can withhold funds that are appropriated by Congress. Do you think that's within the law?

Mr. VOUGHT. Again, Senator, we did not hold inappropriately funds. We were engaged in a policy process with regard to how funding would flow to Ukraine. We released the funding by the end of the fiscal year (FY).

Senator PETERS. Do you believe the Impoundment Control Act of 1974 is the law of the land that you must follow?

Mr. VOUGHT. It is the law of the land. As you know, the President has run on that issue. He believes it's unconstitutional. For 200 years, Presidents had the ability to spend less than an appropriation, if they could do it for less. We have seen the extent to which this law has contributed to waste, fraud, and abuse. But as it pertains to the parameters of how we would use that, that's something that his team will have to consider when they are confirmed in these roles.

Senator PETERS. You know that the Impoundment Control Act has created a process that's been held by courts over and over again. Courts in *Train v. The city of New York* have consistently rejected attempts by Presidents to withhold funds unless Congress clearly allows it. And *Clinton v. New York* also determined that laws which allow the President to unilaterally cancel appropriations are unconstitutional.

Correct me if I am wrong, but is there anywhere in the Constitution that gives the OMB Director to determine whether or not a law is unconstitutional?

Mr. VOUGHT. Again, there are 200 years of practice by the Presidents of the United States have used this—

Senator PETERS. You are saying these courts are wrong? That's fine if they are wrong, but these are the laws of the land right now.

Mr. VOUGHT. I am aware that they are the laws of the land and the caselaw that is on the books, and this is something that the administration will consider when they are in these roles, if confirmed.

Senator PETERS. You are going to continue to challenge and break the law going forward?

Mr. VOUGHT. Sir, I am not going to continue to break the law. I am giving you my commitment to uphold the laws of this land.

Senator PETERS. These are court precedents. You do not care about the court precedents?

Mr. VOUGHT. No, sir. That's not what I have said. I have said that the President has run on the issue of Impoundment, and has reminded the country that 200 years of Presidents have used this authority, and we will be developing our approach to this issue and strategy once his administration is in office.

Senator PETERS. OK. As a member of the Senate Appropriations Committee, I am on addition to this, I have worked very hard with colleagues to negotiate in good faith and reach bipartisan spending agreements. I am concerned about your actions and statements about the President is going to be able to unilaterally refuse to spend money that Congress has appropriated.

I get it. He ran for office. But that does not change the Constitution. There are other processes that we have to go through. We do not allow Presidents to act outside of the Constitution. I would cer-

tainly hope you would advise the President that he is also bound, that he will take an oath of office here in a few days to uphold the Constitution. We have to abide by that not because you just believe something. There is a process to go through.

But my question is, how will Congress be able to negotiate in good faith if the President is simply able to disregard the bipartisan laws that are passed through the appropriation process? How do we negotiate with someone who says, "I am just going to do what I want. To hell with the constitution?"

Mr. VOUGHT. Again, Senator, I think that's a mischaracterization of the President's viewpoint on this matter. It is not something in which would impact bipartisan negotiations notwithstanding anything that he announces with regard to impoundment.

Senator PETERS. If the President can refuse to spend appropriations passed by Congress, wouldn't he now just basically have the power to simply pick all the winners and losers who receive government funding? Basically, he has all that power. Is that what you like?

Mr. VOUGHT. Of course not, but again, I am not going to get into the parameters of the power that requires a policy process by his incoming team.

Senator PETERS. Very concerning. Congress has granted the President broad authorities to respond to real emergencies and crises like pandemics and natural disasters. However, past administrations of both parties have, unfortunately, abused these authorities, as the Chair and I have noted. In fact, Senator Paul and I have worked together on bipartisan legislation to curb the abuse of Presidential emergency powers and reassert proper congressional oversight.

I am deeply concerned about reporting that indicates that you designed the plan to abuse the National Emergency Act to circumvent laws passed by Congress, by moving military construction money to build the border wall. My question for you, sir, is do you commit to not recommend the use of Presidential emergencies to accomplish the President's policy agenda?

Mr. VOUGHT. Senator, with regard to that instance, in our first term, we were specifically using the transfer authority that had been provided in the language of the Department of Defense appropriations to be able to transfer, transfer that authority to the U.S. Army Corps of Engineers (USACE) for its use on the border wall. It was specifically a transfer authority that Congress had given the President in the underlying appropriation.

Senator PETERS. You circumvented the laws. I think it's pretty clear. Next question and last question here in remaining time. Will you support efforts to reign in Presidential authority and ensure that Congress has a rightful say, that Congress has a rightful say in the use of emergency powers? Will you support those efforts?

Mr. VOUGHT. I am not to speak on future legislation, but the administration will review anything that comes to their desk. OMB will have a definite role in reviewing that legislation, as you know, in terms of our enrolled bill process for the President.

Senator PETERS. So, very simple question. Do you believe Congress has a rightful role in the use of emergency powers?

Mr. VOUGHT. Again, the Congress provided the laws that the President uses to declare emergencies. If Congress wants to make changes to those laws that's their prerogative to do, and the administration will consider those and have a position if those bills get to his desk.

Senator PETERS. Thank you, Mr. Chair.

Chairman PAUL. With regard to the subject, I'm sympathetic to some of the points Senator Peters is making. There was a vote at the time, and I actually voted with many on the opposite side of the aisle to say the power of the purse is Congress' and we decide it's going to be spent somewhere. However, given that that was my position and still is my position, I think there is some debate over transfer authority and moving money in what you are allowed to do and what you are not allowed to do.

I disagree with it. I think if we appropriate something for a cause that's where it's supposed to go, and that will still be my position. But I think there is at least some debate over the legality of repurposing, reauthorizing, and the transfer in the law.

If we want to make it less so, we may need to tie up the rules and the boundaries more to see what we do to everything. There's a national security waiver, there's a Presidential waiver, all these emergencies. Congress has made the mistake of giving too much power to the executives regardless of party. This is something I am still open to no matter who is President, and hopefully we can continue to discuss. Senator Johnson.

OPENING STATEMENT OF SENATOR JOHNSON

Senator JOHNSON. Thank you, Mr. Chair. Let me congratulate you on your new position here. I am really looking forward to working with you to reinvigorate congressional oversight, which we have allowed to atrophy, quite honestly. So, really want to work very cooperatively with you to do so.

First chart¹ I am going to put up here describes and shows dramatically what bipartisan spending cooperation yields us. In 2019, prior to the pandemic, the Federal Government total spending was \$4.4 trillion. During the pandemic with a severe recession trying to help Americans out of that, we went a massive spending spree and spent \$6.5 trillion that year.

Now, in an American family, if let's say you spend a \$100,000 a year, and you have a family member that gets sick, and you have extraordinary expenses, maybe \$50,000, you spend 150,000 that year. The following year, if you get well, you do not keep spending \$150,000 and you certainly do not borrow money to do so.

But the Federal Government, in effect, did the exact same things. For the last five years, we have averaged \$6.5 trillion. Last year, we spent over \$6.9 trillion. This is \$2.1 trillion above 2019 levels. This is absurd. Mr. Vought, do you see any rationale for continuing these spending levels?

Mr. VOUGHT. No, Senator, and thank you for the question. We are in a situation where we have \$36 trillion in debt. Our fiscal house continues to be a mess. When I left office, we were spending about \$350 billion in interest per year, too much. We are now in

¹The chart referenced by Senator Johnson appears in the Appendix on page 140.

a situation where it has surpassed what we spend on defense, and we have to put forward budgets and spending plans. We have to consider them in Congress. The budget process needs to work again. We have to tackle this problem that you are clearly articulating.

Senator JOHNSON. Let's talk about how we reset spending to reasonable level. Let me put it in my next chart.¹ Another family analogy. Let's say that same family makes \$100,000, and they have a child, so their population grows 25 percent. If their income grew from \$100,000 to \$125,000, and let's say throw on top that three percent inflation. Now, you are \$128,750 total income. That family's kept whole, right? Kind of no harm. They have been able to maintain their spending level with increased population and inflation.

Again, I am trying to figure out some way to justify a lower spending level. I have gone back in time and I went back to Bill Clinton's administration in 1998. First year we had a surplus since 1969. Back then, Bill Clinton spent \$1.7 trillion. Last year, we spent \$6.9 trillion. Now, if you take Bill Clinton's spending level, again, I do not think Bill Clinton spent too little and you inflate the spending or increase it based on population growth and inflation.

With this caveat, you slot in President Biden's spending on Social Security, and Medicare, and interest. You leave those as they are, but you inflate it. That \$1.7 trillion would be \$5.5 trillion of a baseline spending. Now, if that's too reasonable for you and you want to spend more money, you could look at President Obama's 2014 spending. Back then, he spent \$3.5 trillion. Now, inflate his base spending population inflation using Biden's Social Security, Medicare, and interest, he would be spending \$6.2 trillion. Those would be reasonable baselines. Correct? Now, I also did a 2019. I do not particularly like the result because we would be at \$6.5 trillion. That's not good enough.

Let's go to our next chart² here. Here's the one. I think you have this in front of you that I want to use because we have a new administration, President Trump, the tale of his administration. You were probably key in producing this budget budgeted for 2025. A spending level of \$5.4 trillion. If you take that budget, inflate all the spending except for Social Security, Medicare, and interest, that is what we spent this year anyway, or projected to spend in 2025. The baseline budget would be \$6 trillion.

My question to you is, having gone through this, I realize a lot of numbers, little bit of a rationale here. Why wouldn't this be a very reasonable baseline spending as a starting point for the next 10 years?

Mr. VOUGHT. Senator, I think it very well could be. I think we have to get into office, if confirmed, and look at the numbers, begin the formal budget development for the President's Fiscal Year 2026 budget. I haven't begun to do that.

But there's a clear template in terms of the previous budgets that the President has put forward. He put forward more spending

¹ The chart referenced by Senator Johnson appears in the Appendix on page 141.

² The chart referenced by Senator Johnson appears in the Appendix on page 142.

cuts in reforms and savings than any President in history. It was largely ignored by Congress. Our hope is that the budgets that he puts forward, that there's more of a take up rate here in Congress with regard to the spending cuts that are necessary to get us out of this hole.

Senator JOHNSON. Would you agree right now that this is the primary metric that we need to be focusing on, is how much in total the Federal Government spends? I am hearing people saying, well, in order to sign on to a budget, I have to see \$3 trillion to \$5 trillion in cuts. Measured against what?

I will just point out, by the way, is in terms of metric. You started about at \$6 trillion level when we're already spending \$7 trillion. That's \$1 trillion difference over 10 years. That's \$10 trillion in reduced spending versus what the current Biden baseline is. I would also ask; do you think any American who voted for President Trump expected that spending levels would remain at Biden levels?

Mr. VOUGHT. No. The President ran on the issue of fiscal accountability, dealing with our inflation situation. To your earlier question, Senator, like any family in the country, the main metric with regard to whether your fiscal house is good or not is the extent to what you are spending and the way that drives your debt. That's the metric and that's the area that we will be looking at to be able to bring it back into some rationality.

Senator JOHNSON. By the way, I did not point it out on the previous chart there. I showed the Clinton level. If you inflate that to \$5.5 trillion, it just happens to match what President Biden is projecting for revenue. If we do this, we are that close to a balanced budget. It's possible, and it's possible using Clinton spending priorities or even Obama spending priorities. Thank you, Mr. Chair.

OPENING STATEMENT OF SENATOR HASSAN

Chairman PAUL. Senator Hassan.

Senator HASSAN. Thank you, Mr. Chair, and Ranking Member Peters, for this hearing. Welcome, Mr. Vought, and welcome to your family as well.

In 2018, President Trump signed into law of the Substance Use Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) Act, a comprehensive bipartisan package to help address the opioid crisis in this country. The SUPPORT Act expanded resources for the State law enforcement officials and first responders who are on the front lines of this opioid crisis by, for example, helping provide overdose reversal medication to States and localities.

Unfortunately, Elon Musk killed a recent bipartisan agreement to authorize the SUPPORT Act for the next five years, and you have previously supported rescinding funds for fully funded programs that require further authorization. Congress meanwhile has appropriated funds for next year forward to SUPPORT Act services. If confirmed, will you commit to distributing funds appropriated by Congress for SUPPORT Act programs?

Mr. VOUGHT. Senator, thanks for the question. As you know, the opioids epidemic is a huge priority for the President. We will be taking a look at all of the funds that are necessary to combat that epidemic. I cannot speak to it beyond that because we have not not

confirmed, we have not begun that process. But you can certainly be assured that this was something that you heard about in the first term with regard to the President's interest in this area. I can imagine it will continue to be that.

Senator HASSAN. Let me just be clear here because I am following up on a point that Senator Peters made. We have appropriated the money. We had a bipartisan agreement to reauthorize the program. I am disappointed that you won't make a clear commitment here today to ensure that the lifesaving program signed into law by President Trump will continue to receive funds that have been provided by Congress. I urge you to rethink your position as your nomination is considered by the Senate.

Government shutdowns put public safety and our national security at risk. But you have repeatedly, Mr. Vought, called for brinksmanship around government shutdowns and opposed bipartisan deals to keep the government open. In 2011, for example, you wrote in an article that Republicans simply must be prepared to shut the government down. That's a quote, "simply must be prepared to shut the government down and need to dig deep and embrace the sort of brinksmanship that shows they are playing to win."

If confirmed, you would play a role in negotiations to prevent a government shutdown later this spring. Why have you repeatedly advocated the use of the threat of a government shutdown as a political bargaining chip. If confirmed, would you continue to favor a partisan agenda over keeping the government open?

Mr. VOUGHT. Senator, I do not think I have been a person that has wanted to have government shutdowns. I have had to be the one that kept the government open consistent with the law for the longest shutdown in history. I know the impact that it has on the Federal Government, and I want to be a part of a process that sends budgets as soon as they can, meeting all the statutory deadlines, to be able to start the process with the appropriators as early as possible so that, on a bipartisan basis, recognizing the appropriations bills have to have bipartisan support and to get that done as soon as possible so that you do not have the kind of pile ups at the end of the fiscal year that we have seen.

I think the breakdown of the budget process here in Congress is something that has not been good. I hope that it is brought back to a good degree, and that we can have a bipartisan spending process of which I look forward to participating in, if confirmed.

Senator HASSAN. Unfortunately, this is a situation where there seems to be kind of a confirmation conversion because your words in articles and in talks reflect a different view about the use of government shutdowns. I will note that the impact of government shutdowns not just impact on the Federal Government, it impacts the American people in significant ways.

This is not about people in government offices, this is about them and the people they serve in the United States. That's the reality. That's why it's so important that government efficient, effective, right-sized government continues to stay open.

I would like to ask you about the non-political role that OMB plays in distributing grant funding and ask for your commitment to fulfill this role in a non-partisan way. In December, President

Biden signed the Grant Transparency Act into law, a bipartisan bill that I worked on with Senator Cornyn to require agencies to provide greater transparency regarding how grant applications are evaluated.

The law is intended to provide grant applicants with a clear picture of how their applications will be reviewed so that the grant-making process is fair and competitive. So, yes or no, if confirmed, do you commit to ensuring that agencies do not evaluate a grant application with the applicant's political identity or views in mind?

Mr. VOUGHT. Senator, I look forward to looking at that law. Those are the types of transparency laws that we have supported before. Many of these new requirements, new transparency initiatives are things that in my first opportunity to do this job, we made a concerted effort to get done, to actually move forward and not let this be something that we just say, hey, we do not have the resources to do. I look forward to continuing to do that.

Senator HASSAN. I appreciate that. But the question was yes or no, if confirmed, do you commit to ensuring that agencies do not evaluate a grant application with the applicant's political identity or views in mind?

Mr. VOUGHT. If it's the law of the land, absolutely. We have no business in trying to engage in understanding someone's political views.

Senator HASSAN. If confirmed, do you commit to ensuring that agencies do not evaluate a grant application submitted by a State based on that State's political makeup, whether it is red, blue, or purple?

Mr. VOUGHT. Again, Senator, the extent to which we make decisions are going to be based on the policy grounds, the agenda of the President of the United States. We will continue to do that.

Senator HASSAN. If the President says to you, "I do not care what the law says. I do not like California, and I am not going to give them the disaster aid they need," you are going to stand up to the President and say, "Sir, that's not appropriate?"

Mr. VOUGHT. Senator, I do not engage in hypotheticals, but the President would never ask me to do something along those lines.

Senator HASSAN. History speaks a little bit differently to that point. If confirmed, would you direct agencies to withhold grant funding from eligible grant applications that hold different political identities or views from President-elect Trump?

Mr. VOUGHT. Again, we make decisions at OMB based on the policy grounds, the laws that are in place, and we do not look at people's political inclinations.

Senator HASSAN. Even if you somehow found out about people's political inclinations, you would not allow that to influence your decisionmaking at OMB?

Mr. VOUGHT. Correct.

Senator HASSAN. Thank you.

Chairman PAUL. Senator Moreno.

OPENING STATEMENT OF SENATOR MORENO

Senator MORENO. Thank you, Mr. Chair for having me on the Committee. Thank you, Mr. Vought, for being here.

I probably cannot imagine that like me, you are thinking to yourself, "Why am I doing this?" I know, I think about that every once in a while when I am here because I never thought I would be doing this. I am going to confess upfront that I have been a fan of yours before I even thought about running for public office. I think your selection to run OMB is an incredible service that you are about to provide to this country.

One of the good news that I have heard so far in this hearing is a lot of talk about the United States Constitution. As you know, when we talked, I was not born in this country. I came here as a young kid. I had a tough mom who made me study for the citizenship test. She made me read all 88 Federalist Papers as a teenager. Not fun to read today, let alone when you are in your teens.

I studied the Constitution up and down, so I have a question for you because you're more the expert than I am. Where in the United States Constitution does the bureaucracy stand in terms of power versus the President?

Mr. VOUGHT. Senator, it's a great question, and thanks for the kind words. The Constitution visions that the bureaucracy would work for the President of the United States in Article II.

Senator MORENO. Now, I come from the private sector where I ran companies with thousands of employees. I suspect it should work, but correct me if I am wrong, or if you are the chief executive, that means that all the people that work for you actually work for you. Is that true in government also?

Mr. VOUGHT. It is not the case currently, but it is something that as a policy objective, I think our Founders would have envisioned it that way.

Senator MORENO. So, meaning that the President, not Congress, not the Judicial Branch, has total and complete discretion over who serves at his or her pleasure?

Mr. VOUGHT. Again, those are not the laws that are on the books as we know today. The President has many laws and paradigms have been put in place to ensure that the American peoples will, when they select a President, are not what prevails in the agenda-setting process.

Senator MORENO. Because I would suspect that most voters, somebody like me who was not into politics a few years ago, would suspect that the President is actually the one making these decisions, not some unnamed bureaucrat, whether they are a good person or a bad person, or been here for five years or 25 years, that it's the President's agenda that should be implemented. Is that correct?

Mr. VOUGHT. I would hope that would be their suspicion.

Senator MORENO. And when you look at the separation of powers, which is a fascinating conversation among the 88 Federalist Papers, they were really concerned about the decentralization of power. There's a lot of conversation about what Congress does, what the President does, and what of course, the judiciary does in that, in your point of view, is it the President's ability to unilaterally terminate student debt, for example?

Mr. VOUGHT. No, sir.

Senator MORENO. But it seems like the prior administration did that. It went to the judicial branch, they found it to be unconstitu-

tional, and yet President Biden continued to forgive student debt. What would be your point of view on that?

Mr. VOUGHT. Again, we believe that that was not the right course of action. That the President did not have that authority, and I think an example of Biden administration's unwillingness to follow the law.

Senator MORENO. Now, did you find a lot of outrage about that from those who are now asking you the same question about a potential Trump administration? Meaning, like, if you were somebody who was introducing legislation here in this body to forgive student debt, not something I think we should be doing. I do not think we should be forgiving anybody's debt.

We certainly shouldn't have, in my case, in Ohio, 70 percent of the people who did not attend a college to pay for the 30 percent who did. But do you find it hypocritical if you are somebody who's introduced legislation to forgive student debt, and now is lecturing you about the executive overreach powers. Would you find that to be hypocritical?

Mr. VOUGHT. I note that I did not find any outrage on the Democratic side with regard to President Biden's actions on that. I will just leave it at that.

Senator MORENO. I see, if you do not mind, now just I will yield a few of my minutes back. But I want to, if you do not mind, to ask you a personal question. How old are your daughters?

Mr. VOUGHT. 12 and 10.

Senator MORENO. 12 and 10. If they are our age at some point, really old, by the way, if we do not do something like actually do something serious when they are in their 50's, Mr. Vought, what will their future be like?

Mr. VOUGHT. Less freedom, less opportunity. The extent to which we do not tackle our fiscal situation means that the amount of burden that's going to inevitably come from higher taxes, that's going to be inevitably put on their back with regard to debt and what they are inheriting is not what we were given. We were given a better shot.

I think that's one of the things that keeps me up at night, is the extent to which we have not seen progress in the area of dealing with our fiscal situation. That has to change, or it's going to have profound impact on the next generation and the next generation of those who are trying to take advantage of this country and the opportunity that it affords.

Senator MORENO. If I could just ask you one last personal question. When you think about what you are going through here in this hearing and what you are about to inherit going into work in a very tough situation, is it fair to say that you are doing this because you genuinely love this country and are concerned about the future of this nation?

Mr. VOUGHT. Absolutely. Yes, sir.

Senator MORENO. Thank you for doing it. I appreciate it. Thank you to your family. It is an absolute sign of patriotism for you to be here. Look forward to having you and every single one of President Trump's overqualified nominees to have this body confirmed so that we can get to work to put this country back on track.

Thank you, Mr. Chair.

Chairman PAUL. Senator Blumenthal.

OPENING STATEMENT OF SENATOR BLUMENTHAL

Senator BLUMENTHAL. Thanks Mr. Chair. Thank you for your service, Mr. Vought, and your willingness to come back. Thank you also to your family.

As you know, in the closing days of the last session, the U.S. Congress by overwhelming majorities approved disaster relief funding, going to the Department of Agriculture (USDA) as well as the Federal Emergency Management Agency (FEMA) for disaster relief all around the country. Will you commit to releasing those funds promptly and fully to the areas that depend on that disaster relief funding?

Mr. VOUGHT. We will continue to release the money that's appropriately been funded for these areas as we always have with regard to the FEMA dollars.

Senator BLUMENTHAL. So, the answer is, yes?

Mr. VOUGHT. Yes. We will continue to do what we did in the first—

Senator BLUMENTHAL. You won't continue because you are not yet in office. You will release that money fully and promptly to the agencies that can provide that relief. For example, the \$31 billion, I believe it is for the Army Corps and the Agriculture Department. The \$2.2 billion for the Small Business Administration (SBA), \$29 billion for FEMA. These are specific amounts. How about the \$3.8 billion left for security assistance to Ukraine? Will you release that money?

Mr. VOUGHT. Again, Senator, I am not going to get ahead of the policy process of the incoming administration, but when it comes to responding to the disasters, the President has always been someone that cares deeply about these areas.

Senator BLUMENTHAL. I am talking about the Ukraine funding, which I believe is essential. The Congress believed it's vital, it's been authorized and appropriated. Will you release that remaining \$3.8 billion?

Mr. VOUGHT. Again, Senator, I am not going to get ahead of the President on a foreign policy issue of the magnitude of the situation with regard to Ukraine.

Senator BLUMENTHAL. OK. Let me ask you. Do you believe the Impoundment Control Act is constitutional?

Mr. VOUGHT. No, I do not believe it's constitutional. The President ran on that view. That's his view, and I agree with—

Senator BLUMENTHAL. Have you read *Train v. New York*? That's the United States Supreme Court saying it is constitutional. You are saying that you are going to just defy the courts, the Office of Legal Counsel (OLC) under both administrations, including then Attorney Rehnquist afterward becoming Supreme Court Justice wrote for the Office of Legal Counsel. You are simply going to take the law under your own hands.

Mr. VOUGHT. I did not say that, nor did I imply that on behalf of the incoming administration. I said earlier to a question from Senator Peters that the incoming administration was going to take the President's view on this, as he stated in the campaign, work it through with the lawyers of the Department of Justice (DOJ),

some of whom who are coming before Congress just today, if confirmed, and to put that through a policy process. I cannot prejudge that policy process, but I certainly cannot announce the parameters of what it would produce.

Senator BLUMENTHAL. I am astonished and aghast that someone in this responsible position would, in effect, say that the President is above the law. That the United States Supreme Court is entitled to their opinion, but mine should supersede it. It's just baffling that we are in this, I think, unprecedented moment in the history of this country.

I think our colleagues should be equally aghast because this issue goes beyond Republican or Democrat. It's bigger than one administration or another. It's whether the law of the land should prevail or maybe it's up for grabs depending on what the President thinks. I think it is fundamental, and I hope you will reconsider this view.

I am going to put it in a question for the record¹ to give you an opportunity to recast your answer, which I think should be disqualifying for both sides of the aisle, frankly, because what goes around comes around. The next administration could be Democratic, could be Independent, but the Supreme Court in *Train v. New York* said it's constitutional. That's been the clear consensus.

Let me move on. I am the Ranking Member of the Veterans Affairs Committee. I am concerned by your proposal that there should be a means test for who deserves Veterans Affairs Disability Compensation. For me, nothing's more important than caring for our veterans. I think that is true of many of us on both sides of the aisle. Do you believe that veterans should receive disability benefits only if they qualify under some kind of means test?

Mr. VOUGHT. Senator, the President has been a firm supporter of veteran spending, of getting veterans everything that they need. That was always reflected in all of the budgets that the President sent to the Hill.

Senator BLUMENTHAL. I am going to interrupt you, with apologies, because my time is running out. Do you believe there should be a means test for disability benefits going to veterans?

Mr. VOUGHT. Again, I am not going to speak to the policy—

Senator BLUMENTHAL. But you are not going to answer that question, but you have in the past taken the position there should be a means test.

Mr. VOUGHT. The President has always fully supported veteran spending, and put forward everything that they need, that the Department of Veterans Affairs (VA) does. I fully expect that to continue.

Senator BLUMENTHAL. Do you believe that disability compensation benefits for veterans should be eliminated if any veteran has a disability rating below 30 percent?

Mr. VOUGHT. Senator, I am not here on behalf of what I think, but I am here on behalf of the President.

Senator BLUMENTHAL. But that's the proposal from the Center for Renewing America, the organization that you founded. Do you continue to believe it?

¹The question for the record from Senator Blumenthal appears in the Appendix on page 114.

Mr. VOUGHT. This it's a think tank that I currently am the President of. It is not the agenda of the incoming President of the United States. I am here on behalf of being his nominee and doing his budget.

Senator BLUMENTHAL. That what he believes?

Mr. VOUGHT. Again, you should judge him by the budgets that he sends forward to Congress. I am here on behalf of the fiscal responsibility that he wants to restore, and I fully intend to do that, if confirmed.

Senator BLUMENTHAL. Thank you, Mr. Chair.

Chairman PAUL. As I said previously, I am sympathetic not only to the arguments that Senator Peters made, but Senator Blumenthal is making on power of the purse. The only thing I would caution with this is as we debate this, so much of this is because Congress has not done a good job with clear parameters.

For example, with the Ukraine money, every week or two, you will see a release of it. There's a great deal of discretion given to the President on when it's released and how much is released. For example, last fall when we passed the Ukraine money, they decided to call some of it loans. So, they did.

Ten a month later, they forgave the loans. I was like, "Wow, when did they even supposed to start paying on the loans?" I discovered their first payment was not supposed to be made for 40 years. So, that's disingenuous. It's a loan we are going to forgive it. When are they supposed to start paying? In 40 years?

But there's a great deal of latitude. Part of this, and this is going to be as it moves forward, if we want to limit what the President does with moving money around, which I am sympathetic to, we should have the power of the purse. We got to write better legislation. Every piece of legislation that we put out has a Presidential waiver for national security.

They always say, if you do not do that, you are crazy. What about in times of war? No, they just use that for everything. You are going to find that there's going to be a bunch of issues that there's going to be emergencies declared on. But Congress let him.

We do need to readdress this, and I am sympathetic to it. Senator Peters and I have a bill on emergency powers that I hope will get a vote, which says that, basically, Presidential powers would expire in 30 days unless approved by us. Now, any Presidential powers with either the current President or the next President go on forever unless we reject them with a two-thirds vote. An almost impossible bar.

But there is, I think, a difficulty in the witness answering, will you spend all the Ukraine money—since I think they have. It's complicated. They have all kinds of parameters for how much to spend when, and there. We have not made it that explicit. That's my only point. Did you want to comment?

Senator BLUMENTHAL. I will just say, briefly, Mr. Chair, the reason why Congress writes laws with attempted precision, not always, but sometimes providing latitude, is to enable some flexibility in the executive branch releasing funds. That's a prerogative of Congress. But then the President has to obey what we say in releasing the money.

Chairman PAUL. I would just argue the window is too big. The waiver's too big.

Senator BLUMENTHAL. My comment here goes to obeying the law that has been upheld repeatedly as constitutional, as opposed to saying, no, we do not need to obey it because we believe it's unconstitutional.

Chairman PAUL. I think it's a valid debate and a good debate. Senator Kim.

OPENING STATEMENT OF SENATOR KIM

Senator KIM. Thank you, Mr. Chair, for leading this Committee, I am excited to be on. Mr. Vought, thank you for coming out before us.

I wanted to start by just reading you a quote that you had said, "There certainly is going to be mass layoffs in firing, particularly at some of the agencies that we do not even think should exist." I want to just for give you an opportunity to clarify what are the agencies that you do not think should exist?

Mr. VOUGHT. I did not say that. If you go back and look at the video of when I said that in an interview, I said there needs to be. I did not make an announcement on behalf of the incoming administration that there would be, so I am not here to do that or to elaborate on any plans to that effect because I am not sure that they exist.

Senator KIM. OK. Then let me go a little bit ahead here. There are some entities within the Executive Branch that have some space of independence, the Federal Reserve, and others. You have said in the past, "It's very hard to square the Fed's independence with the Constitution." Can you elaborate on that so I can understand your thinking?

Mr. VOUGHT. I am not here as a think tank President, sir. I am here as a nominee to be OMB Director. The President has not spoken on that matter. I'm here on his behalf and for his agenda.

Senator KIM. We are trying to assess your capabilities to do this job. I guess I just wanted to get a sense of your understanding of the Constitution and the Executive Branches in particular, the President's capacity to be able to shape that. I would like to just ask again, for instance, should the President have the ability to set interest rates?

Mr. VOUGHT. Sir, the President has run on the issue of bringing independent agencies in for a regulatory review. He has not spoken to the question that you have just asked. I am here on his behalf. I am not on behalf of anything that I have stated with regard to policies at the Center for Renewing America, and I am here for his agenda.

Senator KIM. I guess I will ask it in a different way. Do you believe that the President has the authority to set interest rates?

Mr. VOUGHT. Sir, I am not going to speak to the matter. That's a hypothetical that is best maintained—

Senator KIM. It's not a hypothetical. I am trying to get a sense of your understanding of the power of the President. You will serve, if confirmed, in the Office of the President. I want to have a sense of your understanding of what the President is allowed to do and not allowed to do. I think that that's a very valid concern.

Mr. VOUGHT. Again, Senator, I am here for the President's agenda. And my view of OMB is that it is a very important office. It touches all aspects of the Federal Government, and that it is important for the President to have someone in this role that wants to accomplish his agenda and not their own personal agenda. That's what I am known for, and that's what I will continue to be, if confirmed.

Senator KIM. Look, I will move on to something that's very clearly not hypothetical then, which is your previous work in the past administration. You said in your written testimony here, "The civil servants at OMB are amongst the most resourceful and innovative I have worked with." But I have also heard you say in other circumstances, "We want the bureaucrats to be traumatically affected when they wake up in the morning. We want them not to want to go to work because they are increasingly viewed as the villains. We want to put them in trauma."

I raised this with you because I was a career nonpartisan civil servant. I worked in multiple departments and agencies. I guess, I just wanted to ask you why you would use a language like villains in talking about people serving our Nation.

Mr. VOUGHT. In those comments, I was referring to the bureaucracies that I believe have been weaponized, and there are portions of weaponized bureaucracies across the Federal Government. That does not mean there's not amazing career civil servants, many of whom I have worked with at OMB. I look forward to, if confirmed, getting back to work with them and being able to rely on their expertise, their understanding of the Federal programs, and to be able to allow them to help us have more implementable policies on behalf of the President of the United States. But I do believe that there are bureaucracies that are weaponized against the American people when you have—

Senator KIM. Even within OMB?

Mr. VOUGHT. No, sir. Not within OMB.

Senator KIM. I guess I wanted to ask you then, at the end of your term, as OMB director, you implemented Schedule F. You implemented that as well at OMB. Do you remember what percentage of personnel at OMB you categorized as Schedule F?

Mr. VOUGHT. We implemented it at 90 percent. Again, Senator, that was not to fire anyone. It was to change their classification.

Senator KIM. What is the purpose for the changing of that classification? What does that allow you to do?

Mr. VOUGHT. It's to ensure that the President who has policy-setting responsibility has individuals who are also confidential policy-making positions are responding to his views, his agenda, and works under the same basis that most Americans work on. Which is they have to do a good job or they may not be in those positions for longer. I did not find that to be the case with regard to anyone at OMB.

Senator KIM. But you felt that it was necessary to take this step still and hang that over them?

Mr. VOUGHT. The President had a policy, he instructed all agency heads to use the Schedule F classification. You look at OMB, it is essentially all policymaking officials. That's why we had a higher percentage. I am someone that is going to abide by the President's

viewpoints. I think it was a sound policy as it pertains to making sure that the President has career civil servants that are going to give us all of their knowledge and expertise, and disagreement at times, as to what they think about a potential proposal, but at the same time being aware—

Senator KIM. Hold on for a second. I just wanted to ask this question. Has the President-elect had conversations with you about restarting Schedule F in starting January 20th?

Mr. VOUGHT. I do not speak to the conversations that I have with the President. Those are private deliberations, and I am not here to announce anything on behalf of Day 1.

Senator KIM. When we have these confirmation hearings, we ask those that come before us to let us know what are the priorities of the President when it comes to the work that you do. I want to ask one particular question here. In the first administration or so far in hiring for the second administration, have you or any other managers asked candidates for employment or current employees, if they have, who they have voted for in the Presidential election, what party they are affiliated with, or if they have donated to campaigns?

Mr. VOUGHT. No.

Senator KIM. No one that you know of?

Mr. VOUGHT. No.

Senator KIM. If you had heard and come to understand that some people within the administration or incoming administration are asking those questions, what would be your response to that?

Mr. VOUGHT. I can only speak to for myself, Senator. I have not asked those questions.

Senator KIM. OK. I yield then.

Chairman PAUL. Senator Slotkin.

OPENING STATEMENT OF SENATOR SLOTKIN

Senator SLOTKIN. Thank you, Mr. Chair. Looking forward to working with you.

I am a former Central Intelligence Agency (CIA) officer and Pentagon official. I did three tours in Iraq. I worked very proudly for both Democrat and Republican administrations, including in the White House of both. I am also a Democrat who won in a Trump State. A State that we were both on the ballot. I think what's interesting is we do not have to guess how you will be in this job because you have been in the job before. You are kind of the ultimate Washington insider. You have been in for 26 years in this town. You have been on the Senate, you have started a think tank. You have been in and out of different policy jobs. So, you are definitely of this town, and you clearly know the rules well of this town.

You have said, and I agree with you, that a budget is reflection of President's priorities. I think the thing that was really disturbing as a Michigander was one of the things you did, three out of the four budgets that you prepared last time, was zero out the Great Lakes Restoration Initiative (GLRI), this huge program to maintain the Great Lakes, 20 percent of the freshwater of the world, where it took bipartisan work including, potentially, Senators in this room before my time to claw that back.

We have projects on treating algae blooms and invasive species, cleaning up some of our bays, making sure it's accessible for commercial traffic. What's your view on the GLRI? Are we going to have to have this conversation again when you zero it out in the budget?

Mr. VOUGHT. I have not started, because I am not confirmed, working on the President's Fiscal Year 2026 budget. I cannot speak to those issues. But I am happy to work with you on your viewpoints as it pertains to that program and consider all of those, and the recommendations we give for the President, and what inevitably what we end up coming up here in defending.

Senator SLOTKIN. Yes, I think it was very bipartisan. There's 465 projects in Ohio, 1,200 projects in Wisconsin, a ton in Michigan. Can you confirm you submitted a zeroing out of that program three years in a row last time you were OMB Director?

Mr. VOUGHT. It's been a long time, Senator. I have to go back and refresh my memory on the specifics of our budgets, but I am happy to do that in the questions for the record (QFRs).

Senator SLOTKIN. Yes. On the issue of impoundment, I know you have addressed this, but if this group on a bipartisan basis authorizes more money, as we do every year, for the Great Lakes Restoration Initiative, that you will spend that money in the Great Lake States where it was allocated for?

Mr. VOUGHT. Senator, I am not going to engage in the hypotheticals with regard to the impoundment conversation—

Senator SLOTKIN. OK. We have heard it, we have heard it. It's OK. The other question I have is on your views of the civil service. Again, as a CIA officer, which is set up and has been reformed over the years, that's for sure, to provide best assessment and advice to the President. You said that OMB was not an agency where you had a bureaucratic problem. But which bureaucracy specifically do you believe have been weaponized?

Mr. VOUGHT. Again, I am not going to get into all of the agencies that I believe have some of those characteristics.

Senator SLOTKIN. Give an example of one.

Mr. VOUGHT. I think, the Department of Justice is clearly one that has bureaucracy within it that engaged in trying to take out their own President during the first term. The extent to which the Federal Bureau of Investigation (FBI) goes and investigates someone that comes to a school board meeting in Loudoun County for being concerned about the situation with his daughter, and then gets investigated as a domestic terrorist.

Senator SLOTKIN. So the Director and the Deputy Director of these agencies are at the prerogative of the President. The President, any President has about 1,500 political appointee jobs that they get to allocate all over the bureaucracy. I do not quibble with that. Do you believe that intelligence agencies and law enforcement agencies need more political appointees to keep kind of management at those agencies?

Mr. VOUGHT. Again, I am not going to speak on behalf of a specific proposal that the President has not made on that.

Senator SLOTKIN. But what's your view? Would you support a proposal? I am just asking. You want the job. You want it back? Would you support a proposal to put more political appointees to

oversee the activities of American law enforcement at the Federal level and American intelligence community (IC)?

Mr. VOUGHT. Again, the President has not spoken to that matter, to my knowledge, and I am not here on behalf of my own personal views.

Senator SLOTKIN. OK. Again, the feeling that we have, the thing that keeps coming up is, again, I do not quibble at all with the fact that the President is going to put in people. That I do not agree with on a policy perspective. That's not my debate. My concern with you and with, potential Secretary, Hegseth, yesterday, is that when asked clear constitutional questions about the allocation of money, you cannot answer a straight constitutional question.

Again, we are going to disagree on policy. There's no question about that, and that's not my issue with you. My issue is the constitutional side, because you are going to swear an oath to the Constitution, not to Donald Trump, just like any other confirmed official. Can you confirm for me, please, that you will abide by the Constitution and current law as it is not what you wish it to be?

Mr. VOUGHT. I absolutely will abide by the Constitution at all times.

Senator SLOTKIN. Your interpretation does not, pardon the pun, trump the interpretation of the Supreme Court, or at current practice on the books?

Mr. VOUGHT. Again, administration goes through a very extensive policy process with the lawyers of the Department of Justice to abide by the Constitution.

Senator SLOTKIN. This is what I am saying.

You can see how this bureaucratic, wonky answer you keep giving. Right? You are claiming to be an outsider that says you are going to shake things up, but you are giving the most wonky answers. I just want to hear that when you hold up your hand, like many of us have done in this room, to put themselves in harm's way, that you are going to protect and defend the Constitution as interpreted by the people who are in a position to interpret it, like our Supreme Court.

That's what bothers me about you. It's not that we disagree on policy. It's that basic tenet that a lot of us have had to do in this room on both sides of the aisle. That's all I care about. With that, I will yield back. But I just from nominees that we see across the board, just be straight on the U.S. Constitution.

Chairman PAUL. Senator Lankford.

OPENING STATEMENT OF SENATOR LANKFORD

Senator LANKFORD. Thanks, Senator Paul. First of all, it's good to see you again.

Mr. VOUGHT. Good to see you, Senator.

Senator LANKFORD. You have done a lot of work for the United States. You have sacrificed a lot of time. Your family has paid a big price for that. For that I say, thank you, to all of your family, and to you. I often will refer to OMB when people will look at me with a confused look like, "What is that?" I will say, "It is the most important agency you have never heard of."

It is a common refrain that everything has to come through there to be checked. You are keeping us out of legal trouble. You are get-

ting the budget train on track. All those things are incredibly important. I thank you for the work. It is super wonky, super nerdy work, but it is incredibly important to be able to do so. Thanks for stepping into that.

I have several things that I want to be able to talk through. Mr. Chair, I would like to ask permission to be able to put something onto the screen as well. Would that be OK?

Chairman PAUL. Without objection.

Senator LANKFORD. Thank you. So, you started work when you were at OMB before on a bill that was passed called the Taxpayers Right-To-Know to create a Federal program inventory. That was great work that you laid. To their credit, the Biden administration and OMB continued that work of working on the Federal program inventory. This is what it looks like now. It should be a listing of every program in all the Federal Government. We have never been able to, as Members of Congress or certainly not the public, to be able to say how many programs are out there that do this, and to be able to search it.

The Biden administration's put together a lot of search features into this, try to get it out. It's unfinished. There's still more programs and things to get into it, but it is a tool that we look forward to using it. It's been on GAO's top list for years now to be able to actually get done. It's getting done on this. But there's some areas that are unfinished on it that I want to just be able to highlight on it.

The Biden administration's done a lot of work to be able to get the skeleton of this going. But let me just give you one example. This is not about YouthBuild as a program, I am not making a policy statement on it. It just is one of the many entities that are here. This list, how much spending is done on it on the different authorities that are done, what regulations are from it. But also, one of the requirements of this is to be able to ask, what's the results? Here's the money that Americans are spending, what do we get for that?

In this particular one, it has results. What was done in 2016, how it was evaluated. But 2017, was not evaluated. 2018 was not evaluated. 2019 was evaluated, but it was evaluated based on how much money was spent, not the results of it. Then nothing in 2021, 2022, or something about the COVID that came during that time period. I guess 2022 and 2024, it just says, we spent this much money in these many places. That's not really the question. The question is, what did we get for that money?

My question to you is, as you are stepping into this project that is you started, others have worked on and now needs to be finished, how does this rank in priority for you to be able to fulfill? Which by the way, is the law now to be able to have a way to be able to look at every program and to see how it's evaluated, if it's evaluated at all.

That helps all of us around this dais to be able to look at it and to say, there's 12 different programs that seem to do the exact same thing. Two of them seem to be successful and 10 of them are not. We cannot see all that unless we go ask GAO to go chase it for us, unless this is actually finished. How does this rank in priority for you as far as getting this done?

Mr. VOUGHT. Thank you, Senator. It will be a high priority. As you know, when I came into OMB, I had gone through this process the first time and clearly made aware of the extent of these transparency apparatus that was intended by Congress. There was a lot of objections from individuals saying, oh, we do not have the bandwidth to do this.

We brought all sides of OMB together. Internally, we put someone in charge to become an expert. I provided Director-level leadership to say, I will push through the barriers that exist to being able to get this set up. I am looking forward to seeing where we are, and I would want to finish the job if given another opportunity by the Senate.

Senator LANKFORD. That's great. Thank you. Look forward to that. Because this, again, is not partisan work, this is just taking every program that's out there and just saying what's happening? How's it being used? How's it not being used? Nothing to hide. This is full transparency that the American people are actually looking for to be able to have, and quite frankly, all of us in Congress are looking for as well, to be able to go through it.

I want to go through several different things that have come within the last few years. Circular A4, which again, we are getting into nerdy stuff here, was rewritten by the Biden administration. It's something that had been used for years by Democrats and Republican Presidents alike to just evaluate cost benefit.

The Biden administration came in, changed all the rules that have been done for decades and said, we want to rewrite this and, actually, what we want to do is to say, we are going to evaluate it based on the immediate costs, but the long-term benefits. We are going to look at just the cost in a small area, but get the global gain from this.

They changed the rules of how every regulation is done. That's something I would just say you cannot say how you are going to be able to act on this because you are not there in the seat on it, but I would say change it back there. There should be no disagreement with his body to say use the same rules President Obama used. OK? Because this was a non-partisan rule until they tilted the scales and said, no, we want to be able to change the scales on this.

Something else that you put in place that I thought was a great benefit to the American people was that all guidance documents had to be online. That if an agency had guidance, it could not be hidden guidance. There could not be surprises. Show up in some business out there and say you violated our guidance. When people would say, I have never seen it, I do not even know how to find it. Most agencies did not have any of their guidance publicly until you actually helped put it online and it could all be done.

The Biden administration came in and turned that off and said, no, the American people and businesses cannot see the guidance from agencies. You have to guess what guidance that agencies are putting out. I think that's wrong. I think if there's a regulator is going to actually put a guidance document out there, I think they should actually have the guidance and should be able to find it rather than have to play mother may I to go get it or guess what it is.

Again, you are not in that seat, but I would recommend, based on the desire of the American people, if their government is going to put guidance out on what they need to do with the regulation, they should at least know where to be able to find it and to be able to have that. That's another piece coming up. You have a lot of responsibility in the days ahead for helping us deal with spending.

The Chair brought this up at the very beginning on this. My question to you is, how do we get a hold of the grants? We have a grant that came out from State Department doing an investigation on do helmets improve safety in Ghana? I can go ahead and not spend a dollar and tell you probably helmets improve safety there, just like they do here on motorbikes and bicycles. I do not need to spend that money on it. But for some reason, we decided it's in America's best interest to do a study on helmet safety in Ghana.

How do we get the parameters to make sure grants that are going out are actually in America's best interest and best use of Oklahoma taxpayer dollars?

Mr. VOUGHT. Sure. Senator, thank you for all the questions, particularly on the regulation front. Some of these ancient landmarks that the Biden administration moved we are aware of them, and we will be considering them in detail.

As it pertains to grants, obviously, the management side is a very important office, the Office of Federal Financial Management (OFFM), putting forward rules and regulations to guide agencies on the grant process, but also asking the oversight questions. Many of the times that OMB is accused of withholding money, these are not impoundment conversations, these are us asking the questions of the agencies on how are you going to spend the money wisely so that we can get all on the same page as to whether something's going to be totally wasteful or not? That is, I think, one of the important aspects of getting in and being confirmed for this role.

Senator LANKFORD. Great. Thank you. Thank you, Mr. Chair.

Chairman PAUL. The question was brought up previously about the constitutional oath and obeying the Constitution. I would not diminish that at all, but I would argue that it's a little more complicated than some would make it out. Article I, Section 10 of the Constitution, Clause I, actually says that no State shall pass an ex post facto law.

Recently, the President was convicted in New York of a law that was passed 20 years after the alleged crime. That law was passed specifically at the behest of going after one individual, which is also a bill of a tender and also, potentially, unconstitutional as well. But not everybody up here agrees with what I am saying that it's an ex post facto law. Some people loved it and thought it was a great use of a prosecutor who ran to try to convict the President, to go after him.

There are debates over what the Constitution says with regard to Article I, Section 10, Clause I. It also says that States may not accept anything but gold and silver coin as tender and payment of debt. That's not adhered to by every State in the union. Yet, we are not going to somehow say are you going to obey the gold and silver clause of Section I, Clause 10.

The loan program. This was a case which is even much more clear cut on the Constitution where the court is actively telling President Biden that what he's doing is illegal and he's actively doing the opposite of it. Now, it would be fair during the quarantine, the Trump administration began by saying, you no longer have to pay your rent or your debt based on a quarantine resolution from 1938 from the Centers for Disease Control and Prevention (CDC), which did not apply. The Biden administration continued it, also.

But I think when we talk about obeying the oath of the Constitution, we want sincerity. We want someone who truly believes that they will read, and understand, and obey the law. Will you obey the Constitution, and will you obey the law as written and interpreted?

Mr. VOUGHT. Yes, Senator.

Chairman PAUL. Senator Gallego.

OPENING STATEMENT OF SENATOR GALLEGO

Senator GALLEGO. Thank you, Mr. Chair.

Mr. Vought, as OMB Director, will you be giving advice to the President?

Mr. VOUGHT. Yes, Senator.

Senator GALLEGO. Not just executing whatever you want. Great. Perfect. This is why I would like to get to kind of more of your thought process, because while I do not disagree that you are going to follow to the best as possible every dot when it comes to the Constitution, I do not question at all whether you will abide by that, nor your patriotism, or anything like that, I do think it's important for me to understand your thought process. Because you will be advising the President.

As such I would like to know what your thought process was and your positions in the past, in your previous roles. Going back to Senator Blumenthal, as someone like me who I am a veteran, I do receive VA disability. Many of the men I served with in the Marines also receive disability. I have gotten very frightened phone calls in the past about different things they have heard a lot of times online that either the Democrats or the Republicans are going to cut VA disability or whatever.

It always happens. It comes from both sides. They are worried about both sides cutting it. It makes sense if you understand their life. A lot of them have very small personal budgets. If something is cut, that could affect their livelihood, their ability to pay rent, and things of that nature.

We heard obviously what Senator Blumenthal said about, potentially, your past position that people below 30 percent VA disability should have that disability cutoff altogether. I am not saying that you are going to project this going forward to the President, because, clearly, you say you are going to abide and go by what the President tells you to do.

But what was your thought process back in the day in terms of your belief of why that was a good program? I am sure there was some reasoning for it. Obviously, saving money or whatever it is, like breaking down bureaucracy. But I would love to hear the thought process to that.

Mr. VOUGHT. First of all, Senator, I just want to say thank you, and I do not take it for granted for you to accept that I will be someone that upholds the Constitution in performing the duties of the OMB director. I am very grateful for your comments on that.

Look, I am not here on behalf of proposals that as the President of the CRA might have put forward. I am here on behalf of the President. He fully supported veteran spending. One of his most proud initiatives was some of the reforms that were made to provide additional healthcare resources and flexibility, and to make sure that veterans got all the care that they needed to. It was a huge priority in the first term. We were always fully funding the needs of the VA and we will continue to do so, if confirmed.

Senator GALLEG0. And no doubt, as someone that, I have been a veteran, well, since the Bush Administration. I have seen great progression actually on under all the administrations, and certainly, saw some under the Trump administration. Why I am asking this is because, again, prior to starting this line of questioning, I asked, will you be giving advice to the President?

That's why I am trying to get at. What is your thought process? Because that's going to give me a very good indication about where future decisions are going to be made and future advice will be given to the President. I have zero doubt that you are going to fully execute whatever the President tells you to do. But at some point, you will also likely be giving advice. This is why I ask certain things, whether it's as your past position in government, whether it's your past position, and whether you are not as the head of your think tank.

For example, it is concerning when it comes to means testing. There are places, obviously, I think within, when it comes to government benefits that there should be some means tests when it comes to veterans and VA disability benefits. A lot of us do not believe that there should be means tests for something that we actually did and received in service to the country. If you could explain at least that, what was the thought process? Because that helps me determine what is going to be the advice that you will be giving to the President.

Because it does concern veterans. We would be concerned if somebody is going to cut our benefits, or if at a minimum, we understand where the process is. Maybe we could say like, this is someone that's being reasonable and maybe we could try to work with them in any other way possible.

Mr. VOUGHT. Thank you, Senator. I think the best way to get a sense of the advice that I will be giving is based on what the President ran on. I mean, my view of this role is that you take what the President wants to do, what he ran on, what he is articulating once in office, and figuring out how to best implement it and to do it in the most efficient manner.

The President ran on fully funding veteran programs and providing what is necessary. I think that should give you a pretty good sense, even though I am not going to get into the specific advice that I give to the President.

Senator GALLEG0. In your interpretation of the President being a Star Wars supporter of veterans, and I think he definitely ran on that, I think we could all agree on that in this Committee. Cer-

tainly, almost everyone I served with voted for the President. I think they also believe that. Would that include the fact that that would be including protecting VA disability? That that would match the President's point of view? Would you advise them to actually follow through on that by protecting VA disability ratings?

Mr. VOUGHT. Again, Senator, I am not going to get ahead of the budget process other than to say that it's been a priority to fully fund the needs of the veterans. That will continue if confirmed.

Senator GALLEGRO. OK. I yield back.

Chairman PAUL. Senator Scott.

OPENING STATEMENT OF SENATOR SCOTT

Senator SCOTT. Thank you, Mr. Chair.

Mr. Vought, congratulations on nomination. I enjoyed working with you when you were up here before, and I know you will do a great job.

We have seen the bloating, the Federal Government under the Biden administration. In his four years alone, he's added \$8 trillion to the national debt. He's increased our Federal spending by 53 percent. Our population is up two percent. We cannot continue down this path of spending way above pre-pandemic levels. With the past four years of Joe Biden, there has not been any serious discussion or plan of how to control spending or reduce our now \$36 trillion worth of debt.

If you travel around Florida, here's what you are going to hear from people. They cannot afford it. They cannot afford this inflation. They said, I could afford to live a few years ago, but today with this inflation, I cannot go buy a house because interest rates are up. You cannot buy a car. I better sure as heck pay off my credit card because I have high interest rates there.

What are some of the things that you think are doable to deal with inflation and interest rates?

Mr. VOUGHT. Thank you, Senator. I appreciate the kind words. Obviously, one of the things that our past budgets have really gone after is non-defense discretionary spending, which just so happens to be where the bureaucracy is funded on an annual basis and which gives Members, Senators, the annual ability to go after some of that waste. Many of it shows up in the reports from Senator Paul on an annual basis.

But it also is those agencies that, I think, have been overbearing on the American people. I think that will be one of those areas that we can target first. But the President has also put forward reforms to get to reduce or have better outcomes with regard to welfare, get people back into the labor force. Those are potentially substantial amounts of savings as well.

Senator SCOTT. What's the right way of looking at this? We have seen since pre-pandemic, about a \$2 trillion increase in spending. Is the right way of looking at this saying let's go back—like, in my business life, what we do is to say this is where our revenues are going to be. We are not going to spend more than that, and hopefully, we are going to have a profit.

Is it the right way of looking at this and saying why do we have this unbelievably increase in spending? Should we go back and say

why can't we go back to 2019 or 2020 spending rather than be stuck with where we are now?

Mr. VOUGHT. It is certainly a valid line of reasoning and one that we will explore, if confirmed, in trying to think through what our fiscal goals might be. Certainly, we have been aware of the debates up here as you all have been trying to get the country's attention with regard to where we are fiscally. We will look for those types of opportunities, if confirmed.

Senator SCOTT. The regulatory costs up here, when I was Governor of Florida, we added 1.7 million jobs when we cut taxes and fees 100 times. What really had the biggest impact, we reduced 20 percent of regulatory environment and we streamlined the permitting environment.

It could take you two years to get a permit you were entitled to under our water management districts. We got it down to just a few days, because you were entitled to it. You did not have to go hire a lawyer, didn't have to go hire lobbies to get it done. What are some of the things you think we can be doing with what you are going to do with DOGE to reduce, one the cost, and buildup the economy?

Mr. VOUGHT. Certainly in the first term, the President was very active in this area as one of his main deregulatory priorities. He was horrified by the extent to which all of these projects would take decades to get approval. His view was that an agency, you would be on a time clock. It does not mean you are always going to win if you are the person who's trying to do the project, but the agency should respond quickly. That's the way he thinks. That's the way I think you will see many of our deregulatory ideas and initiative to flow out of that viewpoint.

Senator SCOTT. What's success for you? Let's say you are confirmed and you had the job for four years. At the end of four years, what would you say I was successful in this role because of what?

Mr. VOUGHT. I want to do the best that I can to implement the President's agenda. My hope is that we are able to deal with the spending components of inflation to get a handle on our fiscal house. The President's put forward budgets before, and I expect him to put up similar budgets that deal with that problem, and to be able to get the regulatory apparatus that we had in the first term back in place where we are actually deregulating as opposed to putting endless burdens on the American people. I think that's how we would define success at the end of the term.

Senator SCOTT. Why is this job important to you? Why do you want to go back and do this? What drives you to do it?

Mr. VOUGHT. Having done this the first time, the President deserves to have people who know how to do the job, do it well on day one, and who can implement his agenda. It's very rare in life that you get an opportunity to think about a job for four years, and to try to go back and even do it even better. I think the President deserves that, and I am looking forward to being confirmed, if confirmed, by the Senate, in doing that job.

Senator SCOTT. Thank you, Mr. Chair. I yield back.

Chairman PAUL. Senator Hawley.

OPENING STATEMENT OF SENATOR HAWLEY

Senator HAWLEY. Thank you very much, Mr. Chair. Mr. Vought, good to see you. Congratulations on your nomination. Thank you for being willing to do this job, again. You did a great job the first time around. I look forward to seeing you back in this office.

Let me just ask you. One of the important functions of OMB is the role that it plays in managing procurement through the Office of Federal Procurement Policy (OFPP). Would you agree with me that it is a problem? By the way, I think one out of every 10 taxpayer dollars goes to Federal contractors. That's a lot of money. That's a big part of our budget. Would you agree with me that it's a problem when we are sending Federal contracting dollars to entities, firms, especially consulting firms that are simultaneously taking money from and doing business with our most lethal opponents, like China, for example. I mean, doesn't that strike you as a little strange?

Mr. VOUGHT. It's concerning. Yes, Senator.

Senator HAWLEY. Here's an example. Prime example of this kind of behavior, McKenzie, the consulting firm. McKenzie got in the last year, for which we had full numbers available, over \$851 million worth of consulting work. They had 90 prime contracts with DOD, they got \$98 million in contracts from the Army, \$132 million from the Air Force, \$37 million from the Navy. I think they advised on the F-35 fighter jet program and the Air Force Space and Missile System Center.

At the same time, they had a thousand employees in China. They were doing business directly with the Chinese government, and they advised Chinese state-owned enterprises that have now been blacklisted by our own military who got rid of. Now, my view is that if they want to do business with China, I do not recommend it. I suppose it's fine, so long as it's not illegal. But I do not think they should simultaneously be getting hundreds of millions, approaching a billion dollars in contracts, Federal contracts, military contracts from our own government.

Here's my question for you. You are going to have a lot of influence in this process through the procurement rules and process. Will you be an advocate for protecting American taxpayer dollars in this contracting process where hundreds of billion dollars to spend every year? Will you be an advocate for protecting that and making sure it's not going to entities who are effectively double-dealing and advising our enemies at the same time?

Mr. VOUGHT. Absolutely. I am very excited, if confirmed, getting back to being able to work with OFPP, getting a handle on the guidance that we are giving governmentwide as part of the Federal Acquisition Regulatory (FAR) Council and to really look at what are the regulations that are in place and how can we get them better.

Senator HAWLEY. Great. That's great. That's fantastic. Give me a sense, just while still on the procurement topic, how you might ensure that procurement policies prioritize American made goods and service, particularly services, particularly in industries that are vital to our national security. I just think about our experience in COVID, and you were there for the beginning of the onset of the pandemic. When we learned that, my gosh, the most basic medical

supplies we are importing from overseas, our medical supply chains are so compromised in so many ways.

Give me a sense. Have you given some thought to how the procurement process might be used to safeguard those critical supply chains and prioritize American manufacturers?

Mr. VOUGHT. Yes, I think clear leadership from the director to make sure that a viewpoint for the President is implemented at the level of policy that the OFPP is reviewing. A lot of times in the management functions that OMB that are kind of on autopilot with regard to the clear direction of the President and using the President's management tools and his agenda to be able to drive that policy across the Federal Government is something that we fully intend to do and to do it robustly.

Senator HAWLEY. Very good. Let me shift gears just a little bit, but still thinking about Federal regulations through the Office of Information and Regulatory Affairs (OIRA). You have a lot of influence, thankfully, on the regulatory landscape and environment. I asked your predecessor in this role, the Biden administration nominee, if she would commit to the Hyde Amendment and the principle that we should not be using Federal taxpayer dollars to promote abortions, which has been a bipartisan commitment, as you well know, for decades. She would not commit to that.

Indeed, as you know, the Biden administration pretty promptly walked back their commitment to it and has been essentially violating the law because it is the law. They have been violating it for years. Now, let me just ask you. When it comes to the Hyde Amendment, which is the law of the land, will you work to ensure that all of our rules and regulations, everything that comes across your desk is in full compliance with the Hyde Amendment and we are not spending Federal taxpayer dollars to promote abortion in any way?

Mr. VOUGHT. As I have said, Senator, we will apply, we will abide by all laws on the books.

Senator HAWLEY. Very good. Let me ask you just a couple more things when it comes to the policies of life, because, again, you are going to have a lot of influence over the regulatory environment. Would you agree that Federal funding for family planning through Title 10 through that grant program should not include Federal funding for abortion providers?

Mr. VOUGHT. Again, the President has made his views on abortion really clear throughout the campaign. I am not going to get ahead of the President with regard to the budget process. We have submitted budgets in years past that give the Senate a sense of how he would budget, but I am not going to get ahead of the President on that.

Senator HAWLEY. But let me ask you this, and just to be clear, what I just asked about was the Trump policy from in his first term, but here's another one. Pregnancy resource centers, should they be able to receive Federal funding through Federal grants? That was the President's policy in his first term. Do you think, again, as a matter of Federal rules pregnancy resource centers ought to be eligible?

Mr. VOUGHT. Again, the President's a pro-life President. He had a very pro-life record. He had an extensive debate within the cam-

paigned on his views, and I am not going to get ahead of him on the budget process. But I think the country has a good sense of where he is on the issues.

Senator HAWLEY. Let me ask you just one more. The Mexico City Policy, which I know you are familiar with OIRA, is very important in that policy. That's just the policy, for those keeping track at home, that says that American foreign aid dollars tax money should not be spent on abortions overseas. President Trump championed this in his first term. Every Republican President has for decades. Now, do you agree with the Mexico City Policy? Would you implement it if the President directed you to?

Mr. VOUGHT. Absolutely. We will implement anything the President's asked me to direct.

Senator HAWLEY. Very good. Thank you, Mr. Vought. It's great to see you again. Thank you, Mr. Chair.

Chairman PAUL. Senator Ernst.

OPENING STATEMENT OF SENATOR ERNST

Senator ERNST. Thank you, Mr. Chair and thank you Ranking Member. It is good to be back on the Committee after a hiatus for many years. Good afternoon, Mr. Vought. Thank you for the really robust discussion yesterday. I truly appreciate that. Thanks for being here.

You were here six and a half years ago as well, and I do remember that as your kids had been sitting behind you during that as well, and one of my colleagues had very inappropriately questioned you on your faith as part of your first confirmation hearing before the Senate. I just want to commend you because during that period, you handled yourself with extraordinary grace. I truly appreciate that. I just want to be on the record as stating that I think people of all faith should have a place in the public square. But thank you so much and what a great example for your children.

Mr. VOUGHT. Thank you, Senator.

Senator ERNST As the chair of the Senate DOGE Caucus, I look forward to working with you to make government more transparent, accountable, and efficient. It's impossible to achieve these goals, though, if we do not even know how Washington is spending our tax dollars. During my time in the Senate, I have passed numerous laws to do just this. One requires the Department of Transportation (DOT) to report all projects that are \$1 billion over budget, or 5 years or more behind schedule. Another requires the Pentagon to put a public price tag on all research and development (R&D) projects funded with taxpayer dollars.

Despite numerous laws being passed, these were passed and signed into law, agencies have been completely ignoring the mandates. Likewise, the bipartisan law that originated in this Committee requiring all government spending to be disclosed in a searchable public website. USAspending.gov is being circumvented by bureaucrats who are hiding billions of dollars of secret spending awarded as Other Transaction Agreements (OTAs), from USA spending.

As Director, what actions are appropriate to compel agencies and recipients of taxpayer dollars to comply with these laws, and how will you prioritize ensuring compliance?

Mr. VOUGHT. It's a great question, Senator. It's one that we will definitely take note of and make sure that when we are setting up on the management side these apparatuses, but also on the budget side that works intimately with the agencies, that they are not allowed to get away with these types of gimmicks.

Senator ERNST. OK. I look forward to working with you. Will you also require agencies to start reporting OTAs to [USAspending.gov](https://www.usaspending.gov)?

Mr. VOUGHT. We will definitely abide by the law and make sure the spirit of the law is executed as well.

Senator ERNST. That is the spirit of the law. Thank you. In the years since COVID, our nation's capital has remained a ghost town as private companies of all sizes from coast to coast have called their employees back to the office. Some Federal employees allegedly come to their DC offices so infrequently that the calendars in their cubicles are still flipped to the March, 2020 page. That's why it's entirely unsurprising that GAO found Federal Government headquarter buildings are operating at an average occupancy rate of just 12 percent. Meanwhile, I recently published a report on Federal telework, which I ask unanimous consent (UC) to enter into the record.¹

Chairman PAUL. Without objection.

Senator ERNST. Thank you, Mr. Chair. Which details some truly shocking statistics, and my staff will hand you a copy of this as well, Mr. Vought. Before COVID, just three percent of employees eligible to telework did so. Now, six percent of those employees say they report in person on a full-time basis, six percent, showing up for work every day, depending on the agency. Between 23 and 68 percent of surveyed teleworking employees are boosting their salaries by receiving incorrect locality pay. Some employees claim to be working in DC while living more than 2,000 miles from their office.

As you are aware, the Office of Management and Budget holds the critical responsibility of ensuring the Federal workforce delivers meaningful results for the American people. Strong leadership from your office to correct the Biden administration's a sleep at the wheel approach to Federal workforce management would send a very powerful and much needed message to the rest of the government. To this end, I will ask a few key questions. First, will you share your daily schedule with the public?

Mr. VOUGHT. Yes.

Senator ERNST. Congress has a set 60 percent utilization goal for your headquarters building and the headquarters building of each Federal agency. What steps will you take to get each agency to meet Congress's goal?

Mr. VOUGHT. I think we are going to make it a priority. Obviously, you have heard through your DOGE leadership, with the leadership of the President's DOGE, that this is a major area that they are looking at. We are going to be looking at ways that OMB can come along beside and ask the right questions, both on the management and the budget side to get a sense for how are agencies monitoring their own employees that might be benefiting from the DC pay rate when they are not living in DC.

¹The information from Senator Ernst appears in the Appendix on page 145.

Part of it is having a theory of the case, which we clearly have to do that oversight, and then to get into these roles and to figure out where we are on a day-to-day granular basis, and then figure out what can be done about it.

Senator ERNST. Very good. What would your plan be to get Federal employees including those that are covered by collective bargaining agreements to show up for work?

Mr. VOUGHT. We are going to take a look at the collective bargaining agreements. Obviously, we are aware of the extent to which the Biden administration is locking in or attempting to bind the Trump administration with these Consumer Bankers Association (CBAs) that last an extended period of time. I do not have anything to announce other than to agree with you that it's a concerning phenomenon and one that we are looking at very closely.

Senator ERNST. Very good. I have a number of other questions as all as well. We went through a number of these yesterday in my office. I truly appreciate that. I could go on and on and on. I would encourage everyone if you would like a copy. We may have some extra. But this is just the tip of the iceberg, Mr. Vought, and I look forward to your confirmation and to working with you on these issues. Thank you very much.

Chairman PAUL. Thank you, Senator Ernst. We are very interested and the full Committee is very interested in this. I think it would be illustrative to bring in some people who could tell us some stories about people not coming to work. I do recall that when the baby formula problem happened and the baby formula was contaminated, we had the heads of three agencies or four agencies, and one of the Senators asked the question, "When was the last time you were in the office?" Most of the heads of the agencies, like the head of the CDC, U.S. Food and Drug Administration (FDA), they had not been in the office for a month.

We need to talk about this and if nothing else, we got to shame some people to going back to work. There has to be some metrics. The private practice works because you have profit and somebody monitors your work. If you are not being monitored and there is no profit number to see whether you are doing any work it's impossible. But let's work together on maybe doing a hearing on this in the near future.

With regard to the regulations, Senator Scott brought up some of the different regulations and it brought to mind a couple of things. We had a bridge collapse in Kentucky a few years ago. A tugboat hit it. I thought, well, they tell you these National Environmental Policy Act (NEPA) regulations take like three or four years to get. Maybe we should have an exemption, if your bridge falls down and you are going to build the bridge in exactly the same place, you do not have to do any NEPA review at all. I think I got about 20 votes or whatever, 15 votes. We could not even pass an amendment. That common sense saying it's going in the same place.

It reminds me of one other quick anecdote, then we will go back to a couple questions. Did you see the story recently about the snail darter? Apparently, the snail darter was discovered back in the 1970s when they were building a dam in Tennessee. Now, they

have somebody to admit that, well, he told people at the time, this will stop the dam. It's a new species.

Apparently, now, they have done all these genetic testing and it's not a new species. The more they look, the more they found the snail darters everywhere. We had a dirt darter in Kentucky must be a relative of the snail darter. We had to lower one of our dam lakes by 30 feet where there's a lot of marinas and recreational activity. While the dam was lowered to rebuild an earth and dam lordy, they found some dirt darters in a river. They said, we do not want to fill the lake back up because we will hurt the dirt darter. My question was, it's a fish, doesn't it like water? But I mean the craziness of all this stuff.

One more. We have the pocketbook mussel. It's been listed on the Endangered Species Act. Have you ever seen mussels? They are everywhere. Any pond, lake, creeks got mussels everywhere. This was put on the endangered species list. Then for the last 20 years, they have been looking for it. Everywhere they look, they find it. There's no endangerment, but somebody put it on the list, and it's a scam.

We had a sewage plant in a city was overflowing with sewage into the lake. Nobody wants that. We wanted to build a new one in a little town in Kentucky. First, we got to get a consultant, 100 grand, 150 grand for this tiny little town to study this, the pocketbook mussel population, and Indian artifacts. All it does is it enriches the consultants. It lasts two or three years to get it done, slows everything down.

But this isn't a question, this is a rant. [Laughter.]

Anything you can do to fix that stuff, I am all for you. Tell us what we need to do to fix it. We are going to do another round. We are going to start with Senator Peters for five minutes.

Senator PETERS. Thank you.

Mr. Vought, the Federal Government relies on the inspector general to conduct independent oversight, as you know, root out waste, root out fraud and abuse of a taxpayer dollars that it finds. My question for you, sir, is do you agree that the inspector generals are vital to protecting Federal programs from inefficiency and waste?

Mr. VOUGHT. Yes, absolutely. As a congressional staffer and Director of OMB with various roles benefited greatly from the reports of the IG community.

Senator PETERS. Great. During your previous tenure as OMB director, you did not comply with an investigation into delayed disaster recovery funding for Puerto Rico that was conducted by the Department of Housing and Urban Developments Inspector General (HUD OIG).

My question for you is that under the Inspector General Act, agency heads are required to provide all information and assistance requested by IGs to the extent practical. Why did you and your staff fail to comply with the law during the HUD OIG investigation?

Mr. VOUGHT. Senator, I assure you, I am always responding to the advice of counsel, and the extent to which that applied in that instances is the same.

Senator PETERS. Your legal counsel said avoid the law. Just basically violate the law. That's the kind of advice you get?

Mr. VOUGHT. Again, we go through a process with all the requests that come in, and we figure out what we are required to do. We did that in that instance, and we will do that again on a case-by-case basis.

Senator PETERS. Again, I have to echo my colleague, Senator Slotkin. You do give really good bureaucratic answers, which is why people, I guess, are crazily frustrated with bureaucrats. You are a very good bureaucrat and not answering questions. Even when you avoid the law, you try to find some sort of bureaucratic runaround so that you can get away from doing what's right. It's really unfortunate.

My next question is, under leadership, OMB also obstructed the GAO review on delayed Ukraine assistance by refusing to comply with GAO request for information. You also defied a congressional subpoena that was issued by the House Intelligence Committee in 2019. So, you defied a congressional subpoena. Will you comply with a congressional subpoena if you receive one from this Committee, or will you defy it as you have done in the past?

Mr. VOUGHT. Senator, as you know, the President was being impeached at that time. The Office of Legal Counsel instructed the appointees of the Executive Branch because their agency counsel were not going to be allowed to participate in those proceedings and therefore protect privileged information not to go to the Hill.

So, of course, I will come to Congress if subpoenaed but there's a reason why we consult our lawyers, particularly at the Office of Legal Counsel, as to their determinations with protecting the presidency and an agency head has to listen to what they have to say.

Senator PETERS. Chairman Paul and I have had many discussions about subpoenas and the fact that our subpoenas are basically ignored by the administration in both parties. This is not partisan in any way, but it's clear, Chairman Paul, we are going to get the same kind of stonewalling on subpoenas if we continue to get these kinds of bureaucratic answers from OMB under the leadership of Mr. Vought.

Mr. Vought, will you commit to complying with all oversight requests you receive from the Inspector General, the Government Accountability Office, and Congress? Or will I get the same bureaucratic runaround answer that I have received in all the other questions?

Mr. VOUGHT. That's not how I would characterize it, Senator.

Senator PETERS. Of course not. We will respond transparently to all the oversight requests, and we will make sure that, subject to the advice of counsel, you are getting the information that you need to do your oversight responsibilities. That is a priority of my time at OMB. When I get letters from Senators, I take them very seriously. I want to be known immediately about them so that we can get after responding to Senators and what they have asked for.

Senator PETERS. I expect I am going to get the same bureaucratic answer in my last question here. Will you commit to fully and promptly responding to oversight requests from this Committee, including from the Ranking Member and from other Minority Members? You have already stated that you will take these letters seriously.

Mr. VOUGHT. We will definitely respond to your letters.

Senator PETERS. And respond with another very eloquent, bureaucratic answer that, "Sorry, we can't comply?" Is that what we should expect? We certainly got it the last time you were in OMB. How is it going to be different this time? How will things be different this time?

Mr. VOUGHT. Senator, I would go back to something earlier that you said. We come up here and when you subpoena us, when you request for us even beyond using the subpoena power, we come to Congress. Outside of the impeachment situation, you do not have an example to point to in which we are not willing to come and defend our actions before these bodies and the ones in the House.

That will continue, and we will continue to help you do the oversight process that I think is vital by giving you the information that you need, at the same time respecting the differences between the Executive Branch and the Legislative Branch, and that the President has a policy deliberative process that needs to be respected as well.

Senator PETERS. Well, time will tell. Thank you, Mr. Chair.

Chairman PAUL. Senator Lankford.

Senator LANKFORD. Thank you, Mr. Chair.

I do not think this Committee wants to discuss who is and who isn't willing to be able to come for hearings. When last year, for the first time in 20 years, the Biden administration refused to come for the global threats hearing. The request was made month, after month, after month to the Biden administration for Mayorkas and Christopher Wray to be able to come and give a public accounting for it. They stiff-armed this Committee for months and refused to come.

I understand what happened during the impeachment time, but that that was a very unique moment that I hope is not repeated again, obviously. But this Committee certainly has not had response from the Biden administration actually coming and appearing before this Committee or delivering documents.

Senator PETERS. Senator Lankford, I hope that you will recognize that I called that out very aggressively.

Senator LANKFORD. Oh, you did.

Senator PETERS. No, I have been consistent in that it's not—I was way out front in calling that that was wrong 100 percent.

Senator LANKFORD. I was grateful for that. I was just saying that's not just a moment to say this happened once during the Trump administration. This is challenge.

Chairman PAUL. I would just follow-on with it's us against them. We are the legislature. All right?

The ambition to pit ambition against ambition was us against them. Not Republican, against Democrat. Us against the executives. While I am going to vote for Russell Vought, I want him to correspond with this. If we ask for records, I am going to ask with you.

Senator LANKFORD. Yes. Totally agree. Let me blitzkrieg through some different topics here. GAO does a high-risk list. Do you-all evaluate that? Do you go through that? Is that meaningful to you? Because what I asked GAO to do years ago was to take their high-risk list and to split it. Executive Branch can do this on their own. The Legislative Branch have to be able to act on this. They do that

now and split it. We each get our to-do list on that. Is that important to you as you go through it?

Mr. VOUGHT. Absolutely. Yes, sir.

Senator LANKFORD. OK. That's helpful because we are both going to have quite a list on this. I have a question on E-Verify. This should not be a challenge, but it has been a challenge and has been over multiple administrations. The law requires E-Verify be used for Federal contracting and for prime, subprimes and all that. But GAO has looked at this year after year and has determined no one's really checking it.

No one's asking the next question, are they really using E-Verify? Sometimes they do on the primes, but then all the subprimes that they use, no one's really asking. There is without question, we have under Federal taxpayer dollars contracts being used right now where the folks that are doing it are not legally present in the United States. I think most people would be really shocked by that.

We also have asked the question on OTAs and those other transactional agreements, are we checking E-Verify for that? The answer we got was kind of a sheepish no, we kind of treat those differently. If an OTA is used, no one is asking on E-Verify on it to be able to verify folks with American taxpayer dollars are actually Americans. While we talk about buy American for products, we are not always hiring American even in the United States on that. How does that get fixed?

Mr. VOUGHT. I will definitely take a look at that and start to inquire about what's going on with regard to that.

Senator LANKFORD. Thank you. Retrospective review is a big deal. You and I have talked about before. We are back in nerdy territory to be able to go back and say if a regulation was made years ago and it's been left alone, we should go back and take a look at it years later and say, did it work? Is it costing more? Is it there?

I bring this up because during the time of COVID, President Trump put out a statement to say, for all those regulations that are out there, we understand everything's weird right now across the country. We got to figure out how to be a process and do work, and we got to figure out the regulations.

Somehow, as a country, we survived with relaxed regulations on it. I think there's a need to be able to go back and do a regulatory review, and to say what regulations were relaxed at that time that we later learned, the country still works with that. Is that a need to be able to go back and do a regulatory review, not only during that time period, but for all regulations?

Mr. VOUGHT. Yes, very much Senator. In fact, the President's given us a new goal. He had originally had a two for one goal in the first term. He's now given us a 10 for 1 goal. We believe that we can hit that. But it's going to require looking at everything that does not make sense within government, and reassessing, and trying to get better outcomes as a result.

Senator LANKFORD. I cannot even begin to tell you how many Oklahomans would tell me, "I just want the government to make sense." Just do it in a way that's logical. Don't try to do it based on somebody in Michigan one time did something and so now the whole country has to do something different or produce a lot of pa-

perwork. They just want it to be able to make sense on it. That's very helpful to be able to get.

One final question on this. Sitting in this hearing for the last hour or so, I have heard your name pronounced three different ways. [Laughter.]

Can you clarify for this Committee in the American people, how do you pronounce your last name?

Mr. VOUGHT. I appreciate that question very much, Senator. Believe me, I have heard all of them growing up. It is Russell Vought.

Senator LANKFORD. Thank you for clarifying that. We will put you on record as Russell Vought. Got it.

Chairman PAUL. Yes, I was not sure how to say Russell either, so. [Laughter.]

Thank you, Mr. Vought, for your time today, and your commitment to working with the Committee. The nominee has filed responses to biographical and financial questionnaires,¹ answered pre-hearing questions submitted by the Committee, and had their financial statements reviewed by the Office of Government Ethics (OGE).

Without objection, this information will be made part of the hearing record with the exception of the financial data which are on file and available for public inspection in Committee offices.

The hearing will remain open until noon tomorrow, Thursday, January 16, for the submission of statements and questions for the record. We are adjourned.

[Whereupon, at 3:02 p.m., the hearing was adjourned.]

¹The information for Mr. Vought appears in the Appendix on page 69.

A P P E N D I X

HSGAC Hearing:

*Consideration of the Nomination of the Honorable Russell
Vought to be Director, Office of Management and Budget*

January 15, 2025

Opening Statement, as delivered

Since taking office four years ago, President Biden has added \$8.4 trillion to our national debt. To be fair, the Trump administration added \$7.8 trillion to the national debt. This is truly a bipartisan problem.

To put the pace of our federal government's spending into perspective, for the last 8 years our government has added, on average, \$1 trillion to the national debt every 6 months. Now, for the first time in history, servicing our debt has come at a cost us that is more than our entire defense budget. Interest now exceeds our military budget. This is not sustainable.

The Office of Management and Budget, or OMB, is the largest office within the executive office with the primary responsibility of producing a workable budget for the president. Unfortunately, over the past four years OMB failed to address our nation's fiscal situation and, in fact, took actions that accelerated the country's fiscal crisis.

Make no mistake, my colleagues on both sides of the aisle in Congress are also complicit in this reckless approach to spending by refusing to put any meaningful guardrails or parameters on taxpayer's money.

For example, each year I put forth a budget, a plan to balance the federal budget in five years. Last year I put forth a six-penny plan, started out as a one-penny plan, you could cut one percent over five years and balance your budget.

Last year, it was six percent because of the explosion of money that happened during Covid. Every single Democrat opposed this and seven Republicans but we got a big chunk of the Republican caucus on that bill. But instead of taking advantage of an opportunity for fiscal responsibility in 2025, we've added another \$1 trillion to our deficit in

the 4 months since I introduced my budget. Reports out today were over \$700 billion in debt in the last three months.

For years, I have been beating the drum on waste in our government. Each year I release a “Festivus Report” highlighting the new and egregious examples of waste I’ve found.

Just last month, I released the most recent iteration of this report which identified over \$1 trillion in unnecessary and often absurd government spending such as:

- \$400,000 to determine whether lonely rats seek cocaine more than happy rats.
- \$3 million for ‘Girl-Centric Climate Action’ in Brazil.
- \$10 billion in maintaining, leasing, and furnishing empty federal government buildings.
- \$12 million on a pickleball complex in Las Vegas.
- \$4.8 million for social media influencers in Ukraine.
- \$20 million on teaching Pakistan, Vietnam, Colombia, and Brazil how to use fertilizer.
- \$2 million to New York University to study kids looking at Facebook ads about food.

The list goes on and on. It is beyond time for our federal government to start taking responsibility for this reckless and irresponsible approach to spending.

While I was disappointed to see our nation’s annual budget deficit grow during President Trump’s first term, I remain optimistic about President Trump’s nominee, Mr. Russell Vought. Mr. Vought has been a consistent advocate for fiscal sanity and has continually suggested strategies to decrease excess spending.

The Director of OMB plays a pivotal role in our economy, especially now. Our government is over \$36 trillion in debt, and the Congressional Budget Office predicts an average of about \$2 trillion per year for the 10 years. No end in sight. We need someone with the strength of character, like Mr. Vought to put the foot down, to put the hammer down, and say enough is enough.

Mr. Vought is well qualified for this role, having previously served as Director in both an official and acting capacity, and as well as having been the Deputy Director.

As Director, Mr. Vought will be tasked with spearheading the President's budget. He will also be tasked with overseeing agency use of funds, coordinating agency activities across the federal government, and working with Elon Musk and Vivek Ramaswamy's Department of Government Efficiency.

However, unless the new administration has the courage to tackle entitlement reform, the national debt will continue to explode.

I support Mr. Vought's nomination and I remain hopeful that the incoming administration will take the necessary steps to restore fiscal sanity.

**Ranking Member Peters Opening Statement as Prepared for Delivery
Full Committee Hearing:
Nomination of Mr. Russell Vought
Date: January 15, 2025**

Thank you, Chairman Paul.

Mr. Vought, thank you for being here today.

I want to begin by noting that this Committee has moved forward with this nomination on a very expedited timeline that has given Committee members a short amount of time to adequately review all the documents and information our committee requires before a hearing.

We have a Constitutional duty to thoroughly review the backgrounds, experience, and qualifications of nominees to lead our federal government agencies and provide transparency and accountability to the American people.

While I recognize that this isn't your fault, Mr. Vought, we all should be able to agree that the Committee needs sufficient time and access to this information to effectively carry out that responsibility. I will continue to review all the information and documents provided so far, and I intend to seek additional information about your background ahead of any Committee vote on your nomination.

The Office of Management and Budget or OMB is a critical office in the Executive Office of the President—with significant responsibilities ranging from developing and executing the budget to improving agency performance and reviewing regulations.

Mr. Vought, you have previously served as both the Director and Deputy Director of OMB. Unfortunately, your record and actions in these roles raise serious concerns about how you'll lead this critical agency that touches every single part of the federal government.

Above all I am concerned by the actions you took that demonstrate a total disregard for following the laws Congress passes particularly regarding how to spend taxpayer dollars.

The Constitution as part of the key checks and balances of our democracy gives Congress the responsibility to decide how federal resources should be spent. Federal courts have consistently affirmed this is Congress' role not the President's.

As a member of the U.S. Navy Reserve – and again as a member of the U.S. Senate I swore an oath to uphold and follow our Constitution. It is my expectation that if confirmed you will do the same.

Yet during your time at OMB, you consistently ignored laws passed by Congress that directed how taxpayer dollars should be spent.

In 2020, an investigation by the Government Accountability Office found that OMB, under your leadership, broke the law eight times by directing certain federal agencies to continue to operate during the 2018-2019 shutdown.

GAO also found that under your leadership, OMB violated the law by withholding vital security assistance to Ukraine that Congress explicitly provided putting our national security at risk.

In 2021, the Inspector General for the Department of Housing and Urban Development found that again under your leadership OMB inappropriately delayed disaster relief funding for Puerto Rico following the devastation of Hurricane Maria.

OMB knowingly delayed getting critical resources to communities following a disaster even after Congress passed a law specifically requiring the funds be disbursed on time. As communities across the country continue to face devastating natural disasters, including recent wildfires, I find it very concerning that you played a critical role in slowing down federal disaster assistance.

I'm deeply concerned by another action you pushed for during your time at OMB to replace nearly 50,000 nonpartisan, career civil servants with appointees whose only qualification was their political loyalty.

This would have removed employees who have years of knowledge and expertise and posed a grave threat to our national security. More than 70 percent of the federal workforce serves in agencies that are critical of our national defense and national security.

Last September this Committee held a hearing on this issue. We heard testimony from former national security officials who served under Presidents of both parties about how removing nonpartisan, career experts would slow down vital services to the American people make us less prepared when disasters or emergencies strike and undermine the public's trust in government.

In fact, you have even referred to the dedicated public employees who secure our borders respond to emergencies and ensure that Americans can get key services like Social Security checks on time as "villains."

Statements like that reflect a troubling disregard for the dedicated civil servants who work tirelessly to support our government and serve the American people.

Mr. Vought, you are one of the architects of Project 2025 which sets forth a blueprint for implementing these unlawful and dangerous plans under this new administration.

Leading the Office of Management and Budget is an enormous responsibility. Given your record, I have serious questions about whether you can be trusted to carry out the laws that Congress passes.

I appreciate you being here with us today to answer these and other questions about how you intend to manage the operations and budget of the federal government if confirmed to this role. Thank you.

Testimony of Russell T. Vought
to be Director, Office of Management and Budget

Thank you, Mr. Chairman, the Ranking Member, and the members of this esteemed Committee for the opportunity to appear before you today.

Let me begin by thanking my girls, Ella and Porter, who are now returning to the scene of Congressional confirmation hearings as savvy veterans. Their love and support and enthusiasm for me serving again is a major reason for why I feel that my going back into OMB is the right endeavor in the right moment, beyond my enthusiasm for being at President Trump's side.

It is a profound honor to be nominated a second time by President Trump to serve as Director of the Office of Management and Budget. The President has promised the American people a federal government that works for all Americans, not the interests of bureaucrats and an entrenched establishment. Making a start in fulfilling that vital promise during my previous time at OMB — as Deputy Director and Director — was among the most rewarding experiences of my career.

Throughout my career, I've been driven by a commitment to taxpayers and their families. Growing up as the son of an electrician and a schoolteacher, I saw firsthand the sacrifices my parents made to balance their budget and save for the future. They are a reminder of the burden government spending can place on everyday Americans. My parents and countless others like them have always been the measure by which I evaluate policies and spending decisions.

Today, 78% of Americans do not feel confident that their children will lead better lives than they have — nearly double the 40% of Americans who said the same two decades ago. When I look at government waste and our national debt, I know I fear for my daughters' futures. Almost half of our fellow citizens expect their standard of living to be worse than that of their parents, a critical part of understanding the President's election.

I am eager to get back to fulfilling the promise of a federal government that works as hard as people like my parents.

OMB's mission goes beyond crafting the President's Budget. It encompasses the management of the federal government, reforming regulation, and coordinating policy across agencies to ensure efficient and effective implementation of the

American people's will as expressed by both their legislative and executive representatives. A strong interagency process delivers the best results for all Americans, and I believe OMB's collaborative ethos is key to achieving those outcomes.

The civil servants at OMB are among the most resourceful and innovative individuals I have worked with. It has been my privilege to work alongside them, and I look forward to leading and supporting them as Director once again as we labor together to make government work.

We have to use taxpayer dollars wisely, because inflation — driven by irresponsible federal spending — taxes Americans twice. The average American household has lost roughly \$2,000 of purchasing power since January 2021.

The forgotten men and women of this country — those who work hard every day in cities and towns across America — deserve a government that empowers them to achieve their dreams. While “Office of Management and Budget” may not be a household term, the agency's work profoundly impacts their lives. If confirmed, I will continue to serve with their best interests at heart, striving to ensure every decision contributes to a more prosperous future for all Americans.

Thank you for considering my nomination. I look forward to your questions and the opportunity to discuss how OMB can continue to deliver on its vital mission.

REDACTED

HSGAC BIOGRAPHICAL QUESTIONS FOR EXECUTIVE NOMINEES

1. Basic Biographical Information

Please provide the following information.

<i>Position to Which You Have Been Nominated</i>	
<u>Name of Position</u>	<u>Date of Nomination</u>
Director, Office of Management and Budget	January 20, 2025

<i>Current Legal Name</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>
Russell	Thurlow	Vought	

<i>Addresses</i>					
<u>Residential Address</u> (do not include street address)			<u>Office Address</u> (include street address)		
			Street: 300 Independence Ave SE		
City: Arlington	State: VA	Zip: 22204	City: Washington	State: DC	Zip: 20003

<i>Other Names Used</i>

<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<u>C</u> <u>h</u> <u>e</u> <u>c</u> <u>k</u> <u>i</u> <u>f</u> <u>M</u> <u>a</u> <u>i</u> <u>d</u> <u>e</u> <u>n</u> <u>a</u> <u>m</u> <u>e</u>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Birth Year and Place</i>	
Year of Birth (Do not include month and day.)	Place of Birth
1976	Mount Vernon, NY

<i>Marital Status</i>					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Spouse's Name</i> (current spouse only)

<u>Spouse's First Name</u>	<u>Spouse's Middle Name</u>	<u>Spouse's Last Name</u>	<u>Spouse's Suffix</u>

<i>Spouse's Other Names Used (current spouse only)</i>						
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>	<small>C h e c k i f M a r i d e d N a m e</small>	<u>Name Used From</u> (Month/Year) (Check box if estimate)	<u>Name Used To</u> (Month/Year) (Check box if estimate)
					Est <input type="checkbox"/>	Est <input type="checkbox"/>
					Est <input type="checkbox"/>	Est <input type="checkbox"/>

<i>Children's Names (if over 18)</i>			
<u>First Name</u>	<u>Middle Name</u>	<u>Last Name</u>	<u>Suffix</u>

2. Education

List all post-secondary schools attended.

<u>Name of School</u>	<u>Type of School</u> (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/online school)	<u>Date Began School</u> (month/year) (check box if estimate)	<u>Date Ended School</u> (month/year) (check box if estimate) (check "present" box if still in school)	<u>Degree</u>	<u>Date Awarded</u>
The George Washington University Law School	Law	09/00 Est <input type="checkbox"/>	05/04 Est Present	JD	5/23/04
Wheaton College	College	09/94 Est <input type="checkbox"/>	05/98 Est Present	BA	8/31/98
		Est <input type="checkbox"/>	Est Present		
		Est <input type="checkbox"/>	Est Present		

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.

<u>Type of Employment</u> (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other)	<u>Name of Your Employer/Assigned Duty Station</u>	<u>Most Recent Position Title/Rank</u>	<u>Location</u> (City and State only)	<u>Date Employment Began</u> (month/year) (check box if estimate)	<u>Date Employment Ended</u> (month/year) (check box if estimate) (check "present" box if still employed)
Non-Federal Employment	Center for Renewing America/Citizens for Renewing America	President	Washington, DC	01/21 Est <input type="checkbox"/>	Present
Other Federal Employment	Office of Management and Budget	Director	Washington, DC	01/17 Est <input type="checkbox"/>	01/21 Est <input type="checkbox"/>

Non-Federal Employment	Heritage Action for America	Vice President, Grassroots Outreach & Policy Initiatives	Washington, DC	08/10	Est <input type="checkbox"/>	01/17	Est <input type="checkbox"/>
Other Federal Employment	House Republican Conference	Policy Director	Washington, DC	01/09	Est <input type="checkbox"/>	07/10	Est <input type="checkbox"/>
Other Federal Employment	Republican Study Committee	Executive Director	Washington, DC	05/04	Est X <input type="checkbox"/>	12/08	Est <input type="checkbox"/>
Other Federal Employment	Rep. Jeb Hensarling	Policy Director	Washington, DC	02/03	Est <input type="checkbox"/>	12/06	Est <input type="checkbox"/>
Other Federal Employment	Senator Chuck Hagel	Legislative Assistant	Washington, DC	09/02	Est X <input type="checkbox"/>	01/03	Est <input type="checkbox"/>
Other Federal Employment	Senator Phil Gramm	Legislative Assistant	Washington, DC	01/99	Est <input type="checkbox"/>	08/02	Est X <input type="checkbox"/>
Other Federal Employment	Senator Dan Coates	Staff Assistant	Washington, DC	07/98	Est <input type="checkbox"/>	12/98	Est <input type="checkbox"/>
Non-Federal Employment	B. Dalton Bookseller	NA	Washington, DC	09/98	Est <input type="checkbox"/>	12/98	Est X <input type="checkbox"/>
Other Federal Employment	Rep. Chris Shays	Intern	Washington, DC	05/98	Est <input type="checkbox"/>	07/98	Est X <input type="checkbox"/>
Non-Federal Employment	Deerfoot Lodge	Section Chief	Speculator, NY	06/94-97 (Summers)	Est <input type="checkbox"/>	08/94-97	Est <input type="checkbox"/>
Non-Federal Employment	Safe and Sound Security	NA	Wheaton, IL	09/97	Est <input type="checkbox"/>	05/98	Est <input type="checkbox"/>
Non-Federal Employment	Wheaton College	Teachers Assistant	Wheaton, IL	09/97	Est <input type="checkbox"/>	05/98	Est <input type="checkbox"/>
Non-Federal Employment	Microband Process Inc.	NA	Seymour, CT	12/96	Est <input type="checkbox"/>	01/97	Est <input type="checkbox"/>

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

<u>Name of Government Entity</u>	<u>Name of Position</u>	<u>Date Service Began</u> (month/year) (check box if estimate)	<u>Date Service Ended</u> (month/year) (check box if estimate) (check "present" box if still serving)
Naval Academy	Board of Visitors	Est 12/20 <input type="checkbox"/>	Est Present 09/21 <input type="checkbox"/>
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/>
		Est <input type="checkbox"/>	Est Present <input type="checkbox"/>

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.

I have worked for two entities (Heritage Action and CRA) that engage in lobbying activities to influence the passage, defeat, or modification of a wide array of legislation.

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.

Distinguished Public Service Award, Department of Defense, 2020

Buckley Award, America's Future Foundation, 2017

The Heritage Foundation Leadership Development Program, 2016

Lincoln Fellowship, The Claremont Institute, 2011

Kingsmen Alumni Award, 2007

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).

<u>Name of Organization</u>	<u>Dates of Your Membership</u> (You may approximate.)	<u>Position(s) Held</u>
Cherrydale Baptist Church	2011-2019 (Elder, Deacon) 2011-Present (Member)	Elder, Deacon, Member
Capitol Hill Baptist Church	2002-2011	Member
Army Navy Country Club	2019-Present	Member

7. Political Activity

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

No.

<u>Name of Office</u>	<u>Elected/Appointed/ Candidate Only</u>	<u>Year(s) Election Held or Appointment Made</u>	<u>Term of Service (if applicable)</u>

(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.

<u>Name of Party/Election Committee</u>	<u>Office/Services Rendered</u>	<u>Responsibilities</u>	<u>Dates of Service</u>
GOP	Convention Platform	Policy Director	June-July 2024

(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.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>

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.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
House Republicans Need a Bold Spending Proposal	Redstate	08/02/10
Time to Go After Democrats on Repeal of Obamacare	Redstate	08/03/10

"Historic" and "Bipartisan" Normally Means It's Bad	Redstate	08/09/10
Walt Minnick is Not Willing to Repeal Obamacare	Redstate	08/09/10
Senate Republicans Getting Played on the Russian-Friendly Strategic Arms Treaty	Redstate	08/16/10
Congress Needs Reforms, but Committees Don't Need More Power	Redstate	09/06/10
Only 31 House Democrats Willing to Offer Soft Support for Small Businesses	Redstate	09/16/10
Who Dares to be the Next Democrat Defection on Obamacare Repeal?	Redstate	09/16/10
Senator Bob Corker, Unacceptable	Redstate	09/17/10
Idaho Congressman Misleads Constituents on Repeal... Again	Redstate	09/29/10
It's Time to Make GOP Leadership Less Powerful	Redstate	10/26/10
Mike Pence is Ready for the Next Fight	Redstate	11/03/10
Senate Republicans Must Not Use National Security as a Bargaining Chip	Redstate	12/01/10
Bowles-Simpson is a Massive Tax Hike	Redstate	12/02/10
Stop Start: Whip List	Redstate	12/03/10
Senate Republicans and the Lost Art of Negotiation	Redstate	12/06/10
House Rules Package is a Nice First Step to Control Spending	Redstate	12/30/10
The Return of the Lunch Bunch	Redstate	01/19/11
YouCut Can't Cut \$100 Billion?	Redstate	01/31/11
House Republicans Attempt to Extend "Stimulus" Trade Benefits	Redstate	02/07/11
How House Leadership Can Fix Their Mess	Redstate	02/09/11
Movement Towards \$100 Billion, But Not There Yet	Redstate	02/10/11
Parsing the Pledge, House Leadership Still Not Compliant	Redstate	02/10/11
Speaker Boehner Throws Down the Gauntlet	Redstate	02/18/11
House Leadership Let Obamacare Expansion Pass	Redstate	03/09/11
Rep. Tim Huelskamp Stands Tall in Budget Showdown	Redstate	03/12/11

The Problem with One Last Vote for Flawed Strategy	Redstate	03/14/11
This is What Leadership Looks Like	Redstate	03/15/11
The Strategy of Short-Term CR Opponents: A Response to Keith Hennessey	Redstate	03/16/11
Stop the Natural Gas Streaker	Redstate	05/11/11
Corporate Welfare Gets New Life in the House	Redstate	07/05/11
Message to RSC Members: Get In or Get Out	Redstate	07/27/11
House Republicans Ram Highway Bill Through Without a Roll Call Vote	Redstate	09/13/11
Darrell Issa and the Ongoing Fight Against Postal Bailouts	Redstate	09/14/11
The Crusade to Cave	Redstate	09/15/11
Raid Goes Nuclear to Block the President's Stimulus Plan	Redstate	10/06/11
House Republicans Set to Again Violate Their Pledge to America	Redstate	11/15/11
Debunking the Election Myths of the Republican Establishment	Redstate	12/06/11
Ramesh Ponnuru Moves the Goal Posts	Redstate	12/07/11
House Conservatives Need to Block the Coming Highway Bailout	Redstate	01/30/12
Why Every House Conservative Should Oppose the Highway Bill	Redstate	02/14/12
Incrementalism Doesn't Work for the Right, Look at the Food Stamp Bill	Redstate	07/12/12
Defunding Obamacare: Questions and Answers, Excuses and Responses	Heritage Action	07/12/13
Our Daughter was Born with Cystic Fibrosis, We Can't Imagine Life Without Her	Daily Signal	07/30/14
Wheaton College and the Preservation of Theological Clarity	Resurgent	01/17/16
The White House Announces Its Recession Package	Wall Street Journal	05/07/18
Congress Must Join the President in Cutting Spending	Real Clear Politics	02/25/19
Spending Addiction Threatens American Economic Resurgence	Fox News	03/11/19
Trump Keeps Promise to Tame Bureaucracy that Runs Roughshod over Americans	Fox News	10/09/19

Booming Trump economy is right time for able-bodied adults to trade food stamps for jobs	USA Today	12/11/19
The Most Prolife President in History	The Daily Wire	01/22/20
Trump Takes Aim at Bureaucratic Bullying	Real Clear Politics	02/21/20
The Navy Stops Taking on Water	Wall Street Journal	12/09/20
Civil Service Shouldn't Mean Unaccountable	Wall Street Journal	12/11/20
How to Lead the United States Into An American Spring	Federalist	01/26/21
HR 1 will open up voting access alright — especially for those voting fraudulently	Arizona Republic	03/18/21
Is There Anything Actually Wrong With 'Christian Nationalism?'	Newsweek	03/22/21
Speaking truth to power is now domestic terrorism?	World Magazine	10/11/21
Point: It's time to rein in Big Tech's power	World Magazine	10/27/21
The moral clarity of a dissident	American Reformer	11/01/21
A boost for activist bureaucracy	World Magazine	11/12/21
Funding battles reveal the need for statesmanship	World Magazine	12/2/21
A surrender to massive spending	World Magazine	12/17/21
A crippling blow to legislative overreach	World Magazine	12/21/21
The unfairness of Fairness for All	World Magazine	01/25/22
Chambers of commerce are crippling the Republican Party	World Magazine	02/04/22
Cultural fights are political opportunities	World Magazine	03/03/22
The state of cultural compromise	World Magazine	03/11/22
"Truth is not hate speech"	World Magazine	03/24/22
The rejection of double minded governing	World Magazine	04/11/22
The government doesn't define truth, nor should it even try	World Magazine	05/13/22
WHO's in Charge	World Magazine	06/24/22
Renewing American Purpose	American Mind	09/29/22
In Debt Limit Fight, Republicans Shouldn't Rerun Same Spending Playbook	Newsweek	01/26/23
Taking on the Military Caste	World Magazine	07/17/23
Mandate for Leadership: Executive Office of the President	Heritage Foundation	2023

(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.

<u>Title/Topic</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>
Untitled Remarks	The Forge Annual Gala	04/16/21
The Problem with Globalist Corporations	Hillsdale College Free Market Forum	10/29/21
Untitled Remarks	Waterstone Donor Conference	10/13/22
Untitled Remarks	Center for Renewing America Donor Conference	05/13/23
Theology of American Statecraft	Speech for American Moment in the Dirksen Senate Office Building	09/13/23
Untitled Remarks	Center for Renewing America Donor Conference	04/20/24

(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.

<u>Title</u>	<u>Place/Audience</u>	<u>Date(s) of Speech</u>
Testimony re Deputy Director Nomination	Hearing before the Senate Budget Committee	06/07/17
Testimony re Deputy Director Nomination	Hearing before the Senate Homeland Security and Government Affairs Committee	06/07/17
Testimony re FY20 Budget	Hearing before the House Budget Committee	03/12/19
Testimony re FY20 Budget	Hearing before the Senate Budget Committee	03/13/19
Testimony re FY20 Budget	Hearing before House Subcommittee on Financial Services, General Government	03/26/19
Testimony re FY21 Budget	Hearing before House Budget Committee	02/12/20
Testimony re FY21 Budget	Hearing before House Subcommittee on Financial Services, General Government	03/23/20
Testimony of Russell T Vought to be Director, Office of Management and Budget	Hearing before the Senate Committee on the Budget	06/02/20
Constitution Day Remarks	Hillsdale College Constitution Day Celebration	09/19/24

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 pros," etc). If you were found guilty 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.

<u>Date Claim/Suit Was Filed or Legislative Proceedings Began</u>	<u>Court Name</u>	<u>Name(s) of Principal Parties Involved in Action/Proceeding</u>	<u>Nature of Action/Proceeding</u>	<u>Results of Action/Proceeding</u>
09/99	Circuit Court of the 18 th Judicial Circuit, Dupage County, IL	Fernando O. Ruiz vs. Russell Vought	Lawsuit arising from a motor vehicle accident	Settled on 02/25/00
03/21	US District Court for the Eastern District of Virginia	Restoration PAC vs Center for American Restoration, American Restoration Action, Russell Vought	Trademark action arising from the use of the name Center for American Restoration	Settled on 04/20/21

(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?

No.

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.

<u>Date Claim/Suit Was Filed</u>	<u>Court Name</u>	<u>Name(s) of Principal Parties Involved in Action/Proceeding</u>	<u>Nature of Action/Proceeding</u>	<u>Results of Action/Proceeding</u>

(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.

<u>Name of Agency/Association/Committee/Group</u>	<u>Date Citation/Disciplinary Action/Complaint Issued/Initiated</u>	<u>Describe Citation/Disciplinary Action/Complaint</u>	<u>Results of Disciplinary Action/Complaint</u>

(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

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

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.

<u>Name of Organization</u>	<u>Address of Organization</u>	<u>Type of Organization</u> (corporation, firm, partnership, other business enterprise, other non-profit organization, educational institution)	<u>Position Held</u>	<u>Position Held From</u> (month/year)	<u>Position Held To</u> (month/year)

15. Agreements or Arrangements

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.

<u>Status and Terms of Any Agreement or Arrangement</u>	<u>Parties</u>	<u>Date</u> (month/year)

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.

 _____

This 16th day of Dec, 2024

REDACTED

UNITED STATES OFFICE OF
GOVERNMENT ETHICS



January 8, 2025

The Honorable Rand Paul
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 Russell Vought. President-Elect Trump has announced his intention to nominate Russell Vought for the position of Director, Office of Management and Budget.

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

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

Sincerely,
DAVID
HUITEMA
David Huitema
Director

Digitally signed by DAVID
HUITEMA
Date: 2025.01.08 17:20:42
-0500

Enclosures

REDACTED



January 8, 2025

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

Dear Ms. Adams:

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

SECTION I – GENERAL COMMITMENTS

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

- Any spouse or minor child of mine;
- Any general partner of a partnership in which I am a limited or general partner;
- Any organization in which I serve as an officer, director, trustee, general partner, or employee, even if uncompensated; 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.

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 (OGE) pursuant to the ethics agreement requirements contained in the financial disclosure regulation at 5 C.F.R. § 2634.803(a)(4).

SECTION 2 – RESIGNATIONS

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

- Center for Renewing America
- Citizens for Renewing America
- America First Legal

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 – DIVESTITURE

As soon as practicable but not later than 90 days after my confirmation, I will divest my interest in Bitcoin. With regard to this entity, 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 divestiture within the timeframe described above.

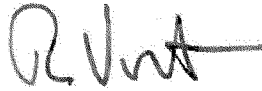
I understand that I may be eligible to request a Certificate of Divestiture for qualifying assets and that a Certificate of Divestiture is effective only if obtained prior to divestiture. Regardless of whether I receive a Certificate of Divestiture, I will ensure that all divestitures discussed in this agreement occur within the agreed upon timeframes and that all proceeds are invested in non-conflicting assets. I understand that I must 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 or minor 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 4 – PUBLIC POSTING

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

Sincerely,

A handwritten signature in black ink, appearing to read "R. Vought", with a horizontal line extending to the right.

Russell Vought

**U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-Hearing Questionnaire
For the Nomination of Russell Vought to be
Director, Office of Management and Budget**

I. Nomination Process and Conflicts of Interest

1. Did the President-elect give you specific reasons why he nominated you to be the next Director of the Office of Management and Budget (OMB), and if so, what were they?
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 Director? If so, what are they, and to whom were the commitments made?
No.
4. If confirmed, do you commit to upholding the Constitution and the rule of law?
Yes.
5. If the President or anyone acting at the direction of the President or on his behalf asks you to violate the law, will you decline to do so?
Yes.
6. Are you aware of any business relationship, dealing, or financial transaction that could 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.
7. Have you or any organization of which you were an officer, director or owner, or have or had a significant financial interest in been the recipient of any Federal grants, loans, or other financial assistance (such as, but not limited to, Paycheck Protection Program Loans, Economic Injury Disaster Loans, Restaurant Revitalization Grants, etc.) within the past 10 years. If so, please list the program, amount, and date of receipt.
No.
8. 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.
None.

9. Has anyone ever requested or received any financial benefit from you or anyone on your behalf in exchange for perceived, intended, or actual support for or solicitation or offer of promotion to any political office, including without limitation this nomination?
No.

II. Background of the Nominee

10. What specific background, experience, and attributes qualify you to be Director?
I served as the OMB Director in both a confirmed and acting capacity for two years and prior to that, as the Deputy Director of OMB. I spent all four years at OMB during the first Trump Administration.
11. Please describe:
- a. Your leadership and management style:
My leadership style is to set a vision, encourage people to buy into that vision through coaching, and lead by example. I am a hands-on manager, getting into the details and asking questions, while at the same time giving employees the space to be creative. I highly value receiving feedback from people up and down an organization about what they think is or is not working.
 - b. Your experience managing personnel:
I manage the staff at the Center for Renewing America and Citizens for Renewing America currently, managed the entire OMB for almost four years, and held various management roles for over fifteen years.
 - c. What is the largest number of people that have worked under you?
The largest number of people I have managed was the roughly 500 employees at OMB.
12. What would you consider your greatest successes as a leader?
My greatest success as a leader was the four years I spent at OMB ensuring that the agency fulfilled its unique role in implementing the president's agenda with excellence.
13. What would you consider your greatest failure as a leader? What lessons did you take away from that experience?
There is no great failure as a leader that comes to mind. I have obvious regret that even more could have been accomplished during the first Trump administration, and the take-away lesson is to actively drive change sooner.
14. Please give examples of times in your career when you disagreed with your superiors and advocated your position. Describe circumstances in which you were successful and in which you were unsuccessful.
Every one of my superiors would acknowledge the consistency of my feedback, both in agreement and disagreement, always constructive in pursuit of the objective.

15. 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.
Yes. I emphasize to all my colleagues that I always have an open mind, just not an empty mind without any pre-existing viewpoints. As an example of this, I had regular office hours at OMB with the career staff to hear differing views.
16. Please list and describe examples of when you made politically difficult choices that you thought were in the best interest of the country or an organization.
On behalf of the president, I compiled and sent four different presidential budgets with trillions of dollars of necessary cuts that were needed to restore the fiscal health of the nation. Those cuts were mostly rejected by Congress.
17. Please describe how you build credibility and trust among staff as a leader.
I am always prepared, having done the reading that the staff has compiled. I consider and grapple with the institutional concerns for the various options being proposed and seek "win win" solutions.
18. During your career, has your conduct as a government 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, congressional ethics committee, or any other similar federal, state, or local investigative entity? If so, please describe the nature of the allegations/conduct and the outcome(s) of the investigation(s) or audit(s).
No.
19. You served as the Deputy Director of OMB from 2018 to 2020, as the Acting Director in 2019, and as the Director in 2020. What would you intend to change or do differently during a second tenure as Director?
I do not intend to do the job differently but to apply my four years of OMB experience from Day 1.
20. How would you describe your past interactions with career employees while you were serving in political leadership roles at OMB?
- What role did career federal employees play in implementing policies or carrying out actions?
Career staff were vital in developing proposals and applying their expertise to the execution of the President's agenda. I welcomed and relied on the career staff to a great degree as director.
 - Under what circumstances did you rely solely on political appointees to implement policies or carry out actions?
No circumstances come to mind.
 - As Director of OMB, how would you plan to engage with career federal employees from the outset of assuming this position?

I know and have worked closely with most of OMB's career senior leadership and would engage with them as soon as possible.

21. Can you describe the measures you took in 2020 to facilitate the presidential transition process between OMB and the incoming transition team? Please describe what, if any, requests from the 2020 transition team OMB denied.
- The incoming Biden administration had access to all of OMB's budgetary information upon request, but I did not permit the career staff to divert their time and attention to perform policy formulation activities at the expense of finishing work on our priorities and initiatives.
22. You authored the "Executive Office of the President of the United States" chapter of Project 2025's *Mandate for Leadership*.
- a. Did you consult with or receive input from President-elect Trump or individuals affiliated with his presidential campaign when drafting this chapter? If so please describe any changes made in response.
- No.
- b. Please describe any role you had in developing or drafting other chapters of the *Mandate for Leadership*.
- None, to my recollection.

III. Role of the Director of OMB

23. What do you consider to be the core mission of OMB, and what would you consider to be your role and responsibilities if confirmed as the Director?
- The core mission of the Director is to implement the president's policy agenda throughout the executive branch, to steward the fiscal health of the country, and to steer the regulatory agenda of the administration.
24. Please describe your understanding of the authorities of the Director and how those authorities facilitate the core mission of the office.
- The Director has the statutory responsibility to prepare the president's budget, to prevent deficiencies and pursue economic efficiencies, to provide various all-of-government management guidance to federal agencies, and to reduce the regulatory burden on the economy.
25. What do you anticipate will be your greatest challenges as OMB Director, and what will be your top priorities? What do you hope to accomplish during your tenure?
- The country's fiscal situation continues to rapidly deteriorate, and there has not been significant legislation to address it since 1997. If confirmed, I hope OMB during my tenure can be a part of such an effort.

26. How do you view the responsibilities of the Deputy Director and the Deputy Director for Management, and how do you plan to delegate responsibilities to these respective positions? Do you anticipate their roles and responsibilities changing?

The roles are well defined, with the Deputy Director for Management acting as the primary deputy for all management issues, with oversight of statutory offices such as OFPP and OFFM. The Deputy Director exercises general oversight over the entire agency. I anticipate those roles and responsibilities remaining as they are.

27. How have your views on these questions been affected by your own experience as Director and Deputy Director?

I believe it is important to have a strong Deputy Director whose jurisdiction is not precluded by either the management or regulation portfolios of OMB. While at OMB, I focused on creating a spirit of “one OMB” to ensure against a silo mentality, and it requires an OMB-wide Deputy Director to foster this collaboration.

28. President-elect Trump has announced that he intends to establish a Department of Government Efficiency (DOGE), which will “provide advice and guidance from outside of Government” and “partner with the White House and Office of Management and Budget to drive large scale structural reform”?

- a. What is your understanding of how the DOGE will be structured and what authorities it will have?

My understanding is that DOGE will provide recommendations to the Trump Administration, including OMB to assess and potentially adopt. Any authorities used to implement will be exercised by OMB and other components as currently constituted.

- b. What is your understanding of the steps that will be taken to identify and mitigate any conflicts of interest among individuals leading or otherwise involved with the DOGE?

I have not been privy to the relevant DOGE planning discussions, but the Trump Administration is committed to upholding the highest ethical standards in general.

- c. How do you anticipate the DOGE will work with OMB?

My understanding is that OMB will receive from DOGE recommendations and then assess their feasibility and consistency with the President’s agenda.

- d. Do you believe that the DOGE is subject to the Federal Advisory Committee Act?

I have not been privy to the relevant structural DOGE planning discussions.

IV. Policy Questions

Budget

29. Elon Musk and Vivek Ramaswamy have organized the “Department of Government Efficiency” (DOGE) with the mission of identifying \$2 trillion in government spending to cut by 2026. How do you plan on implementing these cuts once recommended?

OMB has not yet received a comprehensive set of recommendations from DOGE to assess their feasibility.

10. Can you define what a successful federal budget looks like from your perspective? How long will it take to reach the ideal federal budget under your leadership?

A successful federal budget places the nation on a sound fiscal trajectory, contains a fiscal goal reasonably understandable to the American people, and includes a target that is not too far into the future.

11. Do you believe that the government should avoid defaulting on the debt? If yes, what specific steps will you take in order to prevent a default?

Yes. President Trump has repeatedly called on the debt limit to be increased.

12. Do you believe that Congress should eliminate the debt ceiling?

Unfortunately, the debt limit has become a tool for the opposing party to use as leverage against the current administration, as opposed to serving as a fiscal warning that can prompt bipartisan action to address the debt. Given that increasing reality, it is not surprising that many voices across the political spectrum have begun to look for alternatives.

13. During the first Trump administration, OMB produced budget requests to Congress that called to cut Medicaid by a third, SNAP by 30%, and Section 8 housing by a quarter. Do you intend to ask Congress to cut these programs again?

I will not be able to begin formal development of the President's Budget until being confirmed by the Senate.

14. If confirmed, do you commit to oppose any cuts to Social Security and Medicare?

Yes, President Trump has repeatedly committed not to cut these programs.

15. Please explain whether you believe that there should be alterations to Social Security and Medicare.

President Trump has repeatedly committed not to cut Social Security and Medicare.

16. What level of spending on non-defense discretionary and defense spending do you think is appropriate?

I will not be able to begin formal development of the President's Budget until being confirmed by the Senate, and thus am unable to assess the appropriate levels of discretionary spending.

17. Do you consider the reports, analysis and data produced by the Congressional Budget Office to be reliable? If not, why not?

Yes, the CBO often provides reliable information albeit still subject to critique.

38. Do you believe there should be greater transparency into the intelligence community's budget? Why or why not?
Yes, I believe the American people deserve a better sense of the size and scope of the intelligence community that they fund with their tax dollars.
39. In responses to Questions for the Record before this Committee during your nomination to be Director in 2020, you stated that if confirmed OMB would not violate the Impoundment Control Act. Do you stand by that previous commitment if confirmed?
President Trump has stated that the ICA is unconstitutional because it "handcuffs" the President's ability to effectively manage taxpayer resources and prevent waste, fraud, and abuse. If I am confirmed, I will act subject to advice of legal counsel and ultimately the President's direction on this issue.
- a. You have [publically stated](#) that the Impoundment Control Act is unconstitutional. Please explain your position on the constitutionality of the Impoundment Control Act. President Trump has stated that the ICA is unconstitutional because it "handcuffs" the President's ability to effectively manage taxpayer resources and prevent waste, fraud, and abuse. I agree with the President's position. I also set forth my views as OMB Director in my January 19, 2021, letter to John Yarmuth, Chairman of the House Committee on the Budget, which is available at: trumpwhitehouse.archives.gov/wp-content/uploads/2021/01/Response-to-House-Budget-Committee-Investigation.pdf.
- If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and ultimately the President, with respect to the implementation of the ICA.
- b. Why have you recently questioned the constitutionality of a law you previously promised to follow?
President Trump has stated that the ICA is unconstitutional because it "handcuffs" the President's ability to effectively manage taxpayer resources and prevent waste, fraud, and abuse. I agree with his position.
40. Do you believe that the President has constitutional authority to withhold funds which Congress has appropriated for a specific purpose?
If I am confirmed as OMB Director, I will follow the advice of the OMB General Counsel, and ultimately the President on this issue.
41. Do you believe that the President has the power to withhold funding for entitlement programs like Social Security?
President Trump has already stated that he will not touch entitlement programs if he decides to impound funds. Social Security and Medicare are off limits. President Trump could not be more clear: "I will not lay a finger on Medicare or Social Security." Source:

<https://www.donaldjtrump.com/agenda47/agenda47-using-impoundment-to-cut-waste-stop-inflation-and-crush-the-deep-state>.

42. Do you believe the President has the power to withhold funding under formula grants, where Congress has clearly required the expenditure of a particular amount?
If I am confirmed as OMB Director, I will follow the advice of the OMB General Counsel, and ultimately the President on this issue.
43. Do you commit not to propose rescissions late in the fiscal year that would in effect impound funds until they expire?
Under the ICA, only the President can propose a rescission, and therefore I would not presume to speak for the President.
44. Do you believe that the Budget Control and Impoundment Control Act of 1974, or any other federal statute, gives the President or the OMB Director the power to withhold appropriations from agencies that have expired authorizations? Do you plan to withhold funding from agencies which receive appropriations but whose authorizations are expired?
If I am confirmed as OMB Director, I will follow the advice of OMB General Counsel, and ultimately the President on this issue.
45. In 2020, the Government Accountability Office (GAO) determined that OMB violated the Impoundment Control Act when OMB withheld Security Assistance for Ukraine. Do you agree with GAO's determination that OMB violated the ICA?
I do not agree with the conclusions of GAO's report. OMB did not violate the ICA, as I set forth in my January 19, 2021, letter to John Yarmuth, Chairman of the House Committee on the Budget, which is available at trumpwhitehouse.archives.gov/wp-content/uploads/2021/01/Response-to-House-Budget-Committee-Investigation.pdf.
46. Historically, career civil servants in each of the branches of the Resource Management Offices have approved and signed apportionments. Do you intend to change this practice? If so, who in OMB do you intend to approve apportionments?
As you may know, during the first Trump Administration, I delegated this signing authority for apportionments to a Program Associate Director, and it led to increased effectiveness in being wise stewards of taxpayer dollars. If I am confirmed as OMB Director, I will review and decide to whom to delegate this authority.
47. Do you commit to instructing federal agencies to report all Antideficiency Act violations, including those identified by GAO, to Congress even if the administration does not agree that the spending violated the law? Please explain.
If I am confirmed as OMB Director, I will follow the advice of the OMB General Counsel, and the President's direction, with respect to such Antideficiency Act findings by GAO.

48. Do you commit to providing facts and views to GAO when requested on appropriations matters?

If I am confirmed as OMB Director, I commit to providing facts and views to GAO, subject to the legal advice of the OMB General Counsel and consistent with the President's direction and the separation of powers.

49. Do you commit to following all GAO appropriation law decisions?

I commit to considering all GAO appropriation law decisions, subject to the legal advice of the OMB General Counsel and consistent with the President's direction and the separation of powers.

Government Reorganization & Performance Management

50. In March 2017, President Trump directed OMB to work with agencies to develop a governmentwide reform plan, which OMB issued in June 2018.

a. To what extent was OMB and the first Trump Administration successful in achieving the goals of this reform plan?

The reorganization exercise in the first Trump Administration was successful in providing additional proposals that could be worked into later presidential budgets.

b. What challenges did OMB encounter developing and implementing this plan?

OMB is not a think tank, and its best work is in implementation and execution. The reorganization exercise posed a challenge for political appointees to articulate the scale of what was envisioned by way of providing clear instruction.

c. If confirmed, how will you approach any future governmentwide reorganization or reform efforts differently?

I do not think I would approach a future reorganization effort differently.

51. Do you think any federal department or agency should be eliminated? If so, what entity or entities specifically should take on the responsibilities that the federal government would no longer have by eliminating those departments or agencies?

President Trump has proposed the elimination of the Department of Education, and if confirmed, I look forward to building on similar proposals from the first term.

52. The President's Management Agenda, since its creation under President Bush and including the first term of President Trump, has been overseen by the OMB Deputy Director for Management and the President's Management Council. What would you see as key elements of the next PMA? Would you follow a similar process for its development and implementation?

The President's Management Agenda is a tool to communicate and organize priorities across the federal government that improve the effectiveness and efficiency of government. PMA's have focused on areas such as IT Modernization, shared services, financial management, federal procurement and modernizing the federal workforce.

These are all areas that can improve how the federal government serves the American people and should continue to be a focus of the PMA.

Yes.

Regulatory Affairs and Policy

53. Please describe how you view the mission of the Office of Information and Regulatory Affairs (OIRA).
OIRA serves the crucial and central role in coordinating regulatory activity and ensuring that agencies take seriously their duty to consider the costs, as well as the benefits of proposed regulations. OIRA is the driver of a unified regulatory agenda to ensure that agencies are forecasting where they intend to take regulatory action.
54. What actions will you take to ensure that cost benefit analyses have integrity, are accurate, and that costs and benefits of proposed regulations are properly estimated?
As Director, I supported OIRA's adherence to longstanding principles of regulatory impact analyses found in executive orders and OMB guidance. If confirmed, I would continue to do so.
55. How do you think *Loper Bright* will affect the role of OMB? How do you think it will impact the regulatory process?
It will help ensure that federal agencies regulate faithfully to the underlying statutory text, which provides the only basis for such regulatory action.
56. Do you believe that OIRA should review regulations and policy conducted by independent agencies, like the Federal Trade Commission? Do you believe that OIRA should review regulations and policy issued by the Federal Election Commission? Do you believe that OIRA should review regulations and policy of the Federal Reserve?
Yes. President Trump has called for OIRA to review the regulations of independent agencies, but he has not yet set forth a specific proposal.
57. Do you plan to reimplement the "two-out-one-in" policy for regulations? Do you plan to implement "ten-out-one-in" that President-elect Trump has suggested?
President Trump has called for a 10-to-1 deregulatory policy to replace the first term's 2-for-1 policy. If confirmed, I will implement it.
58. If confirmed, will you uphold the final National Primary Drinking Water Regulation for per- and polyfluoroalkyl substances (PFAS)?
If confirmed, I will review the status of all major regulations under the purview of OIRA.
59. How will you help manage the federal government's response to the PFAS contamination crisis and ensure that communities that have been dealing with this challenge for years have the support they need for cleanup efforts?

If confirmed, I will ensure that OIRA reviews any regulatory actions from agencies such as the EPA to both address PFAS contamination and to understand the benefits and the costs to the nation, the economy, and the communities involved.

60. Do you believe that Circular A-4 and the current processes for agency regulatory development and review need revision? Please describe any changes you believe need to be made.

The Biden Administration made significant revisions to Circular A-4 in November 2023. If confirmed, I will review these changes.

Information and Privacy Policy

61. The Paperwork Reduction Act charges OMB with coordinating the federal statistical system. What are your plans to ensure the quality and trustworthiness of federal statistics?

I will ensure continued implementation of the Foundations for Evidenced-Based Policymaking Act of 2018 signed by President Trump in 2019, faithful execution of the duties assigned to OMB for coordination of the federal statistical system under the Paperwork Reduction Act, and continued review and improvement of statistical policy through OMB directives.

62. Do you believe that accurate and non-partisan statistical data collected and published by the federal government's statistical agencies is valuable?

Yes.

63. In President Trump's first term, "Improving Customer Experience with Federal Services" was a priority in the Presidential Management Agenda. Will this be a priority again? Please describe what steps you will take to improve customer experience and service delivery in Trump's second term – including any change to the approaches you took in President Trump's first term.

The federal government exists to serve the American people, so improving service delivery to the people should always be a priority. If confirmed, I would continue efforts underway to reduce the burden of interfacing with the government.

64. What specific data and evidence do you plan to rely on to monitor agency performance, delivery of key government services, and the public's experience with those services?

I will rely on information appropriate to determining whether desired outcomes have been achieved efficiently and effectively on a program by program basis, including customer survey data if it has been determined to be unbiased.

65. Do you commit that OMB will continue to publish all of the budget information that it currently makes publicly available including apportionments, SF-133, historical budget tables, and data on USAspending will be accurate and free from any manipulation or distortion?

Yes, to the extent that resources allow.

66. OMB is required to promulgate guidance under Title II of the Foundations for Evidence Based Policymaking Act to direct agencies to make data “open by default” and to create inventories of federal data. This guidance is long overdue. Do you commit to promptly issuing such guidance if confirmed?
Yes.
67. Do you support guidance from OMB that agencies are allowed to conduct user experience research without undergoing PRA review from OIRA?
Yes, user experience research is important to providing better customer service to our citizens. The PRA provides significant flexibilities to support and encourage this kind of streamlining of information collections. I would continue to support these efforts.
68. Will you commit to assessing and addressing challenges to implementation of M-21-04, Modernizing Access to and Consent for Disclosure of Records Subject to the Privacy Act, issued on November 12, 2020?
Yes, if confirmed, I will commit to assessing and addressing challenges to implementation of M-21-04.
69. Are you concerned about over-classification of government information? What changes, if any, would you make or suggest to the current classification system?
Yes. If confirmed, I will include it as a priority for agencies to review as part of the President’s Management Agenda.

Financial Management and Procurement Policy

70. What are your priorities for reducing improper payments made by the federal government?
My priority for improper payments is to further reduce the amount of improper payments and increase transparency on where improper payments are occurring. Additionally, I would like to see a more proactive effort to address the causes of improper payments and collaboration with agencies to create program processes to prevent improper payments prior to funds being expended.
71. What are your priorities relating to improving the oversight and management of federal financial assistance, including grants and cooperative agreements?
My priority is to proactively engage with departments and agencies to focus financial assistance on serving the American people, taking steps to prevent improper payments before they are made, and addressing the root cause of improper payments.
72. Under the GREAT Act, OMB, in combination with the Department of Health and Human Services (HHS), is required to develop data standards for grants management. OMB and HHS are many years delayed in developing such standards. What steps will you take to ensure that the GREAT Act implementation stays on track?
While serving as Director of OMB, I issued an OMB memo in 2020 that began the work to develop data standards for grants management. While my understanding is data standards have been posted to grants.gov, I look forward to working with the committee

to improve and update those standards as necessary to fully realize the impact accurate data can serve to improve the efficiency and effectiveness of the government.

73. Currently, information on recipients of federal grants, contracts, and loans is required to be posted online for public review on USASpending.gov. Do you support making subcontracts and subgrants transparent in this same manner?

Yes.

74. In the Executive Office of the President chapter in Project 2025's *Mandate for Leadership*, you wrote that the Office of Federal Procurement Policy within OMB should be engaged early and often in OMB's efforts to drive policy, including "by using government contracts to push back against woke policies in corporate America." Can you explain what you meant by this?

As a large purchaser of goods and services, the federal government can affect corporate governance policies, and President Trump's executive order in the first term to combat Critical Race Theory policies called for federal contracts to be aligned with it.

75. The Department of Defense (DOD) has been unable to complete and pass a financial audit as required by the Government Management Reform Act of 1994. If confirmed, what steps, if any, will you take to address DOD's longstanding financial management challenges?

I support DOD's efforts to continue annual audits and use the resulting recommendations to implement corrective actions towards achieving a clean audit opinion for the entire Department. OMB will continue to engage with DOD's senior leadership on the status of the audit and DOD components' efforts to address findings. Overall, the audit process has created opportunities for DOD to improve decision-making, transparency, and accountability, as well as identify cost savings.

76. How will you promote interagency collaboration to improve grants management and oversight? Will you direct the Office of Federal Financial Management to continue to run the Council on Federal Financial Assistance?

The President's Management Council and CFO Council are key forums to advance collaboration with agencies to improve grants management. The Council on Federal Financial Assistance (COFFA) was created subsequent to when I last served at OMB. I look forward to learning more about the impact COFFA is having to ensure federal financial assistance programs are operating efficiently and effectively.

77. Will you encourage agencies to use plain language when drafting Notice of Funding Opportunities?

Yes.

78. Please describe your plans for the Made in America Office and how you plan to ensure that the Office is able to perform its mission?

I strongly support efforts to increase the use of federal government dollars to support American businesses.

79. In 2021, the Inspector General for the Department of Housing and Urban Development (HUD OIG) determined that OMB delayed the disbursement of Community Development Block Grant Mitigation (CDBG-MIT) disaster aid funding to Puerto Rico past statutorily required deadlines.
- a. Do you agree with HUD OIG's determination that OMB delayed disaster aid funding to Puerto Rico? Please explain.
OMB's review of the funding request was necessary to safeguard taxpayer resources.
 - b. Why did OMB require that HUD put the CDBG-MIT draft federal register notice through OIRA's 12866 interagency review process?
OIRA brought the federal register notice in for review to ensure that it was consistent with the President's agenda.
 - c. Do you commit to supporting the prompt disbursement of federal assistance, including disaster aid to state, local, Tribal, and territorial governments, without requiring "structural reform requirements"?
Yes, subject to the advice of the OMB General Counsel and, ultimately, to the President's direction based on his policy views.

Cybersecurity, Information Technology, and Artificial Intelligence

80. Enhancing the cybersecurity capabilities of the United States was prioritized under the first Trump Administration. Can you commit to continuing to bolster United States cybersecurity capabilities as Director of OMB?
Yes.
81. What do you believe is OMB's role in bolstering the United States' cybersecurity capabilities?
Pursuant to the Federal Information Security Modernization Act (FISMA), OMB has three key roles: (1) developing and overseeing the implementations of government-wide cybersecurity policies; (2) requiring agencies to identify and provide protections for federal information and systems commensurate with the risk of harm from a potential compromise; and (3) overseeing agencies' compliance with government-wide laws, policies, directives standards and guidance around cybersecurity.
82. How is OMB's role different from other federal entities working in this space like the Cybersecurity and Infrastructure Security Agency (CISA) and the Office of the National Cyber Director (ONCD)? How do you plan on working with ONCD and CISA on improving federal agency cybersecurity?
OMB has a unique role within government to convene all agencies and advance whole-of-government priorities. If confirmed, I will work closely with the Federal Chief Information Officer, Federal Chief Information Security Officer and all government leaders, including CISA and ONCD, to advance cybersecurity within federal agencies.

Additionally, OMB can play a unique role aligning the Federal budget with cybersecurity policies and priorities.

83. From the perspective of OMB, what are the main cyber threats? What would your initial actions be to counter these threats?
 Within the Federal government we must continue to modernize the technology we use across government, and modernize our workforce, especially our cyber-security workforce, to address the evolving threats we face.
84. How do you believe the United States federal government can maintain a talented and capable cyber workforce? What is OMB's role in building resilient cyber workforce pipelines?
 The Federal government must improve how we hire so that high-caliber individuals seeking to serve the nation are not dissuaded from entering the federal government. Through the Office of the Federal CIO and its budgetary functions, OMB can prioritize efforts to hire, retain and upskill individuals to address cyber workforce needs.
85. Do you believe CISA should remain a component of the Department of Homeland Security (DHS)? From your experience in OMB, how do you view the importance of CISA's placement within DHS?
 I am not aware of any proposal from President Trump to reorganize CISA outside of DHS. The two primary functions it performs that need to continue forward are the protection of the civilian government computer network, and as the central liaison for private companies that constitute so much of our critical infrastructure, for example, electric utilities, water companies, and pipeline companies.
86. M-19-16, released under your leadership of OMB during the first Trump administration, designated DHS as the lead for developing cybersecurity shared services for federal agencies. What are your views of the implementation of these shared cybersecurity services?
 I believe more work can be done across all areas of shared services, including to increase our cybersecurity.
87. What are your views on the Technology Modernization Fund (TMF)? If confirmed, would you support expanding the TMF?
 The Technology Modernization Fund (TMF) provides critical funding and flexibility to address legacy IT issues facing the federal government. While the TMF website shows promising data regarding success of projects and repayment of to the fund, I would need to consult with the Office of the Federal CIO before offering an opinion on expanding the fund.
88. OMB's Guidance for Regulation of AI Applications (M-21-06), released under your leadership of OMB during the first Trump administration, states that "AI applications could pose risks to privacy, individual rights, personal choice, civil liberties, public health, safety, and security that must be carefully assessed and appropriately addressed." If confirmed, would you continue to uphold and promote policies that ensure these risks are appropriately addressed?

Yes.

89. Numerous news outlets have reported that the Trump Administration plans to rescind President Biden's AI Executive Order, including the accompanying OMB guidance (M-24-10). However, this guidance is also required by statute. The AI in Government Act of 2020 requires the OMB Director to issue guidance to agencies to inform the development of policies regarding Federal procurement and use of AI, AI innovation, and best practices for mitigating any discriminatory impact, bias or unintended consequence of the use of AI. The guidance must be updated every 2 years for 10 years. Will you uphold this law and please describe your views of the current guidance (M-24-10)?

Yes. If confirmed, I will review the AI guidance and make revisions consistent with the President's views on the regulatory posture that federal agencies should adopt toward AI.

90. Agencies have made some progress in implementing artificial intelligence over the past decade. How would you govern and set goals for agency AI adoption that can help expand responsible use of secure AI to achieve agency goals?
- If confirmed, I would consult with OMB career staff on the status and appropriateness of current agency AI adoption goals consistent with the framework outlined in Executive Order 13960 ("Promoting the Use of Trustworthy AI in the Federal Government") to ensure that AI is used responsibly and securely, with human oversight safeguarding critical decisions.

91. What are your views on regulation of AI, so that its benefits can accrue while its risks are mitigated?
- In updating any AI guidance required by law, if confirmed, I would participate in a robust interagency policy process to craft balanced recommendations. However, as I stated in OMB M-21-06, "agencies must avoid a precautionary approach that holds AI systems to an impossibly high standard such that society cannot enjoy their benefits and that could undermine America's position as the global leader in AI innovation. Where AI entails risk, agencies should consider the potential benefits and costs of employing AI, as compared to the systems AI has been designed to complement or replace....Regulatory approaches may also be needed to protect reasonable expectations of privacy on the part of individuals who interact with AI."

Executive Power

92. You wrote in Project 2025's *Mandate for Leadership* that the OMB General Counsel must be "fearless in his or her ability to challenge legal precedents that serve to protect the status quo." What specific legal precedents do you believe need to be challenged and in what way?
- I believe that all appointees must be committed to upholding the Constitution and implementing the president's agenda.
93. Do you believe that the President has the constitutional authority to fire at-will the members of a board which lead an agency like the Federal Trade Commission, agencies often referred to as "independent regulatory agencies"?

If I am confirmed as OMB Director, I will follow the advice of the OMB General Counsel, DOJ's Office of Legal Counsel, and ultimately the President on this issue.

94. Do you believe that the President has the constitutional authority to fire special counsels or other inferior officers with limited duties and no policymaking authority who Congress has provided with for-cause employment protections?

If I am confirmed as OMB Director, I will follow the advice of the OMB General Counsel, DOJ's Office of Legal Counsel, and ultimately the President on this issue.

95. Do you believe that it is ever appropriate for the President to use the military for domestic law enforcement purposes? If so, when and under what circumstances do you believe it would be appropriate to do so?

If I am confirmed as OMB Director, I will follow the advice of the OMB General Counsel, DOJ's Office of Legal Counsel, and ultimately the President on this issue.

96. Would you support the President if he were to seek to violate the 22nd Amendment's prohibition that "No person shall be elected to the office of the President more than twice"? President Trump has always acted in a manner that is lawful and constitutional, and there is no basis for this question. But if any president were to act to violate the 22nd Amendment's terms, I would not support him or her.

97. Do you believe there are any limitations to the President using Article II Section 3 of the Constitution to initiate a recess and make recess appointments? If so, what are those limitations?

If I am confirmed as OMB Director, I will follow the advice of the OMB General Counsel, DOJ's Office of Legal Counsel, and ultimately the President on this issue.

Federal Workforce

98. Do you think agency use of federal contractors is more or less expensive than agencies using federal employees? Please provide specific data for your conclusion.

If confirmed, my focus will be on achieving the most effective result for the American citizen which could be achieved by either a federal contractor or federal employee depending on the situation.

99. GAO found that in 2020, OMB sought to reclassify at least 136 types of positions into Schedule F, which according to GAO would have applied to 68% of OMB's workforce at the time. Later estimates based on internal OMB documents suggested that 88% of OMB's workforce would have been reclassified into Schedule F positions. During an interview on November 18, 2024, you discussed how under Schedule F, "I put 90% of OMB in that category because (a) it was true and (b) I wanted to set a high bar for the rest of my colleagues and agency heads that this should be viewed maximally."

- a. What positions at OMB did you decide *not* to seek to reclassify under Schedule F? OMB did not seek to reclassify positions that did not meet the standard set forth in Executive Order 13957, only positions that, as the Executive Order stated, were

of a confidential, policy-determining, policy-making, or policy-advocating character not normally subject to change as a result of a Presidential transition were considered for reclassification.

- b. What process and criteria did you use or plan to use to determine which employees would remain employed or would be fired? Please include a description of how the process would differ from determining when an employee should be disciplined under chapter 75 or chapter 43 of title 5.
- I would have made those determinations based solely on merit and in line with the Executive Order, subsequent regulations adopted by the Office of Personnel Management and statutory protections against Prohibited Personnel Practices. The difference in process was employees in a confidential, policy-determining, policy-making, or policy-advocating position were not subject to the removal procedures of chapter 75 or chapter 43 of title 5, which is explicitly articulated in 5 U.S.C. § 7511(b)(2)(A).
- c. What characteristics of job candidates would you assess to fill vacant Schedule F positions at OMB? Please include how these characteristics would differ from the characteristics you would assess for positions in the competitive service or excepted service positions in Schedules A through E?
- During my entire career, for hiring individuals I have used the same characteristics, first and foremost would be merit-based hiring. My commitment to hiring based on merit will not change.
- d. Do you commit to, upon request from any member of Congress, providing robust, timely, and accurate information about any movement of employees out of competitive service positions or Schedules A through E into a new category of position and employees fired from such a new category of position?
- Yes, subject to the advice of the OMB General Counsel.

100. Under Schedule F, would the public and members of Congress have visibility into what process an agency's political leadership uses for determining who to hire and who to fire?

- a. Would there be more visibility or less visibility compared to positions in the competitive service or excepted service positions in Schedules A through E? Please explain.
- Under EO 13957 the degree of visibility would have been equivalent, and similarly captured in government-wide data published by the Office of Personnel Management.
- b. Do you believe the public and members of Congress elected by the public *should* have visibility into the process political agency leadership uses to hire and fire its employees, as well as into how political agency leaders carry out that process?
- I believe the existing level of visibility into personnel actions for career employees is appropriate.

101. In your view, would a fully implemented Schedule F have an effect on agency personnel turnover during Presidential transitions? Please explain.

No. Executive Order 13957 was clear it applied to positions “not normally subject to change as a result of a Presidential transition.”

a. Do you think high rates of agency personnel turnover during Presidential transitions creates any national security risks for the U.S.? Please explain.

See answer above

102. During an interview on November 18, 2024, you expressed support for mass firings and the chilling effect such firings would have on remaining staff. You stated “It’s always not just about the firing, although there’s certainly going to be mass layoffs and firings, particularly at across some of the agencies we don’t even think should exist.” Do you think mass firings or any level of firings with no required justification from the political leader who made the firing decision and no ability to appeal or path for recourse for the fired employee, will impact--

a. the willingness of employees to report waste, fraud, and abuse by agency political leadership? Please explain why or why not.

No. Section 6 of Executive Order 13957 required agencies to prohibit personnel actions against an employee for a disclosure such as this.

b. the willingness of whistleblowers to come forward? Please explain why or why not.

No. Section 6 of Executive Order 13957 required agencies to prohibit personnel actions against an employee for a disclosure such as this. Separately there are additional statutory protections for whistleblowers.

c. the ability of corruption involving agency political leadership to go unchecked? Please explain why or why not.

No. Section 6 of Executive Order 13957 required agencies to prohibit personnel actions against an employee for a disclosure such as this.

Furthermore, the quotation is wrong. I did not say there is going to be mass layoffs and firings.

103. During videos published on October 28, 2024, you state: “We want the bureaucrats to be traumatically affected. When they wake up in the morning, we want them to not want to go to work. Because they are increasingly viewed as the villains. [...] We want them to be in trauma.” You doubled down on “calling for trauma within the bureaucracies” during an interview on November 18, 2024. Please explain why you are advocating for causing trauma to federal employees.

I was referring specifically to certain bureaucracies that have been weaponized against the American people. It is unacceptable for unelected bureaucrats to work to thwart the agenda of the duly-elected President of the United States, and carry out their own

anti-democratic agenda with impunity.. I continue to have a high view of career civil servants who faithfully serve our country over many years and every president while in office.

104. Is it appropriate for organizations outside of government to create and disseminate lists of federal employees, including career civil servants, recommending they be fired or subject to other adverse actions?
The OMB Director does not have any jurisdiction over this issue.
105. If confirmed, would you plan to reissue the same or a similar prohibition on diversity, equity, and inclusion training for employees at federal agencies and contractors by federal agencies as you did in September 2020 through M-20-34 and M-20-37? If so, do you plan to make any revisions?
If confirmed, I would implement the President's directives.
106. What are your views about presidential power to manage the federal workforce as it relates to collective bargaining agreements?
Title V articulates management rights, and topics that may be negotiated by agencies and federal unions.
- 107.
- a. Do you commit to honoring collective bargaining agreements between federal unions and their employing agencies and encouraging agencies to negotiate on contracts with unions in good faith?
Yes, subject to the advice of the OMB General Counsel.
 - b. Do you commit to honoring federal employee rights to unionize?
Yes, subject to the advice of legal counsel.
 - c. Do you commit to honoring processes associated with the Federal Labor-Management Relations Act?
Yes, subject to the advice of legal counsel.

OMB Management and Workforce

108. Do you believe that OMB currently has the appropriate resources, including the necessary personnel to effectively carry out its mission? Do you believe that there are any offices within OMB that lack the necessary resources, including personnel to carry out their mission?
No. I will work tirelessly to secure the resources necessary for OMB analysts to have the bandwidth to be proficient in the programs, regulations, or management functions, in their purview. And I will protect them from the immense amount of busy work that is not an appropriate use of their time.

109. Do you believe that any of the offices within OMB should be eliminated, consolidated or otherwise restructured?
I believe the Resource Management Organizations (RMOs) are too big and would benefit from smaller portfolios. If confirmed, I will further assess the resource situation.
110. What do you consider to be the principal challenges in the area of human capital management facing OMB?
OMB has far too few analysts with the exponential increase in the size and scope of the federal government. Its current analysts are tasked with tracking the efficacy of billions of dollars, often with other competing responsibilities. Addressing this need will be of paramount importance for the next Director.
111. What measurements would you use to determine whether OMB is successful?
OMB will be a success if it is seen inside and outside the administration as the central organizing unit for implementing the president's agenda, possessing the most accurate policy sense of what the president is attempting to accomplish. It will thus be brought in early to all the relevant policy processes to provide the most efficient options for achieving the administration's objectives. And OMB's proposals in Congress will increasingly be relevant and have a chance of becoming law.
112. How will you address the challenge of recruiting, hiring, training, and retaining the necessary personnel?
I will work tirelessly to secure the resources necessary for OMB analysts to have the bandwidth to be proficient in the programs, regulations, or management functions in their purview. And I will protect them from the immense amount of busy work that is not an appropriate use of their time.
113. If confirmed, how will you ensure OMB is positioned to succeed beyond your tenure as Director? What steps will you take to prepare the office for future presidential transitions? Do you commit to following the Presidential Transition Act during the 2028-29 transition?
I will leave the agency stronger than I found it. My focus will be on building the quality and number of the people of OMB who love the work, love the institution, love working for the president (whoever it is), and who are incredibly accomplished in their field. OMB will not be marginalized because it is viewed as an obstacle to the president's agenda.

As I did in the 2020-21 Transition, I will comply with the Presidential Transition Act.

V. Accountability

Whistleblower Protections

114. 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 had no experience with handling whistleblower complaints, but I value whistleblowers and have always encouraged a leadership culture that seeks to alleviate the need for them because employees know they can communicate up the chain of command about what is being mismanaged.
- b. If confirmed, what steps will you take to ensure that whistleblower complaints are handled appropriately at OMB?
If confirmed, I will be sure to assess the whistleblower protections we have in place and make any improvements. I will also personally ensure that complaints are made known to senior officials and investigated.
- c. If confirmed, what steps will you take to ensure that whistleblowers at OMB do not face retaliation and that complaints of retaliation are handled appropriately?
If confirmed, I will ensure that whistleblowers do not face retaliation and are protected.

Cooperation with Inspectors General

115. 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)?
Inspector generals are vital in exposing waste, fraud, abuse. OMB has an integral role in chairing (through the Deputy for Management) the Council of the Inspector Generals on Integrity and Efficiency.
116. Under what circumstances, if any, do you believe OMB would not be required to provide any OIG with timely access to agency records?
I would respond timely to all requests for agency records, subject to the advice of legal counsel.
117. 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?
Yes, subject to the advice of legal counsel.

Cooperation with GAO

118. If confirmed, do you commit without reservation to ensuring GAO receives timely, comprehensive responses to requests for information, including for records, meetings, and information?
Yes, subject to the advice of legal counsel.
119. If confirmed, what steps will you take to ensure OMB and its employees cooperate fully and promptly with GAO requests?

I will make it agency-wide policy for me to be personally apprised of every GAO request.

VI. Relations with Congress

120. Have your views on OMB's obligations to comply with congressional oversight requests changed since this Committee considered your previous nomination to be OMB Director in 2020? If so, please explain.
No.
121. If confirmed, will your approach to providing information requested by congress differ in any way from your approach when you previously served as OMB Director?
No.
122. 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, subject to the advice of legal counsel.
123. 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 I will make it agency-wide policy for me to be personally apprised of every GAO request. Congress if you are confirmed?
Yes, subject to the advice of legal counsel.
124. 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?
Yes, subject to the advice of legal counsel.
125. Do you agree without reservation to reply to any reasonable request for information from the Ranking Member of any duly constituted committee of the Congress?
Yes, subject to the advice of legal counsel.
126. If confirmed, how will you make certain that you will respond in a timely manner to Member requests for information?
I make it a priority to know about all Member requests the day they arrive at OMB.
127. 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.
128. 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.

129. In 2019, the House Permanent Select Committee on Intelligence issued a subpoena to you during its impeachment investigation of President-elect Trump. You did not comply with this subpoena. What was your basis for not complying with the subpoena?

The Select Committee insisted on excluding agency counsel from my deposition. The Department of Justice's Office of Legal Counsel issued an opinion on May 23, 2019, titled, Attempted Exclusion of Agency Counsel from Congressional Depositions of Agency Employees, which concluded that it violated the separation of powers for Congress to exclude agency counsel from deposition of agency employees because agency counsel's presence was necessary to protect legitimate Executive Branch confidentiality interests. The objection was communicated in a October 8, 2019 letter from the White House Counsel to the congressional leadership. As a Presidential appointee, I followed the binding advice of the DOJ.

I would have been willing to testify if the Committee had dropped its demand to exclude agency counsel from attending, and, per OLC's binding opinion, able to protect legitimate Executive Branch confidentiality interests.

VII. Assistance

130. Are these answers your own? If not, who has provided you with assistance?
Yes. I have at times consulted with former OMB political appointees to inform my thoughts and responses.
131. Have you consulted with OMB, or any other interested parties? If so, please indicate which entities.
No.

I, Russell Vought, 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 3 day of January, 2025

Post HSGAC Hearing Additional Questions from Senator Hawley to Russell Vought

1. As Director of the Office of Management and Budget (OMB), you will coordinate the administration's budget, financial management, and regulatory policies. Agency regulations will be reviewed and vetted by the Office of Information and Regulatory Affairs, a key component of OMB. Your memoranda will provide agency-wide guidance for a variety of federal statutes.

- a. As Director, will you be an advocate for Department of Health and Human Services (HHS) regulations that end federal funding through the Title X grant program for abortion providers, in line with the policy of the first Trump Administration in which you served?

The President is a pro-life president, and he has a very pro-life record. If confirmed, I will begin assembling the Budget based on the policies outlined on the campaign and the President's direction.

- b. As Director, will you work to ensure that pregnancy resource centers are eligible to receive federal funding through federal grants, in line with the policy of the first Trump Administration?

The President is a pro-life president, and he has a very pro-life record. If confirmed, I will follow the direction of the President with regard to eligibility standards for federal grants.

- c. As Director, will you coordinate with the State Department to ensure that American foreign aid dollars are not spent on abortion access abroad, in line with the "Mexico City Policy" implemented in the first Trump Administration?

The President is a pro-life president, and he has a very pro-life record. If confirmed, I will follow the direction of the President with regard to how foreign aid dollars are spent.

- d. As Director, will you ensure that federal agencies fully comply with the Hyde Amendment, a statute in place since 1977 that restricts taxpayer funding for abortions?

If confirmed, I will enforce the funding restrictions contained in appropriations bills.

- e. As Director, will you ensure that federal agencies fully comply with the Weldon Amendment, a statute that prevents discrimination against health care providers with conscience objections to abortion?

If confirmed, I will enforce the funding restrictions contained in appropriations bills.

**Ranking Member Gary Peters
Post-Hearing Questions for the Record
Submitted to Russell Vought**

Nomination of Russell Vought to be Director, Office of Management and Budget

Thursday, January 16, 2025

1. You have stated that you agree with President Trump that the Impoundment Control Act is unconstitutional, and you and your organization have championed this legal theory, yet you said before the Committee, “I’m not going to get into the parameters of the power” about this novel argument that disregards current case law and binding DOJ guidance. Why are you unable to articulate the President’s supposed powers?

The President’s Administration has not taken office or been confirmed and thus has not had an opportunity to conduct a policy process on this matter.

2. Does the President have the power to refuse to spend money on Social Security or Medicare?

President Trump has already stated that he will not touch Social Security or Medicare if he decides to impound funds. Social Security and Medicare are off limits. President Trump could not be more clear: “I will not lay a finger on Medicare or Social Security.”

3. Does the president have the power to refuse to spend money on SNAP or the National School Lunch program?

The President’s Administration has not taken office or been confirmed and thus has not had an opportunity to conduct a policy process on impoundment.

4. If a President believes that any law is unconstitutional, like President Trump believes the Impoundment Control Act is, is he obligated to follow it?

I believe this question is better directed at the DOJ nominees.

5. Does the President have the authority to disregard judicial rulings, including Supreme Court decisions that he disagrees with?

No.

6. You stated that at your hearing that you are aware of the “laws of the land” and that the incoming administration “will consider” the case law on the books. Do you commit to abiding by established case law precedent and all other relevant judicial decisions during your time as OMB director?

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and ultimately the President.

7. The Inspector General of the Department of Housing and Urban Development found OMB deliberately delayed disaster aid to Puerto Rico for hurricane recovery. Does the President and his administration have the authority to withhold or delay emergency response or recovery disaster assistance based on either the political affiliation of disaster survivors or policy disagreements with a specific state or governor?

Decisions with regard to dispensing federal funding must be evaluated according to the requirements set forth in statute.

8. Will you commit to continue to track disaster spending in an identifiable and disaggregated way, using either Disaster Emergency Fund Codes or another tool?

Yes, subject to OMB resources.

9. As OMB Director, you will oversee a federal agency tasked with serving the entire country. Do you believe the administration would have the right to prioritize allocation of funding to certain religious, ethnic, or political groups, regardless of how Congress allocates the funding in law?

a. For example, I have worked to increase funding for the Nonprofit Security Grant Program, to help protect houses of worship and other nonprofits in Michigan from hate-based attacks. Can you commit to ensuring that nonprofits representing all religious groups or otherwise eligible communities, including Jewish and Muslim communities, will be able to fairly apply and compete for funding, regardless of your personal beliefs?

Yes, I believe that all religious faiths should be able to fairly apply and compete for funding.

10. Do you commit to not recommend the use of Presidential emergencies to accomplish the President’s policy agenda?

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and the President.

11. How would you navigate a situation where a career employee, including career counsel, advises you that an action is illegal or unconstitutional?

a. What would you do if a career employee refused to carry out the action or directive that they believed to be unconstitutional or illegal?

I would engage the employee in a discussion with the intent to fully understand and hear their personal view. If through a policy process and comprehensive legal review the action were determined legal, I would execute the President's agenda.

12. Do you believe that the 2020 election result is legitimate?

I believe that the 2020 election was rigged.

13. Do you believe that Joe Biden won the 2020 election?

I believe that the 2020 election was rigged.

14. Do you believe that the 2024 election result is legitimate?

Yes.

15. Do you believe that Donald Trump won the 2024 election?

Yes.

16. You have previously expressed support for federal employee whistleblowers. Will you commit to not interfering with whistleblowers' right to make protected disclosures, and to not retaliating or directing retaliation against whistleblowers who take protected actions, including by disclosing information to Congress?

Yes.

17. Do you believe that federal contractor employees should have the same whistleblower protections as federal employees and private sector employees so that they are safely able to disclose waste, fraud, and abuse of federal funds?

a. If not, which protections enjoyed by federal employees and/or private sector employees do you believe should be denied for federal contractors, and why?

I believe federal employees, federal contractors and private sector employees must have protections to safely disclose waste, fraud and abuse of federal funds.

18. Do you support creating an Office of Inspector General for OMB?

No.

19. I believe you and I share the view that over-classification is a significant problem in the federal government – often standing in the way of meaningful oversight from Congress and the public and also preventing timely information-sharing that is vital to our national security. I worked on a bipartisan bill to address this issue.

a. What do you see as the most important areas of government where over-classification needs to be reigned in?

I believe that the most glaring issue is that over-classification lacks an effective advocate within the federal government to push back against agencies who lack an incentive to care about transparency.

b. Would you support Congress taking measures to improve transparency, including expedited declassification requests for Chairs and Ranking Members of congressional committees, and the automatic expiration of classification status for documents that are 50 years old or older?

I think there are many ideas that should be considered to tackle the problem, and if confirmed, I look forward to reviewing them.

20. In your pre-hearing questionnaire responses and during the hearing, you have disputed that you made the following statement in a November 2024 interview in reference to federal employees: “And it’s always not just about firing, although there certainly has to be mass layoffs and firings, particularly across some of the agencies we don’t even think should exist.” What words of that quote are incorrect?

I previously disputed that I was announcing mass layoffs and firings on behalf of an incoming Trump Administration in that interview.

21. Is your goal for this administration to replace the nonpartisan civil service with employees who share the same politics and views as the President and yourself?

No, I believe that an experienced nonpartisan civil service is vital.

22. Would mass layoffs and firings result in significant disruption and loss of institutional knowledge from career experts who have provided nonpartisan, apolitical advice across administrations?

I believe that reducing the size and scope of the federal government will have a beneficial impact on the American people.

23. Do you think individuals in positions requiring deep homeland security and defense expertise should be fired *en masse* or replaced by partisan appointments?

I believe that an experienced nonpartisan civil service that works to execute a President's agenda is vital.

24. OMB has designated 38 High Impact Service Provider agencies across the federal government whose employees provide critical services to the American public—such as responding to natural disasters, offering loans to small businesses, and helping people enroll in Medicare and Social Security. Do you think individuals who are experts at providing these types of services should be fired *en masse* or replaced by partisan appointments?

I believe that an experienced nonpartisan civil service that works to execute a President's agenda is vital.

25. The Associated Press reported on January 13 that senior Trump Administration officials are asking career civil servants on the National Security Council who they voted for in the election and if they made any personal contributions toward a candidate.

a. Do you believe a President's political leaders in government should use partisan loyalty tests to decide which civil servants to hire or fire?

No.

b. Do you commit to not use loyalty tests related to an individual's voting record and other First Amendment-protected activity when making personnel decisions at OMB?

Yes.

26. President Trump's Schedule F Executive Order included language directing agency heads to set their own rules for upholding existing protections for whistleblowers—the ability of employees to report waste, fraud, and abuse and prevent corruption.

a. What rules did you put in place at OMB to uphold whistleblower protections for the almost 90% of OMB employees you sought to reclassify into Schedule F positions?

Had implementation of Schedule F continued I would have implemented protections as required under Section 6 of the Executive Order 13957 and

consistent with my views expressed in answers to pre-hearing questions that would not tolerate retaliation against whistleblowers.

b. How can whistleblower and anti-corruption protections be upheld when individuals in Schedule F positions can be fired without justification or recourse?

EO 13957 required protections against prohibited personnel actions which include retaliation for such situations.

27. Do you think federal employees should be hired and retained based solely on their merit?

Yes.

a. What is your definition of “merit” in the context of personnel decisions for individuals you reclassified into Schedule F positions while at OMB? Does it include an individual’s personal politics?

Merit means hiring the applicant who can best perform the duties of the job.

No, personal politics are not considered.

b. If a civil servant could be hired or fired for any reason, how would the American people know whether or not the decision is based on partisan loyalty or based on an individual’s performance, professionalism, and ability to do the job?

Ultimately, the American people must judge the credibility and facts involved to come to any conclusion with regard to the merits of any government decision.

28. On April 9, 2024, the Office of Personnel Management issued a Final Rule entitled *Upholding Civil Service Protections and Merit System Principles* (89 FR 24982) to prevent the reclassification of nonpartisan civil service positions into political at-will appointments.

a. Will you commit to abiding by the Final Rule unless it is amended or rescinded under the Administrative Procedures Act?

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and ultimately the President.

b. Are you unsure whether or not OMB Counsel will advise you to abide by the Administrative Procedures Act?

No, the Administrative Procedure Act is the law of the land.

29. When individuals are hired into any position in the civil service, they enter into a Probationary Period for at least one-year during which can be fired at-will. A reclassification into Schedule F would make the position permanently at-will.

- a. Do you think agency managers are underutilizing probationary periods as way to quickly fire an individual who is unable to do the job effectively, as some studies suggest?

I believe the American people are demanding increased accountability across government and there are opportunities to better utilize probationary periods.

- b. What studies or data indicates that making 90% of OMB's workforce permanently fire-able at the will of its political leadership would improve employee or agency performance?

The President instructed agency heads to utilize Schedule F according to a set of factors, and I complied with that direction.

30. When you were Acting Director and Director of OMB during President Trump's first term, did you find any value in working with career civil servants who had served across multiple Administrations?

Of course.

- a. Do you think you would have accomplished more or less at OMB without those longer term experts?

Less.

- b. If a previous OMB Director had fired those career staff, do you think it would have affected your accomplishments at OMB?

The use of Schedule F as a tool is not intended to fire career staff.

31. You stated in submitted testimony to the Committee that "the civil servants at OMB are among the most resourceful and innovative individuals I have worked with." Do you commit to maintaining civil service protections for each of the career employees currently at OMB?

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and ultimately the President.

- a. Do you commit to not fire or punish OMB staff due to their political views or who they voted for in the 2024 election?

Yes.

32. All federal employees take an oath to support and defend the Constitution when carrying out their duties as civil servants. Should civil servants prioritize obeying the political will of the President over upholding the Constitution?

The Constitution vests the President with all Executive Power. President Trump previously swore, as required by Article II of the Constitution, to “preserve, protect and defend the Constitution of the United States.” President Trump has always adhered to that oath and faithfully discharged his duties under the Constitution at all times. As the head of the Executive Branch, the President has the authority to demand that federal employees work to faithfully implement his program.

33. Will you honor existing collective bargaining agreements between federal unions and agencies?

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and ultimately the President.

34. Do you think agency use of contractors is more expensive or less expensive than using federal employees to carry out the same job? Please explain.

As answered in my pre-hearing questions, my focus will be on achieving the most effective result for the American citizen which could be achieved by either a federal contractor or federal employee depending on the situation.

- a. Will the expense of contractors compared to federal employees play a role in making determinations about effectiveness?

I will always seek to be as efficient as possible with the use of taxpayer dollars.

- b. How will you measure contractor expense and determine contractor effectiveness?

I want all federal programs and spending to be tied to the outcomes delivered.

35. Do you believe federal contractors should perform “inherently governmental functions”?

Current law prevents contractors from performing inherently governmental functions.

36. Can you provide examples of professions or jobs within the federal government that contractors should not do because of potential national security risks?

I would rely on consultation with the President's national security leadership to make a determination of this nature.

37. In 2021, the National Academy of Public Administration released a report requested by Congress examining the role and structure of the Office of Personnel Management (OPM). The report concluded that federal government has a clear need for independent, enterprise-wide human capital agency and that OPM should carry out this role. Do you agree or disagree with the findings of the National Academy of Public Administration about the need for and role of the Office of Personnel Management?

President Trump has not run on changing the role of OPM.

38. Agency rulemaking has been critical to protecting our food and consumer products, clean air and drinking water, healthy working conditions, equal opportunity, and reliable financial institutions.

a. Will you commit to upholding the Environmental Protection Agency's (EPA) Lead and Copper Rule and the PFAS National Primary Drinking Water Regulation?

If confirmed, I will begin work with all agencies to understand their regulatory plans.

b. Will you heed consensus scientific analysis in regulatory policy decision-making?

If confirmed, we will certainly consider sound science as part of the regulatory process.

c. Will you commit to upholding regulations from the Consumer Product Safety Commission such as those relating to cribs, booster seats, and toys that keep children and infants safe?

If confirmed, I will begin work with all agencies to understand their regulatory plans.

d. Will you commit to upholding regulations from the Food and Drug Administration (FDA) such as their Egg Safety Rule to prevent food-borne illness?

If confirmed, I will begin work with all agencies to understand their regulatory plans.

e. Will you commit to upholding OSHA regulations such as the final rule that improves the tracking of workplace injuries and illnesses?

If confirmed, I will begin work with all agencies to understand their regulatory plans.

39. Please identify at least one regulation issued by the EPA that you agree with. Please identify at least one regulation issued by the FDA that you agree with.

My responsibility is to execute the President's regulatory agenda.

40. Do you intend to rescind the July 2023 OMB memorandum on Broadening Public Participation and Community Engagement in the Regulatory Process?

a. If so, what specific parts of that memorandum do you find objectionable?

I will follow the President's orders and directives in all areas.

b. Do you intend to take any steps to promote greater public engagement in the regulatory process, particularly by members of the public who traditionally have not participated in this process in the past?

I will maintain the traditional transparency and public engagement opportunities for regulatory review. If confirmed, I will review if policies should be amended or changed.

41. Do you intend to rescind the December 2023 guidance on promoting greater public participation in OIRA meetings?

I will follow the President's orders and directives in all areas.

42. Do you intend to rescind the November 2023 revisions to Circular A-4? Please describe any revisions you may plan to make.

I will follow the President's orders and directives in all areas.

43. Do you intend to continue the Subcommittee on Frontiers of Benefit-Cost Analysis? If not, please explain why.

I will follow the President's orders and directives in all areas.

a. Do you intend to launch any new initiatives aimed at advancing the study of regulatory cost-benefit analysis?

If confirmed, I will review if any new initiatives are appropriate.

44. Statutes like the Unfunded Mandates Reform Act and the Regulatory Flexibility Act are based on the assumption that members of the public can be empowered by participating in the regulatory system. Do you agree that public participation in the regulatory system is an important tool for public empowerment in our democracy?

Yes.

45. Many regulations have the effect of protecting human lives. And for cost-benefit analysis purposes, agencies have to account for this by placing a monetary value on this effect. What monetary value would you put on a human life?

These values are determined by expert review and guidance.

46. Will you respond in a timely manner to all oversight requests, including from the Ranking Member and members of the Minority party?

Yes, subject to the advice of legal counsel.

47. How will you help manage the federal government's response to the PFAS contamination crisis and ensure that communities that have been dealing with this challenge for years have the support they need for cleanup efforts?

I will ensure relevant experts across the federal government are coordinating on this important response.

48. We have increasingly seen wildfires, floods, tornados and hurricanes intensify with climate change, devastating entire communities and regions. Can you explain how you plan to incorporate climate and natural disaster resilience into your leadership?

Natural disasters and emergencies are an unfortunate and foreseeable occurrence. The federal government must plan and budget accordingly.

49. With the devastation in Los Angeles, it could not be clearer that we need sound, scientific decision-making to navigate the growing and even lethal threats of climate

change. If confirmed, will you use your position to reshape or thwart the National Climate Assessment, a preeminent report that informs sound policy responsive to the growing climate threat?

The devastation in Los Angeles is horrible and its residents deserve better than the leadership that has been demonstrated during this response.

50. Michigan is leading the nation in advanced manufacturing, with investments in chips, batteries, and other cutting-edge technologies thanks to the bipartisan work over the last 4 years with the Infrastructure Investments and Jobs Act and CHIPS and Science Act. What assurances can you give to hardworking Michiganders – who are making batteries and chips to secure our energy future – that this administration won't take actions to undermine these critical investments?

If confirmed, I will begin the formal development of the Budget based on the President's agenda and directions.

51. In a July 27, 2021 conversation with then Rep. Ted Budd at your organization, the Center for Renewing America, you stated that Detroit is a "failed city" with "pathologies." As you know, I represent Detroit, a city that exemplifies grit, hard work, and innovation. Do you stand by this negative characterization?

Detroit is an example of a once-great city that has declined economically and socially under decades of poor leadership.

52. President Trump's Executive Order on *Promoting the Use of Trustworthy Artificial Intelligence in the Federal Government* directed agencies to prepare inventories of their AI use cases. These inventories are critical tools for public transparency. Do you commit to ensuring that agencies document and make public their uses of AI?

If confirmed, I will review the AI guidance and make revisions consistent with the President's views on the regulatory posture that federal agencies should adopt toward AI.

53. In your 2020 memo to agency heads on AI, you stated that agencies should "continue promoting innovation while protecting privacy, civil rights, and national security." Do you stand by the statement in your 2020 memo and commit, if confirmed, to ensuring AI adoption does not harm individuals' civil rights, privacy, and safety? If so, please provide examples of how you would go about ensuring the protection of civil rights, privacy, and safety as agencies adopt AI?

If confirmed, I will provide guidance to agency heads consistent with the President's directives. I would consult with other officials included in the policy process and OMB career staff on the status and appropriateness of current agency AI adoption

goals to ensure that AI is used responsibly and securely, with human oversight safeguarding critical decisions.

54. What role will President Trump's AI czar play in OMB's policies, guidance, and decisions about AI usage in government?

White House officials and councils will participate in a robust policy process on AI usage in government.

55. Will you commit to updating this committee as to how entities like DOGE and the AI czar will contribute to OMB's policies, guidance, and decisions, including on AI and federal procurement?

I commit to updating the committee on the work of OMB through the oversight process.

56. In a 2023 speech, you said you were trying to create a "shadow" Office of Management and Budget, a "shadow" National Security Council, and a "shadow" Office of Legal Counsel. You also described your "very close hold" plans that would not be published. Given that you are now the OMB Director nominee, information about a shadow OMB you tried to create is important to public transparency and critical to your qualifications for this position.

a. Please describe this shadow operation and its current status (e.g., what individuals have been a part of its construction and operation, how did it interact with the President-elect, what is your current communication with the operation)?

Center for Renewing America is an independent think tank and my current employer. I will be fully separating from the organization upon entering government.

b. Have you consulted with this entity or any other entity which has provided you with draft policies, regulations, executive orders, or guidance?

I currently work for the Center for Renewing America.

c. Will you commit to sharing with this committee and disclosing to the public your plans to create a "shadow" OMB (and any corresponding documents you created)?

The work of the Center for Renewing America is fully available on its website.

d. Do you plan on consulting or coordinating with these “shadow” groups as Director of OMB?

If confirmed, I will consider input from all sources, including outside groups, but ultimately follow the direction of the President.

57. If confirmed, how will you ensure that OMB respects the federal trust responsibility to Tribes, particularly through prioritizing budget requests and federal funding allocation, staffing, and policy implementation?

If confirmed, I will respect the federal responsibility to Tribes.

58. How will you measure and report progress in advancing the needs of Native communities, and how will you ensure that these efforts are transparent and accountable to Congress and to the communities you serve?

If confirmed, I will follow the law in these matters.

59. The annual Native American Crosscut report plays a crucial role in ensuring federal spending is transparent and accountable to the communities it serves under the trust responsibility. To maintain the accuracy and utility of this report, it is essential that OMB has staff with strong expertise in federal spending on Tribal programs. How do you plan to prioritize hiring and retaining staff with this specialized knowledge so this can continue to be a useful tool, and what steps will you take to ensure that OMB remains a strong resource for supporting Tribal priorities?

If confirmed, I will ensure that OMB contains the necessary staff expertise in all areas required, including Tribal programs.

60. Using a “current policy baseline,” which hides the cost of extending temporary policies, is a gimmick, plain and simple. Do you agree that the President should be accurate about the cost of extending Tax Cuts and Jobs Act, and only use a “current law” baseline for the budget resolution and any subsequent reconciliation bill?

If confirmed, I will follow the direction of the President in accurately presenting budgetary information.

61. Previous OMB Directors have relied on overly optimistic economic projections. It is of the utmost importance to have economic projections and budget estimates that reflect a realistic picture of the American economy. Do you commit to ensure that the President’s budgets will not rely on budget gimmicks, including unrealistic economic metrics when building a budget request?

If confirmed, the President's Budget will be based on the best estimates available reflecting the expected economic impact of the President's policies.

62. OMB and the annual President's Budget shape the federal funding conversation. Given the overwhelming public support for birth control and access to sexual and reproductive health services, do you agree to use this process to ensure access to birth control and sexual and reproductive health care services without any additional restrictions or limitations through the federal family planning program (Title X) and other federal funding streams?

I will not be able to begin formal development of the President's Budget until being confirmed by the Senate.

63. Poll after poll, as well as ballot measure results across the country, show that the vast majority of Americans support protecting the right to abortion. They also believe the federal government should not be involved in personal decisions involving abortion. President-elect Trump has pledged to not restrict abortion federally.

- a. How would OMB advance that pledge, and support the will of the majority of American people across states that have decided that abortion should remain legal where they live?

President Trump has made his views on abortion very clear, and if confirmed, I will execute his agenda fully.

64. President-elect Trump [said](#): "I have never, and will never advocate imposing restrictions on birth control or other contraceptives." This aligns with the vast majority of Americans who support access to birth control.

- a. Do you support President-elect Trump's pledge to not impose additional restrictions?

I will fully implement President Trump's policy agenda.

- b. How will you use your role to support this position and ensure access to birth control?

I will fully implement President Trump's policy agenda.

**Senator Richard Blumenthal
Post-Hearing Questions for the Record
Submitted to Russell Vought**

**Nomination of Russell Vought to be Director, Office of Management and Budget (OMB)
Wednesday, January 15, 2024**

1. At the hearing, you told me that you agree with President-elect Trump's view that the Congressional Budget and Impoundment Control Act of 1974 (the Impoundment Control Act) is unconstitutional. When I asked a follow up question about *Train v. City of New York* (1975), which held that, even absent the Impoundment Control Act, the president does not have the unilateral authority to impound funds appropriated by Congress, you said, "...the incoming administration [is] going to have to take the President's view on this as he stated in the campaign, work it through with the lawyers of the Department of Justice, some of whom are coming before Congress just today, if confirmed, and to put that through a policy process. I can't prejudge that policy process, but I certainly can't announce the parameters of what it would produce." Like I told you then, I am astonished and aghast by this answer, that the President is above the law. The principle that no one is above the law – including a President – is fundamental to our nation, and I want to give you the opportunity to reconsider this view that I told you I would.

a. Do you believe the Impoundment Control Act is constitutional?

No.

b. Unless the answer to Question 1a is a simple "yes," please explain why you understand constitutionality better than Congress and the Supreme Court.

In part, presidents for nearly 200 years exercised the ability to save taxpayer dollars with the acceptance of the other branches.

c. If confirmed, are you going to defy the Supreme Court's holding in *Train v. City of New York* that the president does not have the unilateral authority to impound funds appropriated by Congress?

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and the President.

d. If the answer to Question 1c is anything besides “no,” you are simply taking the law into your own hands, substituting your opinions for those of Congress and the Supreme Court. Please explain the existing legal authorities you believe give you the ability to do this.

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and the President.

e. In 2020, the Government Accountability Office (GAO) concluded OMB violated the Impoundment Control Act. GAO also found that OMB violated the Anti-Deficiency Act on eight separate occasions under your tenure, though I understand you dispute GAO’s conclusions. If confirmed, what policies or procedures do you intend to implement to ensure all actions OMB takes comply with the law?

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and the President.

f. For all policies and procedures listed in response to Question 1e, please detail how they differ from the policies and procedures you had in place at OMB during your previous tenure.

If I am confirmed as the Director of OMB, I will follow the advice of legal counsel, and the President.

2. When asked whether you support means-testing to determine which veterans deserve disability compensation from the U.S. Department of Veterans Affairs (VA), you failed to give a direct answer, instead replying, “The President has been a firm supporter of veterans spending, of getting veterans everything they need.” You similarly declined to answer when I asked whether you supported eliminating disability compensation for veterans with a disability rating below 30 percent, stating “I’m not here on behalf of what I think, but I’m here on behalf of the President.” I disagree. Your views speak volumes about how you will prioritize the President’s agenda as you seek to implement it.

a. Do you support implementation of a means-test for provision of VA disability compensation benefits?

President Trump has been a firm supporter of veterans and the programs they rely on. I will implement this commitment to our nation's veterans.

b. If confirmed, do you plan to implement any of the VA savings proposals included in the Center for Renewing America's 2023 Budget Proposal? Please include specifically in your answer the following of your proposals: (1) to eliminate VA health care eligibility for more than 2 million veterans, (2) to reduce VA disability benefits for retirement-aged veterans, (3) to narrow eligibility for disability compensation to veterans rated 30 percent disabled or more, and (4) to exclude disabilities you deem as unrelated to military duty.

President Trump has been a firm supporter of veterans and the programs they rely on. I will implement this commitment to our nation's veterans.

c. If confirmed, do you commit to me that OMB will not attempt to reduce or eliminate veteran's benefits?

President Trump has been a firm supporter of veterans and the programs they rely on. I will implement this commitment to our nation's veterans.

3. In your pre-hearing questionnaire, you told the Committee, "Career staff [at OMB] were vital in developing proposals for applying their expertise to the execution of the President's agenda. I welcomed and relied on career staff to a great degree as director." However, the Schedule F proposal, of which you are often referred to as the chief architect, tried to eliminate tens of thousands of nonpolitical career civil servant positions.

a. Why do you believe nonpolitical career civil servants are unable to effectively carry out their duties?

I have never said that career staff are unable to carry out their duties.

b. If you do not agree with Question 3a, why do you support Schedule F to eliminate their positions?

Schedule F is not a tool to eliminate career staff positions.

c. When discussing the Schedule F changes you made at the end of the last Trump Administration, you were quoted saying, "I put 90% of OMB in that

category.” Was 90 percent an appropriate number? Please explain why.

OMB has a very high proportion of career staff who met the definition for the intended classification.

d. If confirmed, do you intend to reclassify the same number of employees, provided Schedule F is implemented again?

If Schedule F is implemented again, and if confirmed, I will make a determination on which employees should be reclassified.

e. If confirmed, do you commit to upholding all whistleblower protections for federal employees at OMB for the duration of your tenure?

Yes.

4. Mr. Vought, when we passed the PACT Act in 2022, Congress established the Toxic Exposure Fund (TEF), a mandatory appropriations account to cover the costs of expanding benefits and services of toxically exposed veterans.

a. If confirmed, will you seek continued appropriations for toxic-exposed veterans through the TEF?

President Trump has always been committed to providing veterans with all the benefits they need and have earned and that will inform the development of his Budget, if I am confirmed.

b. Will you propose changes to how funds are requested and/or appropriated through the TEF? If so, please describe those specific changes.

President Trump has always been committed to providing veterans with all the benefits they need and have earned and that will inform the development of his Budget, if confirmed.

5. President-elect Trump has publicly promised to not restrict abortion federally.

a. President-elect Trump clearly stated, "I would not support a federal abortion ban, under any circumstances." If confirmed, do you commit to upholding President-elect Trump's promise at OMB?

President Trump has made his views on abortion very clear, and if confirmed, I will execute his agenda fully.

b. President-elect Trump has said, "I have never and will never advocate imposing restrictions on birth control or other contraceptives." If confirmed, do you commit to upholding this promise at OMB?

President Trump has made his views on contraceptives very clear, and if confirmed, I will execute his agenda fully.

6. The Navy and its nuclear shipbuilders, General Dynamics/Electric Boat and Huntington Ingalls Industries/Newport News Shipbuilding, collaborated on a novel approach to address wage and infrastructure investments in the submarine production supply chain, known as the Shipyard Accountability and Workforce Support Initiative (SAWS). SAWS features financial management reform, a reset of the workforce, and prevention of further cost growth on Virginia-class submarines now in construction. Implementing SAWS should be seen as a quick win for any administration as it saves between \$17 and \$30 billion in taxpayer dollars, holds the shipbuilders more accountable to meet schedules, and increases efficiency. If confirmed, will you work with the shipbuilders to implement SAWS expeditiously so that the Virginia-class submarine can start improving at its needed pace?

If confirmed, I will get an update on SAWS and all the issues involved with the delayed production of the Virginia-class submarines.



Office of the President

January 2, 2025

The Honorable Lindsay Graham, Chairman
The Honorable Jeff Merkley Ranking Member
U.S. Senate Committee on Budget
624 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Rand Paul, Chairman
The Honorable Gary Peters, Ranking Member
U.S. Senate Committee on Homeland Security and Governmental Affairs
840 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairmen Graham and Paul and Ranking Members Merkley and Peters:

On behalf of the American Forest & Paper Association (AF&PA), I am writing in support of President Trump's nomination of Russell Vought to serve as the Director of the Office of Management and Budget.

We believe Mr. Vought will work to accomplish President Trump's agenda of growing the American manufacturing economy, creating new, high-paying jobs throughout our country, particularly in rural America, improving the regulatory process, and ensuring that regulations are sustainable and do more good than harm.

AF&PA serves to advance U.S. paper and wood products manufacturers through fact-based public policy and marketplace advocacy. The forest products industry accounts for approximately 5% of the total U.S. manufacturing GDP, manufactures about \$350 billion in essential products annually and employs about 925,000 people. The industry meets a payroll of about \$65 billion annually and over 75 percent of our facilities are located in counties that are over 80 percent rural. The forest products industry is circular by nature. AF&PA member companies make essential products from renewable and recyclable resources, generate renewable bioenergy and are committed to continuous improvement through the industry's sustainability initiative — [Better Practices, Better Planet 2030: Sustainable Products for a Sustainable Future](#).

The U.S. manufacturing sector has been a fundamental driver of American success, but our nation faces growing challenges in a highly competitive global economy. The cost,

complexity and volume of regulations is greater than ever. As a result of our cumbersome air and water permitting processes, manufacturers that want to expand and create jobs with cleaner, more efficient technology are often stymied.

The U.S. Supreme Court recently made clear that regulators must follow the best reading of statutes; they must only act within the boundaries of their statutory authority, and consider all relevant factors, including balancing costs and benefits. Accordingly, it is essential that regulations be designed to provide net benefits to the public based on best available scientific and technical information through a transparent and accountable rulemaking process, with due consideration of the cumulative regulatory burden. We think Mr. Vought is uniquely positioned to ensure these regulatory principles are implemented.

We believe Mr. Vought is eminently qualified for this important role and will execute President Trump's agenda in a thoughtful, impactful manner. Mr. Vought's previous experience as the Office of Management and Budget Director make him uniquely qualified to once again serve in this role.

Based on our knowledge of Mr. Vought and his background, we believe his expertise, experience and professionalism make him an excellent candidate for this important position.

Kind Regards,

A handwritten signature in cursive script that reads "Heidi Brock".

Heidi Brock
President and Chief Executive Officer

I am submitting this statement for inclusion in the record of the 15 January 2025 hearing of the Homeland Security and Governmental Affairs Committee regarding the nomination of Russ Vought to serve as Director of the Office of Management and Budget.

The Senate, as part of the independent first branch of the United States government under the United States Constitution, in the exercise of its constitutional duties in the confirmation process, has the authority and the responsibility to conduct the confirmation process in a manner that is free from interference by the other branches of government.

There is no right to be confirmed by the Senate. Being entrusted with the responsibilities of the position for which this nominee is seeking confirmation is a privilege and an honor, not a right. The confirmation process is essential for the position of trust for which he has been nominated. Each individual under consideration for confirmation by the Senate has the burden to convince the members of the Senate that such individual possesses the character, experience, background, ethical integrity, and ability necessary to fulfill the responsibilities of the position, and possesses a commitment to the Constitution and the Rule of Law, both of which are necessary minimum standards for being considered for an affirmative vote.

Before this committee conducts a hearing to consider whether to recommend confirmation of the nominee, and in partial satisfaction of the nominee's burden to affirmatively demonstrate that he is committed to the Constitution and the Rule of Law, the nominee should be required complete and sign the two documents set out below.

I oppose any consideration by this committee of Mr. Vought's nomination until he has stated under oath that the 2020 Presidential Election was not stolen, and until he has completed and signed these two documents.

Consensual Waiver of Rights and Privileges

I, _____, having been nominated for the position of _____, and seeking a favorable recommendation from this committee, and acknowledging that I have no right to be confirmed and that it would be a privilege for me to be confirmed to serve in the position for which I have been nominated, now declare with respect to

- any unlawful conduct that I may be charged with having committed during my term in the post to which I am being nominated and for which I seek confirmation by the United States Senate;
- any criminal or civil charges based on conduct, statements, or evidence presented by me to the committee; and
- any criminal or civil charges for any past conduct that I testify about or that is described in my statements or other presentations by me to the committee,

I do hereby declare that with respect to those matters I voluntarily and irrevocably waive the following rights, privileges, and claims:

- (1) the right to assert a claim of immunity, including but not limited to an assertion of absolute or qualified immunity, from criminal prosecution or civil liability;
- (2) the Fifth Amendment right to remain silent and not to testify if summoned to testify;

(3) any protection that may be afforded to me by a pardon, nor will I seek or accept any pardon;

(4) any right to assert a claim that any proceedings against me are barred by a statute of limitations or similar principle based on the passage of time between the occurrence of the event(s) on which the charge(s) are based and the date for expiration of the term of office of the person who nominated me for this appointment, or expiration of my term if appointed, whichever date is later; and

(5) any right to assert a claim based on any version of a theory that my conduct was committed because I was "following orders" with respect to any conduct that I may be charged with; in doing so I recognize the principle that culpability for any conduct on my part in violation of any law may not be excused on a claim of "following orders."

Agency Policy Pledge

I, _____, having been nominated for the position of _____, and seeking a favorable recommendation from this committee, and acknowledging that I have no right to be confirmed and that it would be a privilege for me to be confirmed to serve in the position for which I have been nominated, as part of the responsibilities of the office for which confirmation is sought, do hereby pledge:

1. to (1) support and enforce existing whistleblower protections under federal law; (2) provide each employee in the agency, when first employed and in January of each year, with instructions on: whistleblower rights and protections, permitted grounds for a whistleblower complaint, and how to file a complaint; and (3) take no retaliation action nor any action to impair or discourage an employee from exercising rights under the Whistleblower Protection Act, 5 U.S.C. 2302(b)(8)-(9);
2. to take no action against an employee who has submitted a whistleblower complaint under the Whistleblower Protection Act from informing the chair and ranking member of the House and Senate committees with oversight responsibilities for the area of responsibility of the position for which I seek confirmation by the Senate, of the fact that the complaint has been filed and the substantial nature of the complaint; and to inform each employee in the agency of this policy when providing the instructions given to the employee in item (2) of the previous paragraph;
3. to inform each employee in the agency, when first employed and in January of each year: (1) of the fact that there is no "following orders" defense to any action the employee takes at the direction of any other person in government, and that the employee's culpability for any conduct of the employee in violation of any law will not be excused on a claim of "following orders," (2) that an employee who has received an order or instruction to commit an act in violation of any law should file a whistleblower complaint with the relevant agency officer and with the chair and ranking member of the House and Senate committees with oversight responsibilities for the agency, and (3) that the employee also may be called to testify against the person who gave such order or instruction; and
4. to secure a signed form from each employee acknowledging that the employee has received, understands, and agrees to comply with the principles of conduct described in the previous three paragraphs.

Testimony Submitted for the Record
Senate Committee on Homeland Security And Governmental Affairs
Hearing: Nomination of Russell Vought
By Debra Perlin, Policy Director, Citizens for Responsibility and Ethics in Washington

January 15th, 2025

Chairman Paul, Ranking Member Peters and members of the Committee, thank you for the opportunity to submit testimony regarding the nomination of Russell Vought to be Director of the Office of Management and Budget (OMB).

My organization, Citizens for Responsibility and Ethics in Washington (CREW), is a nonpartisan nonprofit organization dedicated to fighting corruption and promoting ethical governance. With this mission in mind, I write to you today to express deep concern about Mr. Vought's efforts to dismantle our merit-based civil service system and how such a dismantling will likely cause large-scale corruption within the government.

Should he be confirmed, it is abundantly clear that Mr. Vought intends to misuse his authority as Director of OMB to harm civil servants, and as a result, endanger the American public. During his tenure as OMB Acting Director and then Director from January 2019 to January 2021, Mr. Vought was a central figure in attempting to implement Schedule F, President Trump's Executive Order that would have upended the merit-based civil service system by stripping employment protections away from thousands of career civil servants had President Biden not rescinded it. Mr. Vought has called for reinstating Schedule F and was a key architect of Project 2025, the Heritage Foundation's sweeping—and wildly unpopular—conservative policy plan that advocates for dismantling the civil service. If Schedule F is reinstated, it would not only harm federal employees but would also cause catastrophic harm to government services, as well as causing deep economic impacts in places with significant populations of government workers including California, Texas, Virginia, Maryland and Washington D.C., among others.¹

Research shows that when government politicization increases—which it would if career civil servants are replaced with political appointees—government performance deteriorates.² Career civil servants who are experts in their fields understand their responsibilities under the law are essential to a functioning government. They help ensure that our water and air are clean, we can travel safely, we have the technological infrastructure to protect against cyber attacks, our government is prepared to respond to

¹ U.S. Office of Personnel Management, "General", <https://www.opm.gov/frequently-asked-questions/workforce-information-faq/general/which-states-has-the-most-federal-employees/>.

² Donald Moynihan, *The risks of Schedule F for administrative capacity and government accountability*, Brookings (Dec. 12, 2023), <https://www.brookings.edu/articles/the-risks-of-schedule-f-for-administrative-capacity-and-government-accountability/>.

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climate emergencies like wildfires and hurricanes and that the medicines we take are safe. A government hamstrung by federal agencies filled with unqualified party loyalists would negatively impact almost every part of everyday Americans' lives and cause unique harm to rural communities,³ senior citizens⁴ and veterans.⁵ It would also jeopardize national security and leave our democracy vulnerable to attempts to diminish it, including efforts by foreign adversaries, like Russia,⁶ Iran⁷ and China,⁸ that seek to unlawfully influence our elections.

By replacing independent civil servants with political loyalists who prioritize blind obedience over following the law, Mr. Vought would not only make our government more dysfunctional and ineffective but also more prone to corruption. This is evident from U.S. history: before the passage of the Pendleton Act in 1883, the U.S. government operated under a spoils system, in which federal employment was based on party loyalty and patronage rather than merit and expertise. In order to be elected, aspiring politicians would buy endorsements and reward loyalty with promises to put important party bosses' political cronies in positions of power in their administration.⁹ Unsurprisingly, this spoils system was directly linked to a rise in corruption and even violence, including the assassination of then-President Garfield in 1881 by a rejected office-seeker, which is why it was rightfully outlawed nearly 150 years ago.¹⁰ Mr. Vought's persistent eagerness to return to a spoils system and replace civil servants with political loyalists indicates a dangerous disregard for the rule of law, government ethics laws and our country's security.

Mr. Vought's attacks on the civil service go beyond Schedule F. In a private speech published by *ProPublica*, Mr. Vought told a crowd that he wants to put career civil servants "in trauma," and said that when "they wake up in the morning, we want them to not want to go to work because they are increasingly viewed as the villains."¹¹ Mr. Vought's statements about his

³ Joe Spielberger, *Schedule F Would Turn Its Back on Rural Communities*, POGO (July 30, 2024), <https://www.pogo.org/analysis/schedule-f-would-turn-its-back-on-rural-communities>.

⁴ Joe Spielberger, *"Schedule F" Plan to Gut Civil Service Puts Seniors at Risk*, POGO (May 16, 2024), <https://www.pogo.org/analysis/schedule-f-plan-to-gut-civil-service-puts-seniors-at-risk>.

⁵ Joe Spielberger, *Schedule F Betrays Veterans' Service to Our Country*, POGO (July 1, 2024), <https://www.pogo.org/analysis/schedule-f-betrays-veterans-service-to-our-country>.

⁶ Press Release, Justice Department Disrupts Covert Russian Government-Sponsored Foreign Malign Influence Operation Targeting Audiences in the United States and Elsewhere, Department of Justice (Sept. 4, 2024), <https://www.justice.gov/opa/pr/justice-department-disrupts-covert-russian-government-sponsored-foreign-malign-influence>.

⁷ Robert Legare and Andres Triay, *U.S. intelligence officials warn of Iran's attempts to interfere in presidential election*, CBS News (Aug. 19, 2024), <https://www.cbsnews.com/news/intelligence-community-iran-interference-hacking-u-s-elections/>.

⁸ Tiffany Hsu and Steven Lee Myers, *China's Advancing Efforts to Influence the U.S. Election Raise Alarms*, New York Times (Apr. 2, 2024), <https://www.nytimes.com/2024/04/01/business/media/china-online-disinformation-us-election.html>.

⁹ See William "Boss" Tweed and Political Machines, *Bill of Rights Institute*, <https://billofrightsinstitute.org/essays/william-boss-tweed-and-political-machines>.

¹⁰ See "Spoils System," *Encyclopedia.com*; see also "Machine Politics," *PBS*, <https://www.pbs.org/wgbh/americanexperience/features/presidents-unity-garfield/>.

¹¹ Molly Redden, Andy Kroll and Nick Surgey, *"Put Them in Trauma": Inside a Key MAGA Leader's Plans for a New Trump Agenda*, *ProPublica* (Oct. 28, 2024), <https://www.propublica.org/article/video-donald-trump-russ-vought-center-renewing-america-maga>.

Page 3

potential future employees make him wholly unqualified as a manager, to say nothing of being worthy of the privilege of administering the federal budget and overseeing federal agencies.

In addition to Mr. Vought's intention to dismantle the civil service, he has pushed extreme strategies to consolidate presidential power under the banner of "radical constitutionalism."¹² He supports the president withholding congressionally appropriated funds in violation of the Impoundment Control Act,¹³ bypassing the advice and consent of the Senate to push recess appointments,¹⁴ invoking the Insurrection Act to deploy the military on the American public¹⁵ and abusing emergency powers.¹⁶ These plans to expand presidential power are even more troubling taken with Mr. Vought's stated desire to reduce the independence of federal agencies such as the Department of Justice, in part by purging agencies of career civil servants that are seen as standing in the way of the president's agenda.¹⁷ Mr. Vought has called for "an army of investigators" to prosecute current and former government officials who sought to hold President Trump accountable.¹⁸ These are just some of the ways Mr. Vought intends to misuse his own authority and craft plans for the president to subvert the law and, in the process, American democracy.

Our constitution entrusts the Senate with the duty of giving its advice and consent on presidential nominations.¹⁹ CREW strongly urges the committee to exercise this responsibility by rejecting Mr. Vought's nomination in order to protect our democratic institutions and the American public.

¹² Richard Lardner, *Russell Vought, a Project 2025 architect, likely in line for high-ranking post if Trump wins 2nd term*, PBS (Aug. 5, 2024), <https://www.pbs.org/newshour/politics/russell-vought-a-project-2025-architect-likely-in-line-for-high-ranking-post-if-trump-wins-2nd-term>.

¹³ Jeff Stein and Jacob Bogage, *Trump plans to claim sweeping powers to cancel federal spending*, The Washington Post (June 7, 2024), <https://www.washingtonpost.com/business/2024/06/07/trump-budget-impoundment-congress/>.

¹⁴ Katherine Culliton-González and Virginia Canter, *Abuse of recess appointments raises constitutional law concerns*, CREW (June 14, 2025), <https://www.citizensforethics.org/reports-investigations/crew-reports/abuse-of-recess-appointments-raises-constitutional-law-concerns/>; Alice Herman, *Trump's pick for budget head worked on Project 2025 - and wants to bypass the US Senate*, The Guardian (Nov. 23, 2024), <https://www.theguardian.com/us-news/2024/nov/23/trump-project-2025-russell-vought-budget-director>.

¹⁵ Beth Reinhard, *Trump loyalist pushes 'post-Constitutional' vision for second term*, The Washington Post (June 8, 2024), <https://www.washingtonpost.com/politics/2024/06/08/russ-vought-trump-second-term-radical-constitutional/>.

¹⁶ Marianne LeVine and Quint Forgey, *White House asks Congress for \$5.7 billion for 'steel barrier'*, Politico (Jan. 6, 2019), <https://www.politico.com/story/2019/01/06/trump-emergency-border-wall-government-shutdown-1082712>.

¹⁷ *Supra* note 15.

¹⁸ *Id.*

¹⁹ U.S. Const. art. II, § 2 cl. 2.



January 14, 2025

The Honorable Senator Rand Paul
Chairman
United States Senate Committee on Homeland Security & Governmental Affairs
Washington, DC 20510

The Honorable Senator Gary Peters
Ranking Member
United States Senate Committee on Homeland Security & Governmental Affairs
Washington, DC 20510

Dear Chairman Paul and Ranking Member Peters:

The [Coalition for Sensible Safeguards](#) (CSS), an alliance of over 200 labor, scientific, research, good government, faith, community, health, environmental, and public interest organizations that represent millions of Americans and advocate for effective regulations to protect the public, strongly urges you to oppose the nomination of Russell Vought for Director of the Office of Management and Budget (OMB).

As a coalition deeply committed to ensuring that strong regulations exist to protect the public interest and that the regulatory process is effective, responsive to the public it serves, and transparent, we are deeply concerned about Vought's nomination to once again lead OMB. Mr. Vought previously served as the OMB Director from January 2019 to January 2021.

Vought was a key architect of the Heritage Foundation's Project 2025, a dangerous policy blueprint that calls for concentrating extraordinary power in the Office of the President, thereby defeating our Constitution's system of separation of powers and checks and balances. Of particular alarm, he was the lead author of the chapter regarding OMB and regulatory policy, where the dangerous vision of unprecedented presidential power is articulated. If implemented, his radical and extreme ideological opposition to regulations that protect consumers, workers, the environment, and public health and safety will hurt Americans and their families and lead to

more deregulatory disasters. It is essential that the head of OMB understand and appreciate the role regulation plays in safeguarding the public and improving their everyday lives.¹

In addition to preparing the president's proposed budget, OMB also encompasses the White House Office of Information and Regulatory Affairs (OIRA). Over the last four decades, OIRA has superintended the implementation of a president's regulatory agenda by executive branch agencies. As such, Vought, if confirmed, would have direct authority over president-elect Trump's regulatory decision-making as well as its cross-cutting regulatory policies more generally.²

We oppose Vought for this important position because he has stated that he wants to vastly decrease funding for critical government agencies by defying congressional budget allocations; has articulated a fundamentally misguided view of government employees and experts that breaks with decades of precedent regarding civil service protections; and has pledged to allow President Donald Trump to exert more control over agencies that Congress specifically created to be independent of presidential influence.³

While the president and OMB have a large role to play in proposing funding plans for agencies, Congress has the ultimate authority to appropriate funds for agencies. These appropriations are "ceilings" and "floors," meaning that a president cannot spend more or less than the amount that Congress has directed. Not only is it clearly within Congress's authority to adequately fund critical agencies that protect Americans and make their homes, environments, and workplaces safe, and the marketplaces in which Americans operate fair, the American public expects that these agencies will fulfill the missions that Congress has already defined for them. If agencies are "defunded," they simply cannot fulfill their missions and do the jobs that Americans expect from them and need to live healthy and productive lives.

Vought has also articulated a plan to undermine and discredit our career civil service. "We want the bureaucrats to be traumatically affected," he has said. "When they wake up in the morning, we want them to not want to go to work because they are increasingly viewed as the villains. We want their funding to be shut down so that the [Environmental Protection Agency] can't do all of the rules against our energy industry because they have no bandwidth financially to do so ... We want to put them in trauma."⁴ These outrageous comments alone should disqualify this nominee to lead OMB. The unequivocal benefit of government experts and staff is extensive, and their work is essential to protecting us all.

Vought has a long history of supporting extreme deregulatory efforts. Vought said that "independent agencies and unelected bureaucrats and experts wield far too much power while the traditional legislative process is a sham. He extended that critique to agencies like the U.S.

¹ Chapter 2 of Project 2025, https://static.project2025.org/2025_MandateForLeadership_CHAPTER-02.pdf

² Project 2025, Chapter 2, https://static.project2025.org/2025_MandateForLeadership_CHAPTER-02.pdf

³ <https://www.govexec.com/management/2024/10/inside-key-maga-leaders-plans-new-trump-agenda/400607/>.

⁴ <https://www.govexec.com/management/2024/10/inside-key-maga-leaders-plans-new-trump-agenda/400607/>; <https://www.mothejones.com/politics/2024/11/trumps-pick-to-lead-his-budget-office-wants-to-use-it-to-deliver-on-magas-big-dreams/>

Department of Justice and the Federal Reserve, whose independence from the White House had long been protected by both political parties.”⁵

Vought has made clear that he takes a misleading, one-sided approach to assessing regulatory decision-making that looks only at costs to the exclusion of clear benefits.⁶ As the head of OMB, which gives him supervisory authority over the regulatory gatekeeping role that OIRA plays, Vought would bring this harmful and misguided regulatory vision, which would enable dangerous industries to seek to maximize profits at the expense of the public interest. Consistent with these anti-regulatory views, Vought used his chapter in *Project 2025* to advocate for the REINS Act, a bill that is one of the most radical threats in generations to our government’s ability to issue rules that protect the public.⁷

Further, Vought’s track record as OMB head in the previous Trump administration clearly demonstrates that he is simply unfit to lead the office again. Inspector General investigations confirm numerous instances under Vought’s tenure where OMB inappropriately intervened to override experts at government agencies for political reasons.

First, OMB made key changes weakening regulations from the U.S. Environmental Protection Agency (EPA) that would protect Americans from toxic “forever chemicals” *after* EPA had already completed work on the regulation but before the regulation was published in the *Federal Register*.⁸ Such an intervention is highly unusual and a violation of how the regulatory process needs to work to maintain integrity and the trust of the American people.

Second, OMB abused its regulatory review authority to block COVID guidance from the Centers for Disease Control and Prevention (CDC) from being released to the public, and then made changes to the guidance that contradicted expert advice from CDC officials when the guidance was finally released.⁹

Third, OMB blocked disaster funds appropriated by Congress to help Puerto Rico recover from Hurricane Maria over the strong objections from officials at the U.S. Department of Housing and Urban Development with responsibility to disburse the aid, who claimed that “OMB’s actions were tantamount to holding disaster-relief funds ‘hostage.’”¹⁰

Finally, OMB prevented EPA career staffers from making public their technical and policy concerns with the Trump administration’s weakening of fuel efficiency standards by requiring such staffers to provide hard paper copies of those concerns during the OIRA interagency review

⁵ <https://www.govexec.com/management/2024/10/inside-key-maga-leaders-plans-new-trump-agenda/400607/>

⁶ <https://rollcall.com/2024/12/02/the-man-with-a-plan-to-upend-government-and-what-it-entails/>

⁷ <https://www.citizen.org/article/the-reins-act-makes-congress-the-publics-adversary/>; pg. 50 of

https://static.project2025.org/2025_MandateForLeadership_CHAPTER-02.pdf

⁸ https://www.epa.gov/system/files/documents/2022-07/epaig_20220707-22-E-0052.pdf

⁹ <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2020-10-05.RK%20to%20Redfield-CDC%20re%20OIRA.pdf>

¹⁰ <https://www.hudoig.gov/reports-publications/report/review-huds-disbursement-grant-funds-appropriated-disaster-recovery-and>

process instead of by email, thereby ensuring those concerns were not entered into the docket and therefore, could not affect the weaker fuel efficiency standards.¹¹

Given this pattern of Vought abusing his authority during his tenure as OMB head, voting to confirm Vought as OMB head again would be tantamount to condoning these abuses of authority and clear the way for the same to occur in the future.

CSS strongly urges opposition to Russell Vought's nomination to lead the Office of Management and Budget.

Sincerely,

A handwritten signature in black ink that reads "Rachel Weintraub". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Rachel Weintraub
Executive Director
Coalition for Sensible Safeguards

CC: Members of HSGAC Committee

¹¹ <https://www.oversight.gov/reports/audit/concerns-about-process-used-safe-vehicles-rule-demonstrate-need-policy-epas-role>



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January 14, 2025

VIA Email

The Honorable Rand Paul
Chair
U.S. Senate Committee on Homeland Security
& Government Affairs
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Gary Peters
Ranking Member
U.S. Senate Committee on Homeland Security
& Government Affairs
711 Hart Senate Office Building
Washington, DC 20510

Re: Nomination of Mr. Russell Vought to be Director of the Office of Management and Budget

Dear Senators Paul and Peters:

On behalf of the National Women’s Law Center (the “Center”), an organization that has advocated on behalf of women and girls for over fifty years, we write in strong opposition to the confirmation of Mr. Russell Vought to be the Director of the Office of Management and Budget. As one of the architects of Project 2025, an unpopular agenda that President-elect Trump characterized as “seriously extreme,” Mr. Vought has been instrumental in crafting the anti-democratic policy agenda that seeks to concentrate power in the presidency, in contradiction to our constitutional system of checks and balances. Furthermore, Project 2025 seeks to undermine protections for women, LGBTQ people, and working families as part of its broader efforts to perpetuate and enforce narrowly defined gender roles and racial hierarchies. Mr. Vought’s extremist views and anti-democratic, unconstitutional vision for the federal government cast doubts on his ability to fulfill this critical leadership role.

The Office of Management and Budget (OMB) serves an important role in the government because it affects every other department and the functioning of the federal government itself. OMB helps set the president’s budget, determines regulatory priorities and funding, and coordinates executive orders. From this position, the Director of OMB has the power to make significant policy changes that impact federal spending on programs, federal employees, the budget process, and the rulemaking processes, as well as the substance of federal rules. The Director has a strong influence on the priorities and direction of the presidency as well as programs and agencies that are vital to the lives and wellbeing of women, LGBTQ people, and working families.

Mr. Vought has repeatedly and consistently demonstrated hostility to reproductive rights and LGBTQ people through public statements and as an architect of the extremist Project 2025 policy agenda. He has publicly called on Congress to outlaw medication abortion nationwide, despite the decades of evidence demonstrating it is safe and effective health care.¹ Project 2025 further calls for the abusive and lawless enforcement of the Comstock Act,² an outdated 1873 anti-vice law long understood to be a dead letter, to criminalize doctors and pharmacies for the mailing of legal, FDA-approved medications that are commonly used for medication abortion.³ As OMB Director, Mr. Vought would be in a position to push forward this unlawful agenda. In multiple speeches, Mr. Vought has also called for discrimination against transgender people in the workplace and in health care, while attacking the very concept of gender affirming care.⁴ Consequently, Project 2025 seeks to eliminate both transgender health care from Medicare and Medicaid and federal anti-discrimination rules based on gender identity and sexual orientation for federally funded and operated health care programs.⁵ Mr. Vought's well-documented antagonism toward the civil rights, health care, and wellbeing of women and LGBTQ people, makes him a dangerous choice for the Director of OMB.

Further, Mr. Vought has taken alarming positions on racial equity and immigration, all of which perpetuate the discriminatory ideologies echoed in Project 2025. When he led OMB during the first Trump administration, Mr. Vought sent a letter to the heads of the federal executive departments and agencies that disparaged the use of federal funding for diversity and equity trainings.⁶ Following Mr. Vought's letter, President Trump signed Executive Order 13950, since rescinded, which condemned and barred funding for diversity and equity trainings.⁷ This executive order also warned federal contractors against even mentioning racial equity to employees,⁸ not only undermining the federal government's duty to enforce

¹ Russ Vought (@russvought), "Congress should not rely on the courts to outlaw chemical abortion at the federal level...", X, April 20, 2023, 4:15 PM, <https://x.com/russvought/status/1649144215631196184>.

² 18 U.S. Code §§ 1461 and 1462.

³ The National Women's Law Center, "Project 2025: What It Means for Women, Families, and Gender Justice," pg. 4, September 2024, <https://nwlrc.org/wp-content/uploads/2024/09/Project-2025-Full-Report.pdf>.

⁴ Molly Redden and Andy Kroll, ProPublica, and Nick Surgey, "Put Them in Trauma": Inside a Key MAGA Leader's Plans for a New Trump Agenda," *Pro Publica*, October 28, 2024, <https://www.propublica.org/article/video-donald-trump-russ-vought-center-renewing-america-maga>.

⁵ The National Women's Law Center, "Project 2025: What It Means for Women, Families, and Gender Justice," pg. 8, September 2024, <https://nwlrc.org/wp-content/uploads/2024/09/Project-2025-Full-Report.pdf>.

⁶ Office of the President, Office of Budget Management, "MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES," September 4, 2020, <https://www.whitehouse.gov/wp-content/uploads/2020/09/M-20-34.pdf>.

⁷ The Trump Whitehouse, "Executive Order on Combating Race and Sex Stereotyping," September 22, 2020, <https://trumpwhitehouse.archives.gov/presidential-actions/executive-order-combating-race-sex-stereotyping/>.

⁸ *Id.*

civil rights protections, but also upending longstanding free speech protections.⁹ Project 2025 reaffirms and expands these attacks on racial and gender equity by seeking the extraordinary measure of eliminating nearly every civil rights office in the federal government.¹⁰

Additionally, Mr. Vought has revealed that he has already been preparing anti-immigration policy for Donald Trump's second administration.¹¹ While he has not detailed these policies, his Project 2025 calls for dismantling the immigration system put in place by Congress and instituting mass deportation.¹² This would devastate immigrant children and families as well as the national economy.

Mr. Vought's record raises additional concerns about his intention to strip funding from public assistance and social benefits programs, both critical to women and working families. In 2022, Mr. Vought's former organization Center for Renewing America composed a budget blueprint that sought to cut every single entitlement and discretionary program. For example, in Mr. Vought's budget blueprint, the U.S. Department of Housing and Urban Development and the U.S. Department of Labor would receive at least a 40% cut under this plan, while U.S. Department of Health and Human Services would receive a 20% cut.¹³ Mr. Vought's budget blueprint also specifically targets offices that are, in his words, "infused with critical race theory and gender theory."¹⁴ He has also proposed deep cuts to food stamps, student loans and Pell grants, Medicaid, ACA subsidies, disability insurance, and dozens of other programs that support low-income families.¹⁵ Further, Mr. Vought has already demonstrated his willingness to illegally withhold federal funds specifically appropriated by Congress when it suits him.¹⁶

⁹ See *National Urban League v. Trump*, Complaint, Case No. 1:20-cv-3121 (D.D.C. Jan. 11, 2021). Executive Order 13950 was revoked by President Biden before this case could be resolved. Executive Office of the President, "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government," Executive Order 13985, 86 Fed. Reg. 7009, January 20, 2021. Similar "positively dystopian" policies have been found to violate the First Amendment. See, e.g., *Pernell v. Fla. Bd. of Governors of the State Univ.*, Order, Case No. 4:22-cv-00346- Doc. 63 (N.D. Fla. Aug. 18, 2022) (enjoining Florida's STOP WOKE Act as applied to colleges and universities).

¹⁰ The National Women's Law Center, "Project 2025: What It Means for Women, Families, and Gender Justice," pg. 2, September 2024, <https://nwl.org/wp-content/uploads/2024/09/Project-2025-Full-Report.pdf>.

¹¹ Curt Devine, Casey Tolan, Audrey Ash, and Kyung Lah, "Hidden-camera video shows Project 2025 co-author discussing his secret work preparing for a second Trump term," *CNN Politics*, August 15, 2024, <https://www.cnn.com/2024/08/15/politics/russ-vought-project-2025-trump-secret-recording-invs/index.html>.

¹² The National Women's Law Center, "Project 2025: What It Means for Women, Families, and Gender Justice," pg. 3, September 2024, <https://nwl.org/wp-content/uploads/2024/09/Project-2025-Full-Report.pdf>; Democracy Forward, "FACT SHEET: Exposing Project 2025's Day One Plans to Target Immigrants, Expand Executive Power," https://democracyforward.org/wp-content/uploads/2024/10/FINAL-PRESS_-_Project-2025-Fact-Sheet-on-Immigration.pdf.

¹³ Center for Renewing America, "A Commitment to End Woke and Weaponized Government, 2023 budget proposal," pg. 21, 31, & 60, <https://americarenewing.com/wp-content/uploads/2024/03/Budget-Center-for-Renewing-America-FY23.pdf>.

¹⁴ *Id.* at 23.

¹⁵ *Id.*

¹⁶ U.S. Government Accountability Office, Matter of: Office of Management and Budget—Withholding of Ukraine Security Assistance, File B-331564, January 16, 2020, <https://www.gao.gov/assets/b-331564.pdf>.

Additionally, Mr. Vought supports anti-democratic and what he calls “post-Constitutional” views about consolidating and aggrandizing presidential power, eliminating career agency staff and experts, and using impoundment to subvert Congressional funding authority.¹⁷ He seeks to expand presidential powers in part by debilitating and undercutting independent federal agencies that have been put in place and granted authority by acts of Congress.¹⁸ A key part of that plan is to make it easier to fire career civil servants, making it difficult for the federal government to carry out key obligations under the law.¹⁹ Mr. Vought was instrumental in the creation of “Schedule F” during Donald Trump's first administration, which allowed the replacement of career civil servants and experts with partisan loyalists.²⁰ Mr. Vought has stated: “there certainly is going to be mass layoffs and firings, particularly at some of the agencies that we don’t even think should exist.” Specifically, in order to demonize civil servants and “put them in trauma,” Mr. Vought has vowed to paint them as villains and slash funding so that they cannot effectively perform their duties.²¹ This is the last individual who should have anything to do with setting governmental priorities, budgets, and workplace policies, let alone leading such efforts.

Lastly, Mr. Vought seeks to defy Congressional funding decisions and arrogate such power to the Executive.²² Mr. Vought proposed using impoundment to block agencies from spending money that Congress has specifically allocated, potentially even clawing back funding of previously passed appropriations and repurposing appropriated funds for uses not authorized by Congress.²³ Congress prohibited impoundment through the 1974 Impoundment Control Act, making Mr. Vought's support for the practice all the more lawless.²⁴ Mr. Vought has demonstrated support for anti-democratic policies that threaten our government’s systems of checks and balances, showing that he is clearly unfit for the important role of Director of OMB. The Founders did not establish a monarchy, and Congress should not put Mr. Vought in a position to achieve his “post-Constitutional” vision for America.

¹⁷ Beth Reinhard, “Trump loyalist pushes ‘post-Constitutional’ vision for second term,” *The Washington Post*, June 8, 2024, <https://www.washingtonpost.com/politics/2024/06/08/russ-vought-trump-second-term-radical-constitutional/>.

¹⁸ *Id.*

¹⁹ Tucker Carlson “Tucker Carlson and Russ Vought Break Down DOGE and All of Trump's Cabinet Picks So Far,” YouTube Video, by Tucker Carlson, November 18, 2024, <https://www.youtube.com/watch?v=vvdAb4RR1jI>.

²⁰ Isabela Dias, “The Bureaucrat Who Could Make Trump’s Authoritarian Dreams Real,” *Mother Jones*, November + December 2024 edition, <https://www.motherjones.com/politics/2024/09/russ-vought-profile-project-2025-trump-architect/>.

²¹ Molly Redden and Andy Kroll, ProPublica, and Nick Surgey, “Put Them in Trauma”: Inside a Key MAGA Leader’s Plans for a New Trump Agenda,” *Pro Publica*, October 28, 2024, <https://www.propublica.org/article/video-donald-trump-russ-vought-center-renewing-america-maga>.

²² Paul M. Krawzak, “Trump win would spark constitutional fight over spending power,” *CQ Roll Call*, July 31, 2024, <https://rollcall.com/2024/07/31/trump-win-would-spark-constitutional-fight-over-spending-power/>.

²³ *Id.*

²⁴ Congress.gov, “H.R. 7130 - 93rd Congress (1973-1974): Congressional Budget and Impoundment Control Act of 1974,” July 12, 1974, <https://www.congress.gov/bill/93rd-congress/house-bill/7130/text>.

In conclusion, Mr. Vought's hostile record towards women, LGBTQ people, immigrants, and working families and his openly anti-democratic and unconstitutional views on expanding presidential power and running roughshod over checks and balances demonstrate that he is unfit for the position of Director of the Office of Management and Budget. The National Women's Law Center strongly opposes the confirmation of Mr. Russell Vought and urges the U.S. Senate Committee on Homeland Security & Government Affairs to reject his nomination. If you have any questions about the Center's opposition to Mr. Vought's nomination, please contact me or Alison Gill, Director of Nominations & Democracy, at agill@nwlc.org.

Sincerely,

A handwritten signature in blue ink that reads "Fatima Goss Graves". The signature is written in a cursive, flowing style.

Fatima Goss Graves
President and CEO

December 12, 2024

Dear Senator:

The undersigned organizations urge you to oppose the nomination of Russell Vought for director of the Office of Management and Budget (OMB). Mr. Vought was the OMB acting director then OMB director for the final two years of President Trump's first term, from January 2019 to January 2021. During that time, he was a key architect of "Schedule F," a plan to dismantle and undermine the nonpartisan, performance-based federal civil service. Moreover, his dangerous attitude toward constitutional principles and his public statements attacking civil servants demonstrate his unsuitability for such a leadership role in any administration.

Schedule F, which the new administration has promised to reimplement at the earliest opportunity, would authorize agencies to involuntarily transfer their employees into new positions stripped of due process protections, and make them fireable at will. This policy would allow any president, Republican or Democrat, to purge federal agencies of nonpartisan experts, leaving some agencies and departments gutted, while packing others with subservient ideologues. As OMB director during President Trump's first term, Mr. Vought sought to strip protections from 88% of the agency's workforce to serve as a model for other agencies to follow.¹

Reclassifying significant numbers of federal employees into political positions ushers in a government system that prioritizes partisan and ideological goals over the constitution, rule of law, and serving in the public's best interest. It also enables an administration to punish employees who refuse to pledge their loyalty to a political party, ideology, or certain beliefs, silencing any would-be whistleblowers who may otherwise have come forward to reveal waste and fraud. If he succeeds, the people most harmed won't be federal employees, but people in communities across the country, because those being targeted are the ones providing the basic services, benefits, protections, and security that Americans rely on to live safe and healthy lives.

Americans widely favor maintaining a nonpartisan performance-based civil service. Recent polling shows that:

- 88% of Democrats and 87% of Republicans believe that a nonpartisan civil service is important for having a strong American democracy.
- 95% of voters believe civil servants should be hired and promoted based on their merit rather than their political beliefs.

¹ Erich Wagner, "OMB Reportedly Designates 88% of Its Employees for Schedule F," *Government Executive*, November 23, 2020, <https://www.govexec.com/management/2020/11/omb-reportedly-designates-88-its-employees-schedule-f/170275/>

- 90% of voters believe civil servants should serve the people more than any individual president.²

Beyond Vought's plans to dismantle the performance-based civil service, Vought believes that "we are living in a post-Constitutional time."³ This translates into support for a series of policies that would make the president ever more powerful at the expense of Congress and the judiciary. He recommends reviving presidential impoundment power, and indeed, under his direction, OMB held up military aid to Ukraine prompting President Trump's first impeachment, during which Vought himself denied a Congressional subpoena.⁴ The Government Accountability Office concluded that OMB violated the Impoundment Control Act by withholding the assistance.⁵

Vought also supports the president invoking the Insurrection Act to detain and deport immigrants, as well as to target civil society protesters. The Insurrection Act allows the president to deploy military troops within the country in particular circumstances. Vought has stated that the president should be able to use the military to shut down demonstrations, holding up the protests that followed the murder of George Floyd in summer 2020 as a time when President Trump should have been able to deploy the armed forces. He has also worked in the past to create new, "legal" justifications for authorizing military force along the southern border by recasting migration as an invasion.⁶

In addition to the concerns noted above, Vought's long history of hostility toward civil servants should disqualify him from leading OMB. He spoke in favor of using the Holman rule to target the jobs or salaries of individual civil servants.⁷ Vought has stated in videos obtained by ProPublica and Documented that "We want the bureaucrats to be traumatically affected. When they wake up in the morning, we want them to not want to go to work because they are increasingly viewed as the villains" and "We want to put them in trauma."⁸

² Partnership for Public Service, *The State of Public Trust in Government 2024*, (2024) <https://ourpublicservice.org/publications/state-of-trust-in-government-2024/>.

³ Russell Vought, "Renewing American Purpose," *The American Mind*, September 29, 2022, <https://americanmind.org/salvo/renewing-american-purpose/>.

⁴ Isaac Arnsdorf, Josh Dawsey and Dan Lamothe, "Trump alumni warn he could deploy troops against Americans," *The Washington Post*, October 24, 2024, <https://www.washingtonpost.com/elections/2024/10/24/trump-military-president-election/>.

⁵ Government Accountability Office, *Decision: Office of Management and Budget—Withholding of Ukraine Security Assistance*, B-33564 (2020), 1, <https://www.gao.gov/assets/b-331564.pdf>.

⁶ Molly Redden, Andy Kroll, Nick Surgery, "'Put Them in Trauma': Inside a Key MAGA Leader's Plans for a New Trump Agenda," *ProPublica and Documented*, October 28, 2024, <https://www.propublica.org/article/video-donald-trump-russ-vought-center-renewing-america-maga>.

⁷ Media Matters Staff, "Rep. Matt Gaetz (R-FL) and former Trump official Russ Vought discuss using new House rules to target and remove the anonymity of individual bureaucrats," *Media Matters for America*, January 12, 2023, <https://www.mediamatters.org/steve-bannon/rep-matt-gaetz-r-fl-and-former-trump-official-russ-vought-discuss-using-new-house>.

⁸ Redden, Kroll, and Surgery, "'Put Them in Trauma': Inside a Key MAGA Leader's Plans for a New Trump Agenda," [see note 6].

We believe that Vought's record demonstrates that he is unfit to serve as OMB director. If you have questions or want to speak further about these concerns, please contact Joe Spielberger (joe.spielberger@pogo.org). Thank you for your consideration.

Sincerely,

Project On Government Oversight

ACCESS REPRODUCTIVE JUSTICE

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American Atheists

American Humanist Association

Americans United for Separation of Church and State

Autistic Self Advocacy Network

Bayard Rustin Liberation Initiative

Bend the Arc: Jewish Action

Center for Media and Democracy

Citizens for Responsibility and Ethics in Washington (CREW)

Coalition for Sensible Safeguards

Coalition on Human Needs

Collective Power for Reproductive Justice

Council for Global Equality

Court Accountability

Equality California

Faith in Democracy

FFRF Action Fund

Free Speech For People

Friends of the Earth

Government Information Watch

Greenpeace USA

Human Rights Campaign

Indivisible

Japanese American Citizens League

National Action Network

National CAPACD- National Coalition for Asian Pacific American Community Development

National Council of Jewish Women

National Employment Law Project

National LGBTQI+ Cancer Network

National Women's Law Center

NBJC

NETWORK Lobby for Catholic Social Justice

Oasis Legal Services
People For the American Way
People Power United
People's Parity Project
Positive Women's Network-USA
Silver State Equality-Nevada
Stand Up America
The Workers Circle

My name is Kathryn Wallace and I am a legislative representative for the United Steelworkers. I wanted to drop a quick note from USW urging strong opposition to Vought's nomination ahead of Wednesday's confirmation hearing and see if you were still soliciting questions for this hearing.

Russ Vought's track record raises significant concerns about the harm his leadership could continue to inflict on working families across the country. As OMB Director under the Trump administration, Vought was the architect of extreme budget proposals slashing critical programs like Social Security, Medicare, and Medicaid—programs that millions of Americans, including steelworkers and their families, rely on daily.

Beyond his harmful budgeting priorities, Vought has consistently sought to dismantle protections for workers, politicize the federal workforce, and advance an agenda that prioritizes extreme conservative policies over the public good. His involvement in crafting Trump's "Schedule F" plan and Project 2025 blueprint underscores his commitment to gutting federal protections and eroding democratic institutions. OMB's role is too vital to the economic and policy decisions that impact all Americans to be entrusted to someone whose priorities so clearly threaten the well-being of working people.

Please don't hesitate to reach out if you would like further information or to discuss this issue. Thank you for your time and for your continued work on behalf of Pennsylvanians.

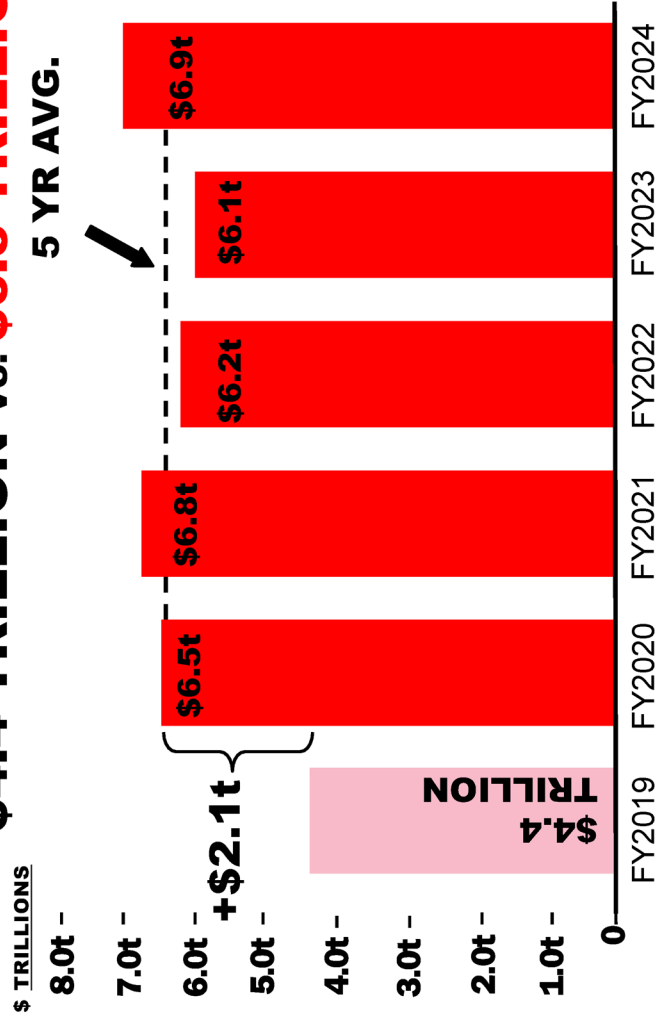
Thanks,

Kathryn Wallace
Legislative Representative
United Steelworkers International Union
1155 Connecticut Ave NW
Suite 500
Washington, DC 20036
(202) 778-3339

PRE-PANDEMIC VS. POST PANDEMIC SPENDING

\$4.4 TRILLION vs. \$6.5 TRILLION

5 YR AVG.



Outlays: OMB



HOW TO BALANCE THE FEDERAL BUDGET



TRUMP FY2025 BUDGET



Congressional Budget Office (2021). An Overview of the Economic Outlook: 2021 to 2031. U.S. Government.

Federal Program Inventory Program search Explore programs by category About the FPI

The U.S. Federal Government administers over 2,600 federal programs, totaling over \$7 trillion in FY 2024 expenditures.

[Explore programs by category](#)

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Agency Category Program type Eligible applicant

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About the Federal Program Inventory

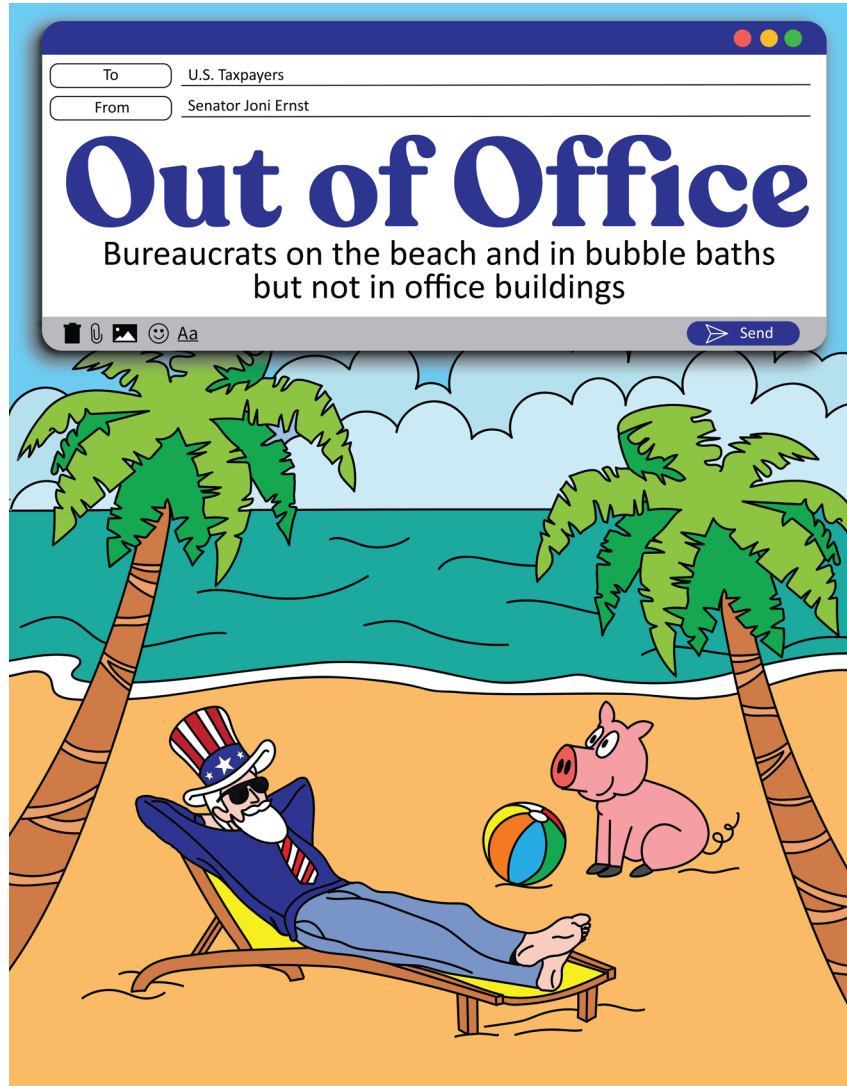
In 2024, building upon the successful 2020 exploratory pilot effort and recommendations published in the 2021 Report to Congress, OMB launched the Federal Program Inventory, which focused on Federal financial assistance. In 2025, OMB expanded the Federal Program Inventory to include Tax Expenditures and Interest on the Public Debt.

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Federal Program Inventory





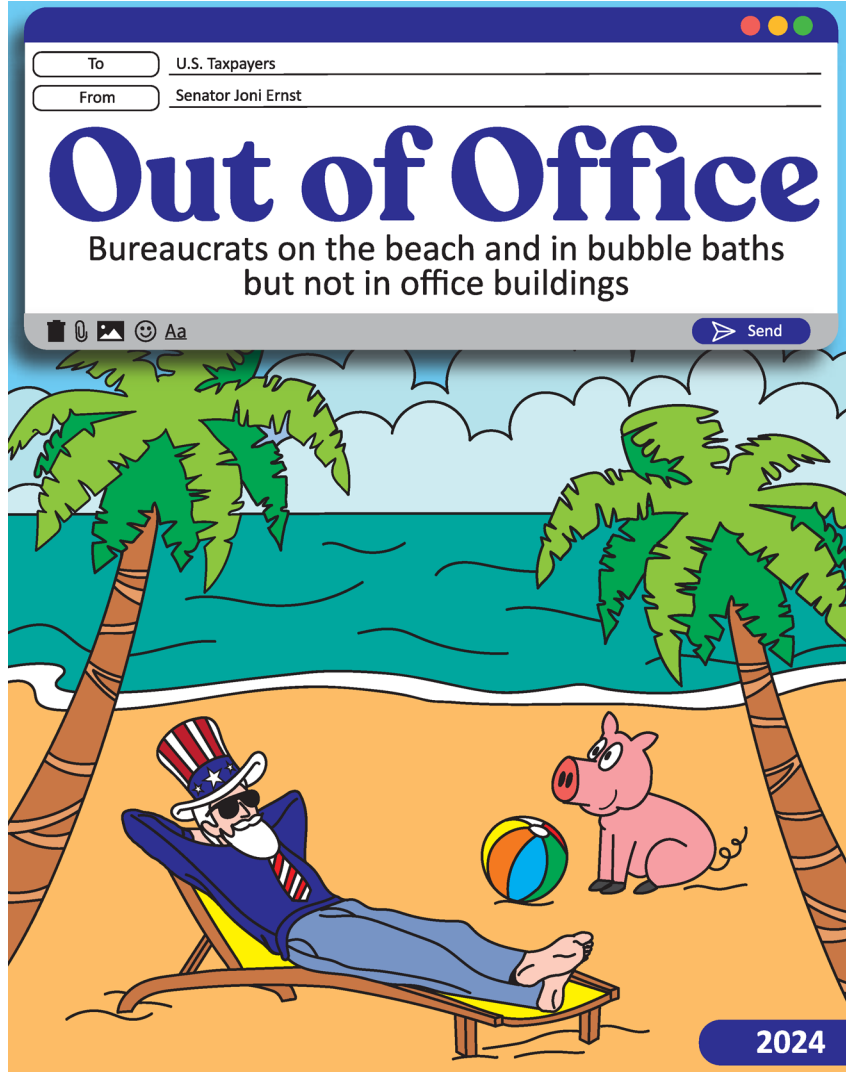




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Executive Summary

Bureaucrats Are Playing Hide-and-Seek

Bureaucrats have been found in a bubble bath, on the golf course, running their own business, and even getting busted doing crime while on taxpayers' time. Members of President Biden's own cabinet claimed to be on the clock while being out of office and unreachable.

Just three percent of the federal workforce teleworked daily prior to the COVID-19 pandemic. Today, six percent of workers report in-person on a full-time basis, while nearly one-third are entirely remote.

Most federal employees are eligible to telework and 90 percent of those are. Some come to the office as infrequently as once a week.

The Biden administration redacted the locations of over 281,000 rank-and-file federal employees.

Services Suffer as Taxpayers are Put on Hold by Bureaucrats Phoning It in

Service backlogs and delays, unanswered phone calls and emails, and no-show appointments are harming the health, lives, and aspirations of Americans.

Thousands of calls from veterans seeking mental health care go unanswered. Remote work may be partly responsible for the recent baby formula crisis. Small businesses, students, and other taxpayers seeking assistance are instead getting sent to voicemail.

Public Employees Padding Their Paychecks by Avoiding the Office

Some bureaucrats are claiming to be working in areas with higher pay rates while actually living elsewhere.

My audits are finding as many as 23 to 68 percent of teleworking employees for some agencies are boosting their salaries by receiving incorrect locality pay.

Some employees live more than 2,000 miles away from their office and one "temporary" teleworker collected higher locality pay *for nearly a decade*.

Maintaining Abandoned Government Buildings Costs Billions of Dollars

Not a single headquarters of a major agency or department in the nation's capital is even half full. Government buildings average an occupancy rate of 12 percent.

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Maintaining and leasing government office buildings costs \$8 billion every year. Another \$7.7 billion is spent for the energy to keep them running.

Billions more are spent buying brand new furnishings for the abandoned offices. The government also owns 7,697 vacant buildings and another 2,265 that are partially empty. An additional \$14 million is being spent leasing underutilized space and nearly \$1 million more for its maintenance.

Union Members Demand the Right to Stay Home

Federal employee unions believe their collective bargaining agreements cannot be overridden by presidential directives. Unions are filing lawsuits and grievances opposing efforts to return government employees to the office.

Apparently, the president of a public employees union, not the President of the United States, is currently deciding personnel policy for the U.S government.

Make Telework Work for Taxpayers

Drain the swamp by relocating Washington's workforce. Moving those making the rules closer to those who live under them will benefit all Americans. More than 29,000 federal employees are relocated each year. Most government managers say the reassignments achieve cost savings and are effective for skills development.

Downsize the federal government by implementing a "use it or lose it" approach to government real estate. Allow unnecessary leases to expire and auction off unused office space. Consolidate offices to ensure maximum space utilization.

If, whether, and how often each employee is allowed to telework must be determined by that employee's individual performance. Effective management means ending blanket teleworking determinations and tracking each employee's performance and place of work.

Knowing and showing where employees are prevents fraudulent paycheck padding and increases accountability. Employees' locations and work product can be monitored via virtual private networks (VPNs), office swipe-ins, and network traffic. Tracking employees' locations and work products—like the private sector does—can identify poor performers and improve management.

If bureaucrats don't want to return to work, make their wish come true.



Out of Office Bounceback

“Out of the office” is taking on a whole new meaning in the nation’s capital since most government employees are rarely in the office.

Just three percent of the federal workforce teleworked on a daily basis before the COVID-19 pandemic.¹ Today, the temporary pandemic-era practice is a presumed public employee perk. Six percent report in-person on a full-time basis while nearly a third of the government workforce is entirely remote.²

President Biden is setting the example. He was out of office 532 days over the last three-and-a-half years, about 40 percent of the time he was expected to be in the Oval Office.³ While Hurricane Helene was leaving a path of destruction across the southeast United States, the president was once again at the beach in Delaware and the vice president was also out of town collecting campaign cash in California.⁴

And since no one’s home at the White House, the bureaucrats are setting their own schedules.

As a result, the nation’s capital is a ghost town, with government buildings averaging an occupancy rate of 12 percent.⁵

If federal employees can’t be found at their desks, exactly where are they?

I tried tracking them down with the help of the non-profit transparency group Open the Books. But it became a game of bureaucrat hide-and-seek, with the Biden Administration redacting the work locations of over 281,000 rank-and-file federal employees.⁶

Some Americans are literally getting sick of employees not showing up to do their jobs.

Babies may be harmed because a whistleblower complaint was left unread by the Food and Drug Administration. Warnings about unsanitary conditions at a baby formula factory linked to the deaths emailed and FedExed to the agency were ignored for months as the problem grew worse.⁷ The FDA says the oversight was “likely due to COVID-19 staffing issues.”⁸ A similar tragedy could occur any day because a massive backlog of inspections piled up after the agency curtailed on-site reviews of food and drug manufacturing facilities during the pandemic that persists to this day.⁹

Getting government employees to even answer their office phones is a challenge.

The pleas from students calling for help with financial aid forms¹⁰ and small businesses seeking disaster assistance¹¹ are going straight to voicemail.

Folks in Iowa caring for the disadvantaged contacted me frustrated by the lack of responsiveness from the local Social Security Administration office where employees telework several days a week. Months passed before receiving replies to simple questions, causing significant delays serving the elderly and disabled. The desperate situation threatened to put the caregivers out of business¹² and was only resolved after I personally intervened and discussed the matter face-to-face with the administrator.

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But perhaps most disturbing, thousands of calls from veterans seeking mental health care went unanswered and therapists didn't even show up for their appointments with veterans at an Atlanta VA.¹³ Meanwhile, a manager responsible for overseeing the scheduling of veterans' appointments in Atlanta dialed into a meeting from a bubble bath—and even posted a selfie on social media soaking in the tub with the caption, “my office for the next hour.”¹⁴

Instead of pulling the plug on these “bubble bath bureaucrats,” taxpayer dollars keep going down the drain paying their salaries and maintaining their empty offices.

Over the past two years, I've sent over 100 oversight letters to departments and agencies requesting documents and audits. At my request, 14 inspector general investigations are ongoing or completed. This report reflects the initial findings from my continuing oversight efforts into telework abuse along with recommendations for better managing the federal workforce to ensure our government is working for the people first and foremost.

Being out of office isn't just a dereliction of duty.

Taxpayers are being ripped off. Some bureaucrats are padding their paychecks by claiming to be working in areas with higher pay rates while actually living elsewhere. My audits are finding as many as 23 to 68 percent of teleworking employees for some agencies are boosting their salaries by receiving incorrect locality pay.¹⁵ This is fraud, folks. Additionally, billions of dollars are being spent heating, cooling, and maintaining largely empty buildings. Billions more is being wasted on new office furniture. Meanwhile, getting rid of just 23 of the government's many underutilized buildings and properties will save taxpayers more than \$1 billion.¹⁶ This is a small fraction of potential savings if other unused space was sold off.

Veterans, seniors, families, students, small business owners, and others are being harmed.

The VA, SSA, FDA, and other agencies exist to serve Americans. A veteran who put their life on the line protecting our nation deserves respect. A senior who lived a lifetime, raising a family, working, and paying taxes, should be honored, not forgotten, in retirement. A student pursuing an education and a dream should be not ignored but rather encouraged to succeed. Too frequently that is not happening. Public service is a public trust and right now trust in our public institutions is hitting rock bottom.

Festering health hazards endanger the civil servants and visitors who are showing up.

Dangerous contaminants are collecting in stagnant water caused by reduced building occupancy. Several employees who work in federal buildings have been diagnosed with Legionnaires' Disease¹⁷ and the potentially deadly bacteria is being found in underutilized government buildings across the country.¹⁸ Unsafe levels of lead and copper are being detected in the drinking water in child care centers located in government buildings.¹⁹ It's safer to drink water out of the tap in Flint, Michigan today than from the faucets in many federal buildings!²⁰

AWOL leadership creates national security risks. While American citizens were being held hostage by terrorists and wars were escalating in Europe and the Middle East, the commander-in-chief, the Secretary of Defense, and the de facto head of the Pentagon were all missing in action at the same time this past year.²¹ The defense of our nation isn't a part-time job and cannot be conducted while relaxing on a beach.

Americans are being put on hold by bureaucrats who are phoning it in. Our government is supposed to be of the people, by the people, *for the people*. Our citizens are taxed way too

much to pay the salaries of government employees who don't seem to understand or care who they work for.

My office keeps answering the calls from veterans, students, small business owners, taxpayers, and even federal employees frustrated by Washington's out of office attitude.

Growing up on a farm, I know what working from home really means. But in Washington, working from home apparently means having a field day. If bureaucrats want to be out of the office so badly, we can make that wish come true by putting them out to pasture for good.

The most basic expectation for public service is being available and responsive to citizens. If showing up is half the battle, many in the federal workforce are in full retreat. It is not fair when slackers are allowed to tarnish the reputations of the hardworking public servants who are showing up and answering the call of duty.

This report provides insights and recommendations to make telework work for taxpayers, not just bureaucrats.



The President Doesn't Even Know Where His Own Staff Is

When I was making the biscuits at Hardee's, I clocked in every morning. At the end of my shift, I clocked out. If I didn't show up, the biscuits wouldn't be made, and I wouldn't be paid. Plain and simple.

There is no such accountability today for the federal workforce.

Over half of federal employees are telework-eligible, and nearly 90 percent of those are teleworking.²² But no one is checking to make sure everyone made it to work or even logged on to their computer. Backlogs for services are typical and accountability is rare.

It took years to fire a senior IRS employee who routinely abused his remote work arrangement by playing golf during the workday for nearly a decade. Legal appeals by the "golf ball bureaucrat" dragged on for many years before the court finally ruled firing someone for taking tee time on the taxpayers' dime is par for the course.²³

Should it really take a decade to resolve a single case that should have been an easy hole-in-one?

There are over two million civilian employees sprawled across countless departments and agencies.²⁴ With being away from the office now the expectation for most government employees, monitoring telework abuse is even more challenging. That is, if anyone is even bothering to track time being spent in the office or working from a designated telework location during the duty day.

The Office of Personnel Management (OPM) oversees personnel policy for the federal government's workforce, or at least it's supposed to. But the Biden/Harris OPM is delegating this duty, saying "agencies are responsible" for making their own telework decisions, including determining employees' official worksites,²⁵ proper locality pay,²⁶ the number of days per pay period an employee may be permitted to work remotely,²⁷ and all other major components of telework policy.²⁸

Agencies, in turn, are delegating responsibility for tracking, recording, and holding teleworking employees accountable to supervisors and managers.

Since the missions of each agency and office differ, telework practices could vary. Some jobs may be almost entirely in the field. Others can be performed anywhere. But many require a physical presence. It should be relatively easy to look at a job description and determine if remote work, telework, or in-office work makes sense. Likewise, if an employee isn't meeting performance goals, telework is not appropriate and more face-to-face management may be required to achieve better results.

However, agencies are not tracking telework in the same way or collecting the same data. Teleworking employees' productivity is also not being tracked in any comprehensive way. This lack of information, transparency, and curiosity is undermining the ability to make meaningful,

broader decisions and comparisons about workforce management policy and workspace needs.

While maximum telework policy was implemented as a temporary measure to slow the spread of COVID-19 and protect the health of federal employees, nearly five years have passed and the emergency is over. The world has changed as a result of that experience and all employers are adapting, except the federal government.

Washington is still operating as if it's March 2020. The headquarters of most agencies remain largely abandoned. Government employees are scattered and often unreachable—including members of the president's cabinet and other agency heads!

Defense Secretary Lloyd Austin, his Deputy Kathleen Hicks, General Services Administrator Robin Carnahan, and Transportation Secretary Pete Buttigieg all claimed to be on the clock while being out of office and unreachable.

- Secretary Austin didn't inform the president, the national security advisor, or other White House officials when he was hospitalized for days;²⁹
- Deputy Secretary Hicks ran the Pentagon while on a beach vacation in Puerto Rico;³⁰
- Secretary Buttigieg claimed to be online 24/7 while on paternity leave, but declined phone calls and meetings with Members of Congress of both parties;³¹ and
- Administrator Carnahan largely works from home in Missouri, not from her D.C. office.³²

These absences are negatively impacting agency performance and morale as even employees within the agencies are frustrated by the unresponsiveness of their own managers and colleagues.

A whistleblower who is a current supervisor within the U.S. Department of Agriculture (USDA) informs me "the vast majority of USDA employees are not working in person. On the occasions I have gone to USDA headquarters in Washington, D.C., it resembles a ghost town. Hallways are mostly empty, and offices are unoccupied."³³ This whistleblower says, "remote work and telework employees are often unreachable and do not respond to simple email questions for hours. This leads to inefficiency in completing tasks in a timely manner and to delays in clearing documents and reports due to the inability to reach colleagues."³⁴

This should come as no surprise since "all USDA employees, regardless of tenure, grade, job series, title, or supervisory designation are presumed eligible for telework."³⁵

An Iowan who worked for the USDA Food Safety and Inspection Service tells me his former colleagues describe working from home as, "like being on vacation. Very little work was assigned and all they had to do was be available by phone."³⁶

USDA Secretary Tom Vilsack pushed back when I questioned him about these claims when he testified before the Senate Committee on Agriculture, Nutrition, and Forestry. The Secretary claimed D.C.-based managers and employees are required to physically be in the office "a majority of the week," and, when asked for clarification, he said he meant three-to-four days per week.³⁷ However, public reporting indicates telework-eligible managers and supervisors at the USDA's D.C. headquarters have been required to be in the office five days per two-week pay period—which is less than three days a week—since September 10, 2023.³⁸

Secretary Vilsack also took issue with findings from the Government Accountability Office (GAO) that nearly 90 percent of the office space in USDA's headquarters is sitting idle and unused.³⁹

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Secretary Vilsack said that calculation is “not even close to correct” and these numbers do not reflect “what is happening.”⁴⁰ A separate analysis by the Public Buildings Reform Board, however, confirmed GAO’s estimates, finding a mere six percent of the office space at USDA is currently being used.⁴¹

When a Department of Veterans Affairs (VA) manager posted a picture of himself “working” from a bubble bath on social media, his frustrated coworkers became whistleblowers. One of which stated, “If you think that this is not a big deal then what is a big deal? Is it a big deal when a veteran dies?”⁴² That’s right, the employees of the agency turned in their own manager for abusing telework.

The failure of managers to set the right example and properly monitor teleworkers creates an “anything goes” attitude with other employees.

More than 90 percent of the employees at the Department of Housing and Urban Development (HUD) regularly work from home and are not required to come to the office more than one day a week.⁴³

A whistleblower who contacted my office is frustrated that HUD telework flexibilities are so lax, some employees engage in personal activities—even drinking and then driving intoxicated—while on taxpayer-funded time. This whistleblower claims first-hand knowledge that a long-time employee of the department⁴⁴ and the former president of the American Federation of Government Employees Local 3138⁴⁵ was allegedly arrested for driving under the influence of alcohol during the workday. She allegedly claimed she was engaged in taxpayer-funded union activities⁴⁶ while being held at a county jail in Oklahoma.⁴⁷

The whistleblower contends multiple DUIs weren’t sufficient grounds for suspension from her job at HUD. According to documents my office received from the whistleblower, this “jailbird bureaucrat” remained a HUD employee until she was finally fired for embezzling over \$20,000 of union funds in August 2023.⁴⁸ The DOL Office of Labor-Management Standards (OLMS) brought criminal charges against her on June 26, 2024⁴⁹ for making false statements and fraudulently reporting no receipts of union funds to conceal how she was embezzling the money for personal use.⁵⁰

While the disgraced former federal employee is disputing the allegations, without providing documentation, HUD is reviewing the claims at my request and is committed to providing answers about the case of the jailbird bureaucrat.



The bubble bath bureaucrat logged into a meeting from his tub then posted this pic on social media. His coworkers turned him in for “making a mockery of all the veterans.”

She isn't the only teleworking bureaucrat busted committing crime on taxpayer time.

For more than three years, a Social Security Administration (SSA) employee claimed to be teleworking while running his own personal business. He "routinely performed home inspections for his personal business during the workweek while purporting to 'telework' on official SSA time. He concealed the fact that he was not performing SSA work during official work hours by having his wife and his mother access the SSA computer system and send emails to supervisors to make it appear as though he was online and working." During this time, he submitted 53 fraudulent time reports to the SSA and falsified daily work logs to his supervisors. In total, his fraudulent conduct cost taxpayers nearly \$50,000.⁵¹

"Telework and emergency leave policies exist to provide needed flexibility and support to hard-working federal employees—not to supplement the incomes of no-show employees who want to double-dip on the public's dime while working for a private business," said the U.S. Attorney for the Southern District of Indiana. "The defendant's conduct was even more egregious because his failure to work harmed Americans who were depending on him to receive the much-needed benefits to which they were entitled. Public service is a public trust, and those who abuse that trust will be held accountable."⁵²

Other telework abuses may not be criminal but should be.

DOD established a Chief Digital and Artificial Intelligence Office (CDAO) in 2022 to ensure "our warfighters have the best digital capabilities."⁵³ From its beginnings, this AI office was plagued by AL—absent leadership.⁵⁴

Despite being headquartered at the Pentagon, the head of CDAO worked remotely from the West Coast. He hired two others who work in California and, according to a source, have "no situational awareness of what's going on in D.C." As a result, "they can't do their job." One is paid "almost \$450,000 as a remote worker to fly in and out from California," what the source says amounts to "waste, fraud, and abuse."⁵⁵

The absent chief departed earlier this year.⁵⁶ How do you leave when you were never actually there? A classic "if a tree falls in a forest and no one is around to hear it, does it make a sound?" moment.

Another senior teleworker who is supposed to oversee acquisition "is never at work and can't functionally lead her people," according to a source. The situation was first reported by Breitbart, which notes "this lack of direction and cohesion has been exacerbated by the office's lenient remote work policy put into place during the COVID pandemic that is still in effect, the sources said. They said some people have even moved to different states."⁵⁷

Calls, letters, and messages to my office by other federal employees provide similar anecdotal examples.

A federal employee who wished to remain anonymous says "he is one of few who reports to the Washington, D.C., office, and contractors have commented to him about the whereabouts of agency employees." He observes, "it's all empty around me. I'm the only person within three rows where I sit. It doesn't look good."⁵⁸

The leadership is either blind to the problem or part of it.

There are allegations rank-and-file Federal Aviation Administration (FAA) supervisors and

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employees are ignoring Administrator Michael Whitaker's directive for teleworking employees to report to their official worksites at least four days per two-week pay period.⁵⁹

And while DOT claims its telework-eligible workforce is spending 60 percent of the time in the office,⁶⁰ food services at the department's headquarters have been closed apparently due to lack of demand.⁶¹

"Some federal employees who have been allowed to work fully remotely say that forcing them to come back to the office would upend their lives." Some moved across the country and complain returning to the office would require them to commute and spend less time with family.⁶² That's the reality of working for most Americans!

The Standards for Internal Control in the Federal Government state, "without a strong tone at the top to support an internal control system, ... results ... may not be ... acted upon to remediate deficiencies."⁶³ This principle of fraud prevention also applies perfectly to telework abuse.

The "tone at the top" currently being set in Washington is out of office, out of sight, and out of mind.

I contacted the inspectors general of the 24 major federal departments and agencies requesting investigations of teleworking practices at each to determine the impact on both services and building utilization and if measures are being taken to ensure the salary system cannot be gamed to pad paychecks.

Fourteen investigations have been initiated. Three are completed and the rest are being finalized.

- The Architect of the Capitol OIG found 80 percent of the office's teleworkers are receiving incorrect locality pay;⁶⁴
- The Department of Commerce OIG found nearly one in four teleworkers sampled across ten bureaus were being overpaid;⁶⁵
- The HUD OIG found some department employees live more than 2,000 miles away from the office;⁶⁶
- The USDA OIG is completing an audit of department locality pay practices and a review of office space utilization;
- The Nuclear Regulatory Commission OIG will complete an audit of telework and locality pay policies and practices;
- The EPA OIG is evaluating locality pay of remote and teleworking employees;
- The DOD OIG is evaluating internal controls for locality pay of remote workers;
- The Department of Interior OIG is evaluating the locality pay of remote workers;
- The DOT OIG is evaluating in-office, telework, and remote work policies;
- The OPM OIG is evaluating procedures the agency uses to manage its workforce in a hybrid work environment;
- The SSA OIG is evaluating locality pay issues, workplace utilization, and productivity;
- The Treasury OIG is evaluating expanded telework implementation during and after the pandemic;
- The HHS OIG is evaluating the use of hybrid work since the end of the COVID-19 pandemic;
- The National Aeronautics and Space Administration OIG is evaluating office and property utilization; and

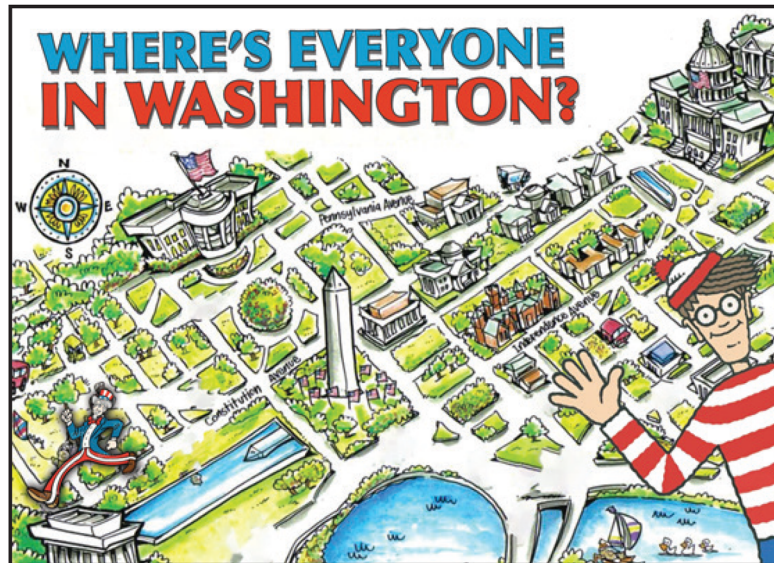
- The GSA OIG included telework in its future audit plans.

The departments and agencies declining or not responding to my request include:

- The United States Agency for International Development (USAID);
- The Department of Education;
- The Department of Energy;
- The Department of Homeland Security;
- The Department of Justice;
- The Department of Labor;
- The Department of State; and
- The National Science Foundation.

I will keep asking these questions.

The heads of every department and agency should provide the answers to taxpayers.



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Services Suffer as Taxpayers Are Put on Hold

Frustrated Americans are sick of being *put on hold* while many federal employees are *phoning it in*, “working” from home.

Not figuratively, literally, some Americans are getting sick as a result of employees not showing up to do their jobs.

More than 100 days passed before the Food and Drug Administration (FDA) took action on whistleblower complaints about the unsanitary conditions at a baby formula factory⁶⁷ linked to the deaths of nine children and illness of dozens of others.⁶⁸ Desperate parents struggled for months to feed their children when an FDA recall then caused a nationwide shortage of formula.⁶⁹

The whistleblower complaint detailing safety concerns at an infant formula plant was delivered to the FDA in October 2021. But “mailroom staffing issues due to COVID-19,” namely employees working remotely,⁷⁰ “prevented the hardcopies from reaching FDA senior leaders” until February, when the plant was then shut down.⁷¹

While there were numerous causes for the baby formula crisis, the FDA’s curtailing of “required food facility inspections” during the pandemic impacted its ability to ensure food safety.⁷²

A former senior government official with firsthand knowledge of the FDA’s response shared these insights: “When critical FDA safety officials don’t show up to work, people die. The FDA’s remote work policy allowed problems at infant formula plants to fester into catastrophes by failing to catch issues before they harmed infants and families. By working remotely, FDA officials failed to catch problems before they grew worse, failed to keep tabs on industry, and failed to protect infants and their families who rely on the FDA’s gold seal of approval to mean something. There’s no excuse for FDA’s failure to send safety inspectors out into the field, there’s no excuse for FDA inspectors to not be in the plants, working with industry, to keep Americans safe. Were it not for the failed policies of the FDA, shortages would have been mitigated and lives would have been saved.”⁷³

It’s not just baby food, either. A backlog of food facility inspections caused by COVID-19 era policies is currently being reviewed by the Department of Health and Human Services (HHS) Office of Inspector General (OIG). The findings are expected to be released in 2025.⁷⁴

Thousands of pharmaceutical plants that manufacture antibiotics, cancer therapies, and other medicines have also not been inspected since prior to the pandemic. The Associated Press reports the FDA “began using video and other online tools to evaluate plants remotely during COVID-19, although those aren’t equivalent to physical inspections.” And even with remote inspections, almost 40 percent fewer inspections are being conducted now than before the pandemic.⁷⁵

Despite the backlog, FDA isn’t looking at bringing employees back to the workplace to get

caught up. The agency’s Commissioner of Food and Drugs explains, “an outgrowth of the pandemic was the realization that the FDA could construct a hybrid work environment, optimized for productivity and lifestyle. Looking forward, it’s not so much about COVID-19.”⁷⁶

The FDA isn’t the only health agency suffering from “no shows.”

Up to 30 percent of HHS employees “did not appear to be working” on any given day at the height of the COVID-19 pandemic.⁷⁷ This analysis is based on HHS employees’ login activity used to access the agency’s email and file systems remotely collected by the HHS Office of the Chief Information Officer and disclosed by a whistleblower.⁷⁸

Apparently, the government doesn’t consider health department employees to be essential workers, even during a once-in-a-century global health emergency.

Facing another health crisis, veterans are encountering similar problems accessing mental health therapy.

After putting their lives on the line defending our nation, more than 17 veterans are taking their own lives every day.⁷⁹

Yet, thousands of calls to the Department of Veterans Affairs (VA) from veterans seeking mental health care went unanswered last year.⁸⁰ And that was just at the Atlanta VA!

One veteran in the midst of a mental health crisis called ten times over a three-month period but could not get the care she needed, much less anyone to answer her calls, so she ended up in an emergency room.⁸¹

Suffering from PTSD, anxiety, and depression from serving in combat and being sexually assaulted during her deployment, her calls frequently went unanswered. She says she begged to speak with someone who could help and was told a mental health professional would call her back. But no one ever did.⁸² The last time she called, this veteran said she “wanted to go to sleep forever.” While the VA did provide her with a drug prescription, there was no follow-up from a mental health provider.⁸³

A VA whistleblower alleges out of roughly 22,000 mental health calls made to the Atlanta VA Health Care System over a 12-month period, about 7,200, went unanswered.⁸⁴ “There is no sense of urgency,” the whistleblower says.⁸⁵

Meanwhile, a manager at the Atlanta VA responsible for overseeing the scheduling of veterans’



Thousands of calls to the VA from veterans in crisis are going unanswered.

appointments actually called into a meeting *from a bubble bath*—and posted a selfie on social media with the caption, “my office for the next hour.”⁸⁶

Another VA staffer lamented, “It’s almost as if this employee is making a mockery of all the veterans. I can sit here in my tub and relax, and you just have to wait.”⁸⁷

That is exactly what is happening.

And even when someone does answer the phones and schedules an appointment, too many veterans say their therapists cancel at the last minute or don’t even bother showing up.⁸⁸

“Any cancellation can affect continuity of care and have a negative impact on a veteran’s health, however. They may even contribute to suicide among veterans, although exactly how many is unknown. The number is not zero, however, according to families,” according to a report by the Pulitzer Center and Military.com.⁸⁹

Elderly, disabled, and other vulnerable folks who rely on caregivers with support from the Social Security Administration (SSA) are struggling with similar frustrations.

A nonprofit serving Iowans in need contacted my office frustrated by the growing delays the organization is experiencing dealing with the SSA.

The executive director says prior to the COVID-19 pandemic, the response time from the local Social Security office was just a few days at most. But now, it takes weeks and even months to get a call back. Some of the folks the nonprofit serves have gone without benefits as a result of the unreturned phone calls. Approvals to provide support to others seeking assistance are also being delayed.

The situation was dire: emails to the SSA Sioux City, Iowa field office went unanswered, and calls were often directed to voicemail without response. This lack of communication from the field office staff caused months-long delays for beneficiaries.

The agency’s executive director says the lack of communication “is having an impact on the clients we serve and our ability to provide quality service,” and that “**they are running us out of business.**”⁹⁰

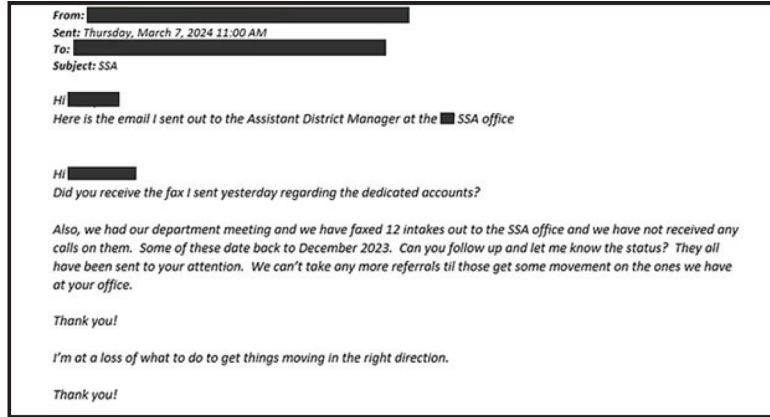
When federal employees largely abandoned their offices to work from home nearly five years ago at the onset of the COVID-19 pandemic, these essential workers remained on the front lines serving the vulnerable, disabled, and elderly.

Today, the SSA’s headquarters is still more than 90 percent empty,⁹¹ but these folks helping Iowans in need *are showing up*. Because the support they provide is being threatened by the SSA’s unresponsiveness, I called on the agency’s Inspector General to investigate.⁹²

Almost immediately, my phone started ringing and the SSA commissioner personally paid a visit to me to discuss the matter. He shared statistics showing Iowans were receiving some of the SSA’s best customer service in the country. Considering the efforts required just to get Iowans’ phone calls returned, I shudder to think what may be happening elsewhere.⁹³

Requests like this, to assist the elderly and vulnerable were going unanswered for months, until I discussed the situation face-to-face with the Social Security Administration’s commissioner.

The commissioner explained other government agencies, such as the VA, are recruiting away



current and potential SSA staff by promising even more excessive teleworking possibilities for new hires.⁹⁴

It's right there on the Veterans Affairs website: "At VA, you can break away from the traditional 9 to 5, 40-hour workweek without sacrificing the opportunities and benefits that come with job security. We'll let you choose a schedule that accommodates your needs and lifestyle. For instance, you might choose to vary your arrival and departure times, working longer but fewer days during your pay period."⁹⁵

While teleworking may be allowing VA employees to live their best lives, it's a disservice to the vets the department exists to serve.

An Army veteran who served as a Black Hawk crew chief stopped seeking mental health care from the VA after suffering through years of scheduling problems and cancelations at multiple medical centers. When he finally did connect with a therapist, she "spent the appointment singing the praises of



VA promises greater benefits for bureaucrats while veterans wait for the benefits they were promised.

remote work with her cat draped around her neck.” He says, “it was, pardon my French, a f***ing disaster ... so now I’m just on my meds doing my best.”⁹⁶

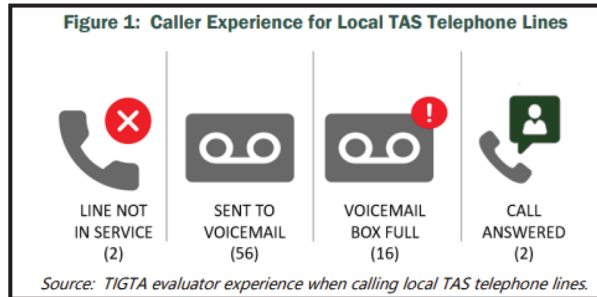
These are not isolated examples.

Four million calls to the Department of Education’s call center recently went unanswered, denying students information needed to help complete student aid applications.⁹⁷

And while taxpayers wouldn’t dare ignore a call from the IRS, only two of the agency’s 76 local offices across the country set up to assist those experiencing financial hardship are actually picking up the phone.⁹⁸

“Virtual training and maximizing telework in response to the pandemic also may have contributed to declines in productivity” at the IRS, concludes the Treasury Inspector General for Tax Administration.⁹⁹

Witnesses at a recent Senate Small Business Committee hearing lamented the challenges trying to contact the Small Business Administration (SBA) for help and disaster assistance. One stated, “finding a person and getting advice is kind of priceless,” but added, even if you need assistance, “you don’t call.”¹⁰⁰

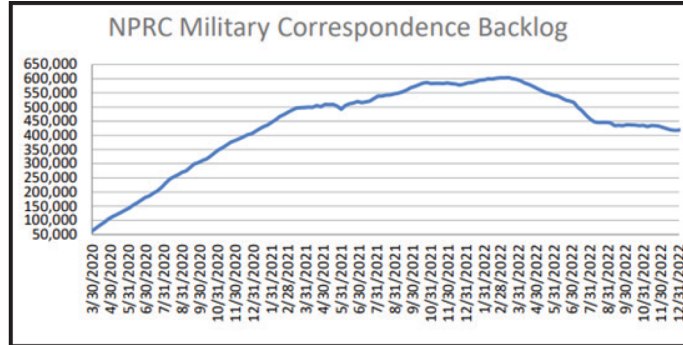


While taxpayers don’t dare ignore calls from the IRS, the agency isn’t answering calls made to most of its local offices.

Veterans seeking copies of their service records necessary for VA health care and benefits, disability compensation, and pensions experienced immediate backlogs when teleworking began. It took nearly four years for the National Personnel Records Center (NPRC), which maintains the files, to resolve the problem caused by “a lack of on-site staff due to facility occupancy restrictions in place from March 2020 to February 2022, and limited remote processing capabilities.”¹⁰¹

NPRC had been turning around document requests within ten working days prior to the closing of all its facilities and the initiation of COVID-era telework. In March 2020, fewer than 56,000 military requests awaited responses. “As the closures remained in place, this figure grew until it reached a backlog” of nearly 604,000 in March 2022.¹⁰²

For two years, between 49 and 278 NPRC staffers showed up to work. “Employees came on-site on a volunteer basis once facilities began to be re-opened,” according to the National Archives Office of Inspector General.¹⁰³



Veterans seeking copies of their service records necessary for applying for health care, benefits, and pensions experienced immediate backlogs when teleworking began.

Poor customer service outcomes were already occurring because of government teleworking before the COVID-19 pandemic made the practice the norm.

The U.S. Patent and Trademark Office (USPTO) began experimenting with telework nearly three decades ago. In 1997, 18 trademark examining attorneys participated in a telework pilot program. Today, more than 12,000 USPTO staff telework.¹⁰⁴

The USPTO claims “to be a leader of telework in the federal government” that “has created a sustainable and best-in-class model for distributed work serving external stakeholders from across the United States.”¹⁰⁵

Those claims began unraveling after a tipster called out a patent examiner who “never shows up to work” and whose work is “garbage.” A review by the Department of Commerce Office of Inspector General (OIG) determined the employee was paid \$25,000 for 730 hours not worked. He was instead playing golf, shooting pool, and going to happy hours.¹⁰⁶

The case provoked a comprehensive investigation that found USPTO’s lax oversight and inadequate internal controls of telework wasted millions of dollars paying thousands of teleworkers for hours not worked and contributed to a patent application backlog.¹⁰⁷

Over just a nine-months, USPTO “failed to receive nearly \$8.8 million in work product that would advance its mission and lessen the patent application backlog by an estimated 7,530 cases.” The OIG noted these are conservative estimates and the true costs “could be twice as high.” Additionally, more than 4,000 examiners paid for hours they did not appear to be working received above-average ratings on their annual performance reviews and many were paid bonuses.¹⁰⁸

These deadbeat bureaucrats were paid bonuses for not working at a cost to innovative entrepreneurs and society alike. Patent backlogs delay consumers’ access to products, like life-saving drugs, and result in potential economic losses totaling billions of dollars every year.¹⁰⁹ Today, the agency’s backlog of unexamined patent applications “may be near or at an all-time high.”¹¹⁰

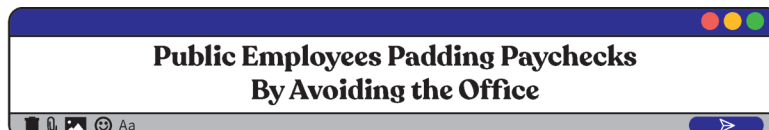
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While USPTO's experiment with telework is now the government-wide practice, the OIG's review in 2016 demonstrates it is possible to review productivity, performance, and work presence—whether at home or in the office—and identify when, where, and if employees are working and what they are or are not accomplishing.

The OIG noted that USPTO's own "policies limit the agency's ability to prevent and detect attendance abuse," suggesting teleworkers log in to computers and provide supervisors with work schedules while in-person employees use ID badges when for building access.¹¹¹

At the IRS, over 37,000 employees were already teleworking prior to the pandemic. During 2019, more than 10,000 of these did not report to the office at least once a week as required.¹¹² Some IRS employees who had been disciplined for being Absent Without Leave (AWOL) five days or more were teleworking despite being prohibited from doing so by the *Telework Enhancement Act*.¹¹³ Similarly, IRS policy does not permit employees who received poor performance reviews to telework. Regardless, 138 poor performers were still allowed to telework by the IRS.¹¹⁴

Locking in transparency and accountability is essential for guaranteeing the level of public service taxpayers deserve and should be the standard for determining the future of government teleworking.



Public Employees Padding Paychecks By Avoiding the Office

Imagine if you could inflate your paycheck by \$1,000 or more every month by simply designating a desk in an office you only have to sit at a handful of times throughout the year as your official duty station.

Some bureaucrats are doing just that, padding their paychecks by claiming to be working in areas with higher pay rates while living elsewhere.

More than a quarter of federal employees who telework daily live more than 50 miles away from their worksite, according to an OPM survey.¹¹⁵

Government salaries are determined, in part, by the locations of an employee's official worksite. There are 58 locality pay areas with base pay for federal employees adjusted to account for the cost-of-living in each.¹¹⁶ The pay difference for employees doing the same or comparable jobs can differ by as much as \$20,000 or more between these geographic locations.¹¹⁷

The U.S. Office of Personnel Management (OPM) says the official worksite for teleworkers "remains the location of the agency worksite (i.e., the agency worksite where they would normally work, not the telework location)." OPM stipulates employees "generally should be scheduled to be at the agency worksite at least twice each biweekly pay period on a regular and recurring basis."¹¹⁸ This means they *should*, but not must, be at the designated desk a mere four days every month.

An employee is obligated to show up at their official worksite at least once a week to get that locality pay. However, that requirement can be waived on an employee-by-employee basis, in perpetuity. Some agencies used this flexibility in a blanket manner for years beginning in March 2020.¹¹⁹ If not periodically reviewed, these exceptions are ripe for abuse.

After being tipped off that some unscrupulous federal employees were gaming the pay system by a whistleblower, I asked OPM in March 2023 how, or if, federal agencies are reviewing compensation packages to certify federal employees who predominantly work from areas outside the national capital region are not receiving Washington, D.C. locality pay, which is on the higher end of the pay scale.

OPM washed their hands of the issue by kicking the decision making to the agencies themselves.

Unsatisfied with this mismanagement and lack of leadership, I took my case to the inspectors general by requesting audits of agencies' teleworking policies. Thus far, the Office of Inspectors General (OIGs) are finding as many as 23 to 68 percent of teleworking employees are receiving incorrect locality pay that is higher than it should be.¹²⁰

The Department of Commerce OIG found nearly 23 percent of teleworkers sampled across ten bureaus were being overpaid.¹²¹ This includes employees in the Secretary's own office as well as the U.S. Census Bureau, the Economic Development Administration, the National Oceanic and Atmospheric Administration (NOAA), and United States Patent and Trademark Office.

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The OIG also found the Commerce Department can't verify employees are showing up to the office as required.

As examples, two NOAA employees with duty stations in the higher paying areas of Seattle, Washington, and Silver Spring, Maryland, in suburban Washington, D.C., were both teleworking in distant states with lower locality rates. No electronic badge swipe-in information could be found that these employees entered the agency worksite. The department also couldn't provide any other evidence proving the employees worked in the office at least two days per two-week pay period as required by their telework agreements. A more extensive review of their timesheets showed both employees rarely worked in the office.¹²²

The OIG notes, "the locality pay these employees received was based on their duty station while they were teleworking in geographic regions with lower locality payments," and explains if any employee, like either of these, is not physically reporting to the office as required, that employee is "not a teleworker but a remote worker, which can affect the employee's locality pay."¹²³

The lax management of the department is largely to blame for the overpayments. When new remote and telework agreements resulted in changes in duty stations for some employees, the department took many months, in one case nearly a year, to update the locations.

It's concerning the U.S. Census Bureau whose primary mission is to account for every citizen of this country cannot locate the whereabouts of its own employees!

A number of U.S. Agency for International Development (USAID) employees have also been busted fraudulently collecting Washington, D.C. locality pay while living elsewhere.

One senior USAID employee lived in Florida for the duration of her employment but used an office supply store in Virginia for work-related correspondences to deceptively collect D.C. locality pay. Despite being required to report to the USAID office in Washington, D.C. twice every pay period, she was permitted to violate the telework agreement by her supervisor.¹²⁴

When questioned by OIG special agents, the supervisor denied knowing where the employee lived. The OIG found evidence, however, showing "the supervisor knew the employee lived in Florida and was using an address in Virginia to receive the higher locality pay."¹²⁵ Criminal charges against both the employee and the supervisor were dropped and the employee retired.¹²⁶

When confronted by my office in July 2024 as to whether this case could represent a broader issue at USAID, officials unironically stated such a concern was unfounded given the agency's spotless locality pay audit record.¹²⁷

According to USAID, "it is the supervisor's responsibility to ensure the employee is performing the official duties at the duty location annotated on the official records."¹²⁸

Pressed further, USAID admitted it does not collect data regarding why certain USAID employees have their telework privileges revoked.¹²⁹ The agency has also been unable to produce even basic information about how many employees have had their telework agreements adjusted or why.

Several weeks later, in September 2024, USAID's OIG announced another senior employee of the agency was receiving Washington, D.C. locality pay while living elsewhere. This time in North Carolina. Over a seven-month period, the employee was overpaid nearly \$10,000 due to

the higher pay rate. No criminal charges were pursued against the employee.¹³⁰

A Federal Railroad Administration (FRA) employee set up a mailbox at a UPS box facility in an area with higher locality pay than the location where he lived and worked. He was convicted earlier this year for defrauding taxpayers out of nearly \$125,000 in overpayments.¹³¹

A VA employee approved for “temporary” telework relocated to an area with lower locality pay but continued collecting the higher salary *for nearly a decade*. The OIG found no evidence “suggesting that the employee’s telework arrangement was ever reassessed to determine whether the employee’s emergent circumstances had ended.”¹³²

Reviews I have requested of locality pay by inspectors general are detecting other paycheck padding schemes and errors at additional departments and agencies.

With nearly one in ten Department of Housing and Urban Development (HUD) teleworkers located more than 50 miles away from their actual duty station, the department’s OIG warns some of these may be receiving incorrect locality payments.¹³³ A review of the department’s telework agreements found some HUD employees are supposed to be commuting more than 2,000 miles every week!¹³⁴ That’s the distance from one side of the country to the other.

Even smaller agencies with smaller workforces are susceptible.

Consider the Architect of the Capitol (AOC) which cares for the buildings and the grounds surrounding the U.S. Capitol, a mission requiring a largely onsite workforce but with a handful of employees who telework. A review by the agency’s OIG found 80 percent of the teleworkers were receiving incorrect locality pay!¹³⁵ More than two-thirds, 68 percent, were being overpaid.¹³⁶ As a result, over \$100,000 in taxpayer dollars were misspent before this error was identified. Most of these inflated AOC remote work salaries were paid *after* the pandemic.¹³⁷

The OIG continues receiving complaints from AOC’s own employees that the office’s remote work policy is confusing and lacks transparency. “Without a robust and comprehensive policy, the AOC risks the continued waste of government funds,” the OIG warns.¹³⁸

These cases demonstrate locality-based compensation is highly vulnerable to abuse because some managers are lax in updating employee locations, ensuring the terms of teleworking arrangements are being met, and sometimes even allowing the system to be taken advantage of by teleworkers.

There is no excuse for managers not knowing if employees are complying with telework arrangements when digital records can easily identify when, where, and if an employee is logging onto a computer or swiping an access card to enter a building.

The current unaccountable telework arrangements are providing a significant financial incentive for employees to stay away from the office. An employee can collect a bigger paycheck by claiming a workstation in an area with higher locality pay while living somewhere else with the added benefit of not having to commute to the office.

Locality pay fraud isn’t limited to just paychecks. It could involve tax evasion and longer-term implications, like increasing pension payments later in life.

Collecting a salary set at the pay scale for Washington, D.C., which is one of the highest taxed areas in the country,¹³⁹ while living in Florida, where there is no state income tax,¹⁴⁰ effectively

dodges liability for thousands of dollars in state and local tax bills.

Federal pensions are determined, in part, by an employee's highest salary.¹⁴¹ Therefore, collecting higher locality pay for just a few years can permanently plus-up a pension after an employee retires.

The irony is many Americans would accept a pay *cut* in exchange for the flexibility to work from anywhere,¹⁴² while some federal employees are working anywhere they please for *more* money.

Abandoned Government Buildings Continue Costing Billions of Dollars

You may be more likely to see a ghost than a bureaucrat haunting the halls of some government buildings in Washington, D.C. these days.

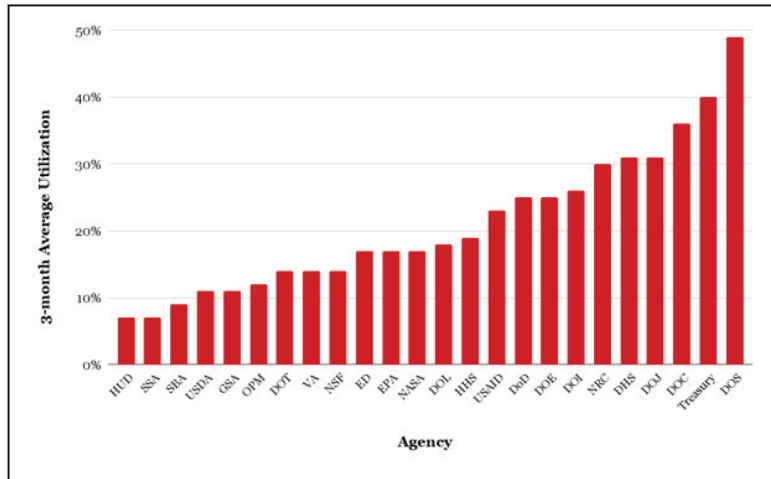
Not a single headquarters of a major government agency or department in the nation's capital is even half full.¹⁴³ Yet it's costing \$8 billion every year to maintain or lease government office buildings.¹⁴⁴ Another \$7.7 billion is being expended annually for the energy to keep them running.¹⁴⁵ And billions more are being spent buying brand new furnishings for the largely abandoned offices inside them.¹⁴⁶

The average occupancy rate in more than 20 headquarters is a mere 12 percent, according to the Public Buildings Reform Board (PBRB), an independent agency created to reduce unnecessary government property.

Three-quarters *or more* of the space in the buildings are going unused, according to a separate analysis by the nonpartisan Government Accountability Office (GAO).¹⁴⁷

Federal agencies own 7,697 vacant buildings and another 2,265 that are partially empty.¹⁴⁸

Over **\$81 million** is being wasted every year for the underutilized government office space alone.¹⁴⁹



Not a single government building is even half full .



You may be more likely to see a ghost than a bureaucrat haunting the halls of government buildings in Washington, D.C., these days.

This includes over 24 million square feet of federal government office space, costing taxpayers nearly \$68 million every year for maintenance and operation.¹⁵⁰ An additional \$14 million is being spent leasing underutilized space and nearly \$1 million more for its maintenance.¹⁵¹

Only Washington would waste **\$15 million** leasing office space and property that isn't needed and not being used.

The PBRB warns the "status quo of nearly empty federal buildings is not financially or politically sustainable."¹⁵²

Yet, little is being done to fill the buildings with workers or consolidate the unused space or sell off the unneeded property.

GAO and the PBRB used different methods and metrics to reach the same findings: agency headquarters are overwhelmingly underutilized. While both agencies focused solely on buildings located around the nation's capital, there is no comprehensive analysis of the occupancy rates of other government offices.

Despite the calculations produced by these two separate independent agencies, whistleblower accounts, and anecdotal evidence, department heads continue claiming employees are showing up to work and pushing back on any suggestions to take attendance.

Top Ten Emptiest Government Headquarters
According to the Public Buildings Reform Board

Agency	Property Name	Address	Size (GSF)*	Size (USF)**	Estimated Capacity (# seats) @200 USF per seat	2023 Daily Average Occupancy (cell phone)	Approx Utilization @ 200 USF per Occupant
Department of Energy	James V Forrestral	1000 Independence Ave S.W.	1,808,177	967,674	4,838	8	0%
Agency for Global Media	Wilbur J. Cohen Building	330 Independence Ave S.W.	1,201,918	686,232	3,431	72	2%
US Department of Agriculture	Agriculture South & Whitten	1400 Independence Ave S.W.	2,764,402	1,487,653	7,438	456	6%
Department of Veterans Affairs	Veteran's Affairs Building	810 Vermont Ave N.W.	684,209	481,558	2,408	172	7%
Environmental Protection Agency	William Jefferson Clinton Federal Building	1200 Pennsylvania Ave N.W.	891,576	478,396	2,392	195	8%
Department of Labor	Frances Perkins Building	200 Constitution Ave N.W.	1,850,910	973,778	4,869	441	9%
Nuclear Regulatory Commission	One White Flint North	11555 Rockville Pike	532,293	275,369	1,377	127	9%
Office of Personnel Management	Theodore Roosevelt Building	1900 E St N.W.	810,834	479,185	2,396	258	11%
Department of Housing and Urban Development	Robert C. Weaver Federal Building	451 7th St S.W.	1,372,280	813,753	4,069	441	11%
Department of Commerce	Herbert Hoover Building	1401 Constitution Ave N.W.	1,891,591	1,043,059	5,215	589	11%

Without elaborating, the Office of Personnel Management “indicated information about the relative concentration of federal personnel in any given building may raise security risks for federal personnel.”¹⁵³ With so few employees in any government building, it is unclear what risks there might be from providing these numbers—other than some of them getting caught not working or taking a bubble bath on taxpayer time.

When just eight employees were counted being present at the Department of Energy (DOE) headquarters on an average day, the PBRB assumed the number was flawed since it was so low. The board reached out to the department to clarify staff attendance estimates, but DOE did not provide answers.¹⁵⁴

When I sought answers myself, DOE’s director of Office of Management replied, “while I cannot comment on the methods used by the Public Buildings Reform Board in evaluating the occupancy of the Department of Energy’s headquarters in Washington, D.C., I assure you

thousands of personnel are reporting to work at Headquarters when the federal government is in operation.¹⁵⁵

Taxpayers are being charged **more than \$182,000 per employee a year** to cover operating and maintenance expenses at the Department of Labor headquarters. On an average day, fewer than 500 employees are reporting to work at the building which costs nearly \$60 million a year to rent, operate, and maintain. The PBRB notes, "This level of expenditure to house such a small number of federal employees cannot be justified and is not sustainable. It also is not unique."¹⁵⁶

As Ranking Member of the Senate Committee on Small Business and Entrepreneurship, I am closely monitoring the telework practices of the Small Business Administration (SBA). The agency does not know the number of employees showing up to work in person,¹⁵⁷ does not track changes in teleworking status of employees,¹⁵⁸ and doesn't know how much of its office space is currently being used.¹⁵⁹

SBA claims the agency's headquarters is operating at 50 percent.¹⁶⁰ However, SBA inked a Memorandum of Understanding with a federal employee union authorizing employees to show up to the office once a week, or not at all.¹⁶¹ And more than 90 percent of SBA's headquarters is empty on a daily basis.¹⁶²

As mentioned previously, USDA Secretary Tom Vilsack took issue with GAO's findings that nearly 90 percent of the office space in USDA's headquarters is not being used on a daily basis.¹⁶³ Secretary Vilsack said this calculation is "not even close to correct" and these numbers do not reflect "what is happening."¹⁶⁴ But the GAO numbers are confirmed by PBRB's findings that a mere six percent of the office space at USDA is being utilized and less than 500 people are showing up daily at the USDA headquarters which has capacity for more than 7,400.¹⁶⁵



Empty workstations at USDA's Beltsville, Maryland office, Fall 2023

The EPA is spending \$90 million a year for its headquarters,¹⁶⁶ but uses just eight percent of the office space.¹⁶⁷ An EPA official says in-person attendance in some of its offices can drop as low as ten percent on a Friday.¹⁶⁸

Teleworking *should* be environmentally friendly, but not at the EPA. With climate gases being emitted warming and cooling empty offices and dangerous toxins festering in stagnant drinking water, the EPA's hollow headquarters stands as an ironic Washington monument to government teleworking's toll on the environment.



With climate gases emitting from empty offices and dangerous toxins festering in stagnant water, the EPA's headquarters stands as an ironic Washington monument to government teleworking's toll on the environment.

GAO explains buildings “have environmental costs, and any reduction in office space could reduce those costs. Emissions—and their associated monetary costs—are still generated with underutilized space because agencies continue to operate buildings even when staff are not in the office.”¹⁶⁹

The PBRB adds, “In addition to high costs, other problems with low utilization rates include environmental and health impacts. The per person carbon emissions from heating and cooling nearly empty buildings, not to mention energy costs, are indefensible. Severely underutilized buildings can also pose health risks to their occupants as GSA recently discovered with Legionella outbreaks in many of its buildings when water stagnated in their plumbing systems from underutilization.”¹⁷⁰

Legionella is a bacterium that can cause Legionnaires’ Disease, a severe form of pneumonia with a 33 percent mortality rate in pediatric cases,¹⁷¹ and up to 80 percent mortality rate in at-risk adults.¹⁷² While most healthy people exposed to the bacteria don’t get sick, the Centers for Disease Control and Prevention (CDC) notes, “there’s no known safe level or type of Legionella.”¹⁷³

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Legionella has been found in the water at agency's headquarters¹⁷⁴ and other EPA offices outside of Washington.¹⁷⁵ Multiple grievances have been filed against the agency by its own employees who are seeking protection from the unsafe water in their workplace.¹⁷⁶

While the situation is particularly egregious since the EPA's mission "is to protect human health and the environment" and ensure clean water, the problem isn't isolated to a single agency or building.

The stagnant water in empty federal office buildings across the country is collecting dangerous contaminants, like lead and copper, and becoming a breeding ground for deadly bacteria, all of which are hazardous to human health. Legionella is turning up in faucets and sinks in federal office buildings,¹⁷⁷ courthouses,¹⁷⁸ and even childcare centers¹⁷⁹ across the country due to "extended periods of reduced or no occupancy" buildings.¹⁸⁰ At least two people who worked in government buildings have recently been diagnosed with Legionnaires' disease.¹⁸¹

"Legionella is flourishing," says Elliot Doomes, commissioner of the GSA's public buildings service.¹⁸² One-fourth of the locations in federal buildings tested "have shown the presence of Legionella bacteria in exceedance of established thresholds."¹⁸³

It's safer to drink water out of the tap in Flint, Michigan today¹⁸⁴ than from the faucets in many federal buildings.

In September 2023, the GSA OIG issued an alert memorandum warning, "the current reduced building occupancy levels can lead to water stagnation, which provides ideal conditions for the growth and spread of legionella and increases the likelihood that other buildings may be contaminated."¹⁸⁵

Yet, like other government agencies in this work-from-home era, GSA was slow to respond. As a result, employees and visitors to government offices serving veterans, senior citizens, and the disabled were potentially exposed to toxic water.¹⁸⁶ Bacteria levels exceeding safe thresholds have been found in a children's playroom and a toddler restroom.¹⁸⁷

Underutilized buildings causing hazardous water are creating a vicious cycle as workers are being evacuated en masse once again.

Federal Trade Commission employees were only required to show up to the office "about once a week," but now the agency's 600 workers are being told to stay home due to the Legionella in the agency's headquarters.¹⁸⁸

Similarly, the Centers for Medicare and Medicaid Services (CMS) complex was closed in June 2024 after Legionella bacteria was discovered, sending the agency's 3,500 employees and contractors home "until the situation is resolved."¹⁸⁹ The agency declined to comment when asked about its telework policies, so "it is not clear how many CMS workers have been on campus in recent months after staff largely shifted to remote work during the coronavirus pandemic."¹⁹⁰

As long as government buildings remain abandoned, this problem will persist.

Despite all the empty chairs sitting around these offices, government agencies are spending as much or more purchasing furniture today than they were in 2018, before telework became the norm.

According to a review of receipts by the transparency group Open the Books, between 2020 and 2022:

- The federal government purchased \$3.3 billion worth of furniture;
- \$26 million was spent furnishing government conference rooms while meetings were being replaced by Zoom calls;
- The Pension Benefit Guaranty Corporation, with a payroll of 1,000 employees, spent \$14.4 million on new furniture, or \$14,400 per staffer;
- The Pentagon paid \$1.2 billion for new furniture;
- Despite using just 11 percent of its office space, USDA bought nearly \$57 million of furniture; and
- The Department of Transportation spent more than \$55 million on furniture while only using 14 percent of its office space.¹⁹¹

With billions wasted purchasing this plush furnishing, federal agencies now need to fill the seats and get back to the people’s business.

While agency heads claim their headquarters aren’t empty, none appear to have a system to track building utilization, and if they do, they aren’t sharing it.

FEDERAL FURNITURE SPENDING DURING THE PANDEMIC YEARS

2020 - 2022

TOP 10 AGENCIES	TOTAL SPENT
DEPARTMENT OF DEFENSE	\$1,233,434,772
DEPARTMENT OF VETERANS AFFAIRS	\$427,990,572
DEPARTMENT OF JUSTICE	\$408,167,518
GENERAL SERVICES ADMINISTRATION	\$307,904,579
DEPARTMENT OF STATE	\$302,437,560
DEPARTMENT OF HOMELAND SECURITY	\$154,943,823
DEPARTMENT OF THE TREASURY	\$63,582,428
DEPARTMENT OF AGRICULTURE	\$56,503,500
DEPARTMENT OF TRANSPORTATION	\$55,396,646
DEPARTMENT OF HEALTH AND HUMAN SERVICES	\$41,621,981

The federal government spent \$3.3 billion purchasing new furniture during the pandemic years, according to Open the Books

Congress passed legislation this year setting a goal for all agencies to achieve a 60 percent space utilization rate.¹⁹² Not a single department or agency is using even half of its office space and most are averaging usage levels of 25 percent or less.¹⁹³

There are two options for reaching the goal:

1. Call government employees back to work; and/or
2. Consolidate office space and get rid of unused and unnecessary excess property.

Self-imposed bureaucratic hurdles are complicating both solutions.

Consider a temporary government building completed in 1919 is only now finally slated to close next year.¹⁹⁴ The Treasury Department's Bureau of the Fiscal Service, now occupying the building, is relocating into the U.S. Mint's headquarters. The move will save taxpayers \$15 million.¹⁹⁵ It shouldn't take a century to get rid of a temporary building and taxpayers cannot wait another 100 years before we start disposing of all of the other unused office space in Washington.



It's taking more than a century to close this building, completed as a temporary structure in 1919.

But agencies are reluctant to give up space and say sharing offices with other agencies is "a challenge."¹⁹⁶ An official with one department worries sharing space "could lower their perceived standing as a cabinet-level agency."

Last year, GSA announced more than \$1 billion would be saved by disposing of just 23 properties, including post offices, courthouses, and federal buildings, that the agency says, "are underperforming, underused, or otherwise don't use taxpayer dollars effectively."¹⁹⁷ This move will downsize the federal government's property portfolio by 3.5 million square feet.

Considering GSA owns and leases over 363 million square feet of space in 8,397 buildings,¹⁹⁸ not one of which is known to be using even half of its available space, tens of billions of dollars could be saved through more real estate rightsizing.

Most of GSA's leases (4,108 out of 7,685) will expire by the end of 2027.¹⁹⁹ Before any of these are renewed, agencies must justify the need and cost for the space. This must take into account

how much is currently being used. Consolidation of offices could increase overall utilization and reduce costs being wasted leasing and maintaining empty space.

The lease for the National Aeronautics and Space Administration's (NASA) D.C. headquarters expires in 2028.²⁰⁰ The building is "one of D.C.'s largest federal leases,"²⁰¹ yet 85 percent of its office space is going unused.²⁰²

"Buying a different building" for NASA "or construction of a new headquarters building, all within the Washington area," are options now under consideration, according to internal emails obtained by the Functional Government Initiative.²⁰³

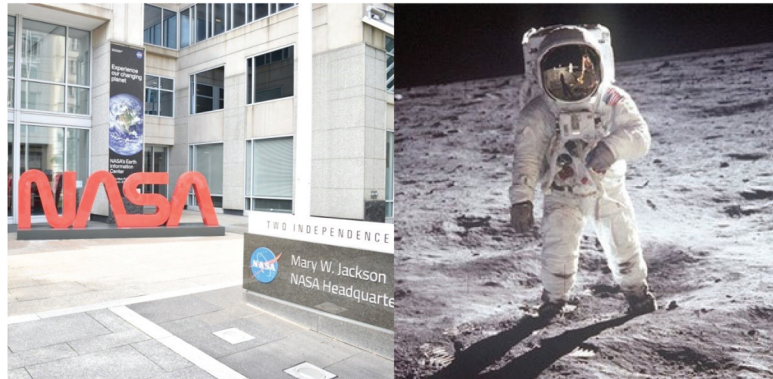
Office space is the new final frontier for NASA employees to explore. While the agency spends millions of dollars every year searching for life on other planets, NASA can't detect how many employees are even showing up for work in its own office building.²⁰⁴

The new space race is on: Will NASA return to its own offices or the moon first?

Instead of launching plans to buy or build a new building, the agency should find habitable space within another underutilized government building to land in.

Selling unneeded and unused government property can also generate revenue, but doing so is a long lengthy, costly, and bureaucratic process.²⁰⁵

To expedite the procedures, Congress passed the Federal Assets Sale and Transfer Act of 2016 (FASTA). The law established the Public Buildings Reform Board (PBRB) to identify underutilized



The new space race is on: Will NASA return to its own offices or the moon first?

properties to be put up for sale by the GSA, but only after the White House Office of Management and Budget (OMB) approves the recommendations.²⁰⁶

While the law resulted in the sale of ten unneeded properties for a total of \$194 million, problems persist.²⁰⁷

OMB has blocked PBRB recommendations, causing significant delays and multiple PBRB

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member resignations.²⁰⁸ When OMB rejected the second round of recommendations, taxpayers lost out on \$2.5 billion in potential proceeds.²⁰⁹ OMB halted the sale of a National Archives and Records Administration (NARA) facility in Seattle, Washington, with a deferred maintenance backlog of \$2.5 million.²¹⁰ While the sale was supported by NARA staff, some members of Congress intervened to keep it open.²¹¹

A recent sale provides great case studies on both how to and how not to get rid of an unneeded government building.

Taxpayers will see a total return of more than half-a-billion from the sale of the Chet Holifield Federal Building, better known as the “Ziggurat,” located in Orange County, California.



But just a year ago it looked like taxpayers would be stuck with the Ziggurat as a result of bureaucratic incompetence. GSA ignored warnings from real estate experts and the PBRB that imposing historic preservation requirements on any buyer would discourage potential buyers from putting in a bid.²¹²

They were right. When GSA initially put the Ziggurat up for sale at a price of \$70 million with the historic preservation requirements, there were no buyers.²¹³

Then GSA tried again. The building was put back on the auction block, but without the historic preservation requirements.²¹⁴ A frenzy of bidding continued for months. The building eventually sold for **\$177 million**, more than **twice** the original asking price²¹⁵ and a record price for a federal auction.²¹⁶

Lessons learned: Reducing red tape attracts more buyers, saves time, and maximizes the return for taxpayers.

These takeaways should be applied to the sale of other underutilized properties.

Downsizing government to the appropriate level first and foremost requires agencies to know how much space is needed for the in-person workforce. But OMB, which heads the Federal Real Property Council,²¹⁷ is years behind developing the metrics needed for determining the amount of excess property agencies own or lease.²¹⁸ OMB reports it is still “developing occupancy metrics that will require the calculation of average occupancy in federal buildings in the near term,”²¹⁹ which is creating “uncertainty about how to measure utilization.”²²⁰

As long as the government avoids setting firm rules requiring consistent in-person employee attendance, billions of taxpayer dollars will continue being wasted on empty, unused, and unneeded office space.

The bottom line for bureaucrats is simple: Use it or lose it!



Government employees showing up to work shouldn't make headlines. But they are.

Bureaucrats from the Department of Labor gathered together earlier this year, not to do the business of the people, but to protest for their "right to work remotely."²²¹

If that isn't rich enough, the event occurred outside of a federal building named in honor of John F. Kennedy, the president who inspired the nation with his call to public service: "Ask not what your country can do for you — ask what you can do for your country."

Kennedy's call is being flipped upside down by bureaucrats not asking but demanding telework be a guarantee for government employees.

These public employee union members know showing up makes a difference and that is why they are protesting in-person.

Some local federal employee unions want the stay-at-home order intended to protect civil servants from a once-in-a-century public health emergency to be the new norm.

In his 2022 State of the Union Address, President Biden pledged that "the vast majority of federal workers will once again work in person."²²² Nearly three years later, the headquarters of every major government department and agency in the Capital remain mostly empty.²²³

When the White House called on agencies "to substantially increase meaningful in-person work at Federal offices" in April 2023,²²⁴ union bosses quickly dismissed the directive.

"The administration's new guidance on agency work environments does not override collective bargaining agreements in effect at the agencies where we represent frontline employees," the president of the National Treasury Employees Union President responded. "This means that for the vast majority of our members, their access to telework — which varies among agencies and types of jobs — will remain unchanged."²²⁵

Apparently, the president of a public employees union, not the President of the United States, is deciding personnel policy for the U.S government.

Fearing this balance could tip, the race is on across the federal government to ratify unions and teleworking rights ahead of President-elect Trump's inauguration. For the first time ever, DOJ attorneys are organizing, not to defend taxpayers or victims of crime, but rather to fend off calls to return-to-work on their behalf. "Civil rights and environmental lawyers are rushing to certify first-ever union representation at the Justice Department just before another Trump administration... in large part due to dissatisfaction with the department's return-to-office mandates." According to the lawyers leading the effort, "an [Environment and Natural Resources Division] attorney union will help ensure that our voices are heard on important issues like return-to-office policies and the uncertain future of civil service protections."²²⁶

The unions' unrelenting demands to work when, where, and even if they want are draining federal resources through prolonged and excessive legal processes.

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“I believe we are at the very infant stages of these lawsuits, and in the next two or three years, we are going to see employees file these cases with increasing regularity in state and federal courts across the United States,” predicts an attorney with a Washington, D.C., law firm. “The sudden and pervasive manner in which the concept of remote work became a mainstay in the employment relationship deprived employers of the opportunity to deliberately and prudently institute remote-work policies in a systematic fashion. ... As a practical matter, this makes for a fertile environment for unlawful action and employee discontent.”²²⁷

That is exactly what is happening with unions filing lawsuits and grievances opposing efforts increasing in-person office time.

Even under President Biden, agencies faced stiff union objections to bringing employees back to the office for as few as just two days a week.²²⁸

When the Defense Logistics Agency required employees to show up three days a week, the American Federation of Government Employees union filed two separate complaints alleging unfair labor practices with the Federal Labor Relations Authority.²²⁹

The Treasury Department,²³⁰ HUD,²³¹ the Environmental Protection Agency (EPA),²³² the Centers for Medicare & Medicaid Services,²³³ the National Weather Service,²³⁴ the U.S. Equal Employment Opportunity Commission,²³⁵ and other agencies have all been hit with union telework complaints.

The Federal Labor Relations Authority (FLRA), a board that settles complaints and disputes between federal employee unions and management of government agencies, has decided over 35 cases involving telework disputes since 2020. This represents a significant portion of its caseload.²³⁶ Likewise, telework-related issues have dominated the agenda of the Federal Services Impasses Panel (FSIP), where unions and agencies go to resolve fundamental disagreements when negotiating collective bargaining agreements.²³⁷

Department of Labor (DOL) Acting Secretary Julie Su, a strong proponent of forcing workers to unionize against their wishes,²³⁸ hasn’t even been able to satisfy the demands of the stay-at-home union members. After months of negotiations, the union refuses to accept DOL’s requirements for employees to come to the office at least five out of every ten business days.²³⁹

Government Executive reports, “over the summer, the issue reached the Federal Service Impasses Panel, but following a fruitless 11-hour mediation session, the department argued that the union’s proposals improperly interfered with management’s rights to assign work and direct employees and are therefore nonnegotiable.” The union is exploring next steps, which could include an arbitrated grievance process or unfair labor practice complaint.²⁴⁰

While the department went back and forth with the union representatives over the past year and a half, the union members staged multiple in-person protests at DOL offices demanding the right to stay home.

While one group picketed at a DOL field office in Boston, Massachusetts,²⁴¹ more than 30 other union members showed up to stage an in-person protest outside DOL’s headquarters building in Washington, D.C.²⁴² The expansive building is capable of accommodating nearly 5,000 employees, yet fewer than 500 are showing up for work there on a daily basis.²⁴³ Taxpayers are being charged **more than \$182,000 per employee a year** to cover operating and maintenance expenses at the mostly empty DOL headquarters, according to the Public Buildings Reform Board.²⁴⁴



Department of Labor employees show up at the office to protest the right to stay home.²⁵⁸

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Other agencies are simply giving into the demands to avoid similar standoffs.

The Defense Health Agency (DHA) signed an agreement with its union representing 38,000 employees essentially permitting full-time “situational telework.” Employees may “determine their own schedule within the limits set” and “all eligible employees may request a telework arrangement and requests will not be unreasonably denied.”²⁴⁵ The national union president says this “ensures basic union rights and protections for all DHA employees.”²⁴⁶

While the agreement directs the agency to verify the official duty station of an employee, there is no requirement for employees to confirm the location from where they are teleworking, or by what means the agency is supposed to verify what the employee says.²⁴⁷ This omission compromises the agency’s ability to detect and prevent locality pay fraud, which we know is a problem occurring in other government departments and offices.²⁴⁸

After negotiating for more than two years, the EPA gave in to union demands.²⁴⁹ A new collective bargaining agreement allows more than 8,000 EPA employees—a plurality of its workforce²⁵⁰ — to show up at work just **one day a week**. These terms could last until 2028.²⁵¹

Employees who rarely come to the office are even filing grievances demanding their own dedicated workspace so they don’t have to share when they do decide to grace the place with their presence.²⁵²

One dispute relates to the number of days a Department of Energy (DOE) employee would have to be physically present in the office to guarantee their own office.²⁵³ It’s a particularly interesting squabble, since as few as eight employees are being counted as present on an average day at DOE headquarters.²⁵⁴ Why settle for just an office when you could claim an entire floor of the building as your own!

DOE calculates each dedicated workspace costs \$100 per day, or about \$25,000 per year, to maintain. The union’s demands would require two to three times more total office seats than the department’s plan, costing an extra \$25,000 to \$50,000 per year per seat despite lower total office usage.²⁵⁵

Regardless of these costs, the FLRA sides with the unions demands.²⁵⁶

In a separate case, the FLRA sided again with unions, nullifying the Federal Election Commission’s plan for shared workspace for employees who spent 40 percent or less of their time in the office.²⁵⁷

Government employee unions are using every possible means to delay and prevent government agencies from bringing employees back to the office on a more regular basis. And government boards are siding with the unions. Rather than litigating over whether employees should be in the office 10, 20, or 40 percent of the time, it’s easier for agencies to roll over and acquiesce to unions’ demands.

Perhaps they need reminding public service is about just that—public service. Each of us who work for the taxpayers ultimately must be accountable and transparent. The demands of the government employee unions are intended to do just the opposite.

If members of government employee unions can show up to the office to protest for themselves, they can show up to the office to work for taxpayers.



Making Telework Work for Taxpayers

A highly talented, effective, and dedicated government workforce providing the level of public service taxpayers deserve is essential to restore Americans' confidence in Washington.

Many public sector jobs are stressful and demanding.

Telework offers opportunities to increase employee satisfaction, retain talent, reduce taxpayer costs, and relocate much of the bureaucracy outside of the Washington Beltway permanently.

But telework must work for taxpayers, not just bureaucrats. The success of flexible work arrangements requires transparency, real-time productivity assessments, and accountability for those not meeting expectations.

It is not fair when slackers are allowed to tarnish the reputations of the hardworking public servants who are showing up and answering the call of duty. It is also not fair for taxpayers to be left on hold by bureaucrats who are phoning it in from bubble baths.

The dramatic decline in office attendance also demands downsizing government space. Wasting billions of dollars heating, cooling, and maintaining largely empty buildings is unconscionable when our national debt is nearing \$36 trillion.

Based upon two years of investigations and ongoing oversight, I recommend the following actions be taken immediately to begin meeting these goals:

1. Relocate Washington's Workforce Across the Country

Bureaucrats do not want to be stuck in offices in Washington, D.C.

Traveling to the nation's capital to meet face-to-face with regulators to discuss federal programs or red tape isn't convenient for most Americans.

There's a simple arrangement to make it work for both: move those making the rules closer to those who live under them. This will provide greater real-world perspective for government agencies while improving opportunities for input from the people expected to comply with red tape and regulations.

- More than 29,000 federal employees are relocated each year. Most government managers say the reassignments achieve cost savings and are effective for skills development.²⁵⁹
- Congress should pass:
 - The *Strategic Withdrawal of Agencies for Meaningful Placement (SWAMP) Act* relocating the headquarters of non-security-related government departments and agencies outside Washington to areas with existing expertise for carrying out the mission and goals of each.

- The *Decentralizing and Reorganizing Agency Infrastructure Nation-wide To Harness Efficient Services, Workforce Administration, and Management Practices (DRAIN THE SWAMP) Act* relocating at least 30 percent of the employees from the Washington, D.C. headquarters of non-security-related government departments and agencies to field offices in communities across the country.
- The White House and executive branch agencies could also relocate some staff without a congressional directive to do so.

2. Sell Off Unnecessary and Unused Office Space

Congress set a goal for all agencies to achieve a 60 percent daily occupancy at their headquarters.²⁶⁰ Not a single one is even at half capacity. There are thousands of other government buildings around the country sitting totally vacant and unused. Much of this is leased space.

There is a simple answer: Use it or lose it!

- The General Services Administration should auction off vacant, unneeded, and underutilized buildings and property without unnecessary strings and conditions.
- Agencies should immediately cancel or allow to expire the \$15 million worth of underutilized leased office space and property.
- If departments and agencies are not utilizing at least 60 percent of their office space, coworking arrangements should be made for consolidating and sharing space with other agencies.
- Congress should pass:
 - The bipartisan *Federal Assets Sale and Transfer Act (FASTA) Reform Act* extending the Public Buildings Reform Board's mission identifying unused properties for the government to sell.
 - The *Utilizing Space Efficiently and Improving Technologies (USE IT) Act* requiring the reduction and consolidation of unused space to ensure all buildings achieve a utilization rate of 60 percent or more.
- The Government Accountability Office should examine the administrative office space of courthouses across the country to identify opportunities for reducing space and saving money. The judiciary occupies more than 500 buildings covering over 61 million square feet, costing taxpayers over \$500 million annually to operate and maintain.

3. Performance Must Determine Whether Employees May Telework

Many federal employees say working from home improves both productivity and job satisfaction as a result of fewer distractions, less time wasted commuting, and greater work/life balance.

But taxpayers are frustrated when they can't get ahold of AWOL employees or when they're left waiting for service backlogs.

If, whether, and how often each employee is allowed to telework must be determined by that employee's individual performance. Effective management means ending blanket teleworking determinations made without regard for the quality of each employee's work.

Are there excessive backlogs and delays? Are goals and deadlines being met? Are employees putting in the hours they are being paid? Are teleworkers coming to the office as frequently as required?

You can't measure something you aren't tracking.

Taxpayers and federal employees must be aware of the government's telework policies and how they are affecting the delivery of services and accomplishing agencies' missions. Likewise, heads of agencies and managers need to know when, and if, employees are showing up to work or working when they do show up.

The vast majority of private sector employers use some form of digital tracking—be it keystroke, network traffic, or email volume—to ensure employees are on the job.²⁶¹ While knowing employees are working the hours they are being paid for, the true measure should be performance and outcomes. The U.S. Office of Personnel Management (OPM) recently directed agencies to collect, analyze, and summarize remote work data to “demonstrate links between remote work and productivity and outcomes, including employee engagement,”²⁶² however, there is much more the federal government must be doing to measure telework.

- Agencies should track logins from computers and swipe-ins at offices. This information should be used to track building utilization, ensure teleworkers are complying with employment agreements, and verify employees are receiving the appropriate locality pay.
- Congress should pass:
 - The *Stopping Home Office Work's Unproductive Problems (SHOW UP) Act* reinstating the telework policies in place prior to the COVID-19 pandemic and requiring a substantial positive effect on the agency's mission and operational costs be demonstrated before teleworking can be expanded.
 - The bipartisan *Telework Transparency Act*²⁶³ establishing clear standardized data collection requirements and metrics to grade agencies' performance. The bill also requires an annual report detailing how telework policies are impacting taxpayers' experiences interacting with agencies, backlogs and wait times, and the disposal of unneeded and underutilized property. Agencies would be measured on building utilization, telework oversight, and quality control and the steps being taken to improve performance for all three metrics.
 - The *Requiring Effective Management and Oversight of Teleworking Employees (REMOTE) Act* measuring the impact of teleworking policies on productivity by requiring agencies to compare employees' work product done in-person and while teleworking.
- The inspectors general who haven't yet conducted the reviews of telework policies I requested in 2023 should do so.

4. Stop Paycheck Padding

Some bureaucrats are padding their paychecks by claiming official worksites in areas with higher pay rates while actually living elsewhere. My audits are finding as many as 23 to 68 percent of teleworking employees for some agencies are boosting their salaries by receiving incorrect locality pay.²⁶⁴

Digital records can identify the locations from where an employee is logging onto a computer or swiping an access card to enter a building, which should make it relatively easy to determine the primary location of any employee. Every federal employee's official worksite should be accurate at all times, with no exceptions.

- OPM must update and clarify the definition for "official worksite" to determine pay based on where employees spend most of their time working rather than the location of an office they may only visit a few times a pay period.
- Agencies should track logins from computers and swipe-ins at offices. This information should be used to verify employees are receiving the appropriate locality pay.
- Overpayments made in error should be recouped through salary offsets, in which a certain amount is deducted from future paychecks until paid off in full. The Department of Justice should prosecute fraudulent overpayments and pursue restitution by making those found guilty return the stolen money to taxpayers. Retirement from federal service should not be a get-out-of-jail-free card.
- OPM must update the regulations currently allowing attendance requirements to be waived for determining locality pay to set reasonable limits on what circumstances warrant an attendance waiver.
- The two bills previously mentioned provide additional tools to stop paycheck padding. The bipartisan *Telework Transparency Act* requires independent annual reviews of agencies' efforts to verify teleworking employees are receiving the correct locality pay. The *Requiring Effective Management and Oversight of Teleworking Employees (REMOTE) Act* tracks the location from where employees are working, providing the information necessary to make these determinations.
- The inspectors general who haven't yet conducted the reviews of locality pay abuses I requested in 2023 should do so.

5. Know And Show Where Workers Are

The tone of every organization is set from the top. The public, the employees of an agency, and especially the president of the United States should know where the head of every department is and what they are doing.

The same is true for the government workforce. Hourly workers have been clocking in and punching out of work for over 100 years.²⁶⁵ Federal employees generally don't clock in, but many government buildings and offices are equipped with swipe card access systems. Swiping in and out with a badge allows entry and exit, but also creates an entry log of who is present and when.

Just five percent of the pre-pandemic federal workforce swiped in to a government-leased office in the Washington, D.C. area on an average workday, according to data from the General Services Administration (GSA) analyzed by the real estate firm Cushman & Wakefield.²⁶⁶ Swipe-ins provide valuable information for understanding how many people are walking through the doors. This can help determine the correct amount of office space an agency requires for its workforce and provide a tool to ensure employees are fulfilling in-office requirements of teleworking agreements and receiving proper locality pay. Swipe-in data collection also allows agencies to hold accountable employees who are failing to meet in-office work requirements.

And there is no excuse for redacting the work locations of over 281,000 rank-and-file federal employees.²⁶⁷

- Every Cabinet secretary and agency head should post their daily schedule online.
- All federal employees and contractors working out of federally owned or leased space should be required to swipe in and out of the office.
- The official work locations, titles, and job descriptions of all non-security-related federal employees should be made available on an annual basis.

Five Questions for the Incoming Cabinet

As part of the confirmation process for the next administration in 2025, all nominees selected to head departments and agencies must answer the following five questions:

1. Will you share your daily schedule with the public?
2. How will you achieve the 60 percent utilization goal for your headquarters building set by Congress?
3. How frequently will you require each employee of the agency, including those covered by collective bargaining agreements, to show up to work and what disciplinary measures are appropriate for those who do not meet your requirement?
4. Will you disclose the locations, titles, and job descriptions of all of your agency's non-security-related employees?
5. Will you provide no less than every six months a summary of the backlogs on services provided by your agency as well as the waiting times for phone calls and number of unanswered calls to the agency?

Five Bills Congress Must Pass

Congress must pass the following five bills to make telework transparent and accountable:

1. The Telework Transparency Act
2. FASTA Reform Act
3. The SHOW UP Act
4. SWAMP Act/REMOTE Act
5. USE IT Act



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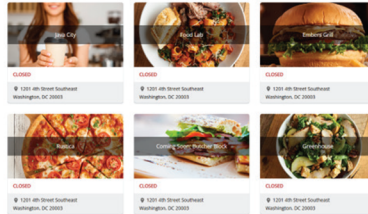
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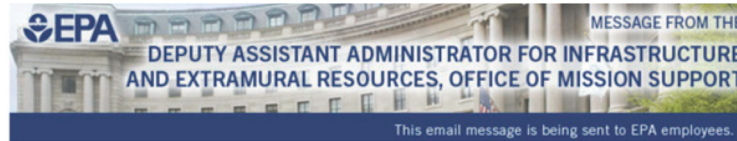
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EPA Headquarters Colleagues,

Our use of and need for space in the workplace have evolved considerably over the past few years. With the expansion of remote work and telework since the pandemic, our demands on our physical workplace have changed. To accommodate the change, the agency has made considerable investments in IT tools and facility modifications to support a hybrid workforce that fosters a collaborative office work environment.

Just as we needed to rethink the tools and space layouts necessary to work in a hybrid environment, with fewer employees regularly coming into the office, we need to reconsider the agency's physical footprint, especially as lease costs continue to escalate. EPA's headquarters space in the Federal Triangle costs over \$90 million annually. That accounts for 40% of our facilities' lease costs; however, with many staff on remote and telework schedules, much of our space is unoccupied from week to week.

In the final Fiscal Year 2024 budget, Congress requires agencies to report federal facilities that are not achieving a 60% occupancy threshold. In the current 118th Congress, bipartisan bills in the House and Senate would enforce that threshold. To meet a 60% occupancy rate, EPA would have to release multiple buildings in the Federal Triangle. Whatever the appropriate threshold is for our space use, as good stewards of taxpayer dollars, we cannot continue operating with so much of our space underused. By freeing up some space, EPA can invest rent savings into facility modifications and improvements to strengthen a collaborative in-office setting essential for the hybrid work environment.

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Sent: Friday, August 30, 2024 10:01 AM
 To: All HQ Field Offices - All HQ Tech - nonfeds@gsa.gov
 Subject: FYSA – GSA Water Testing Results for WJC North and South Buildings



The General Services Administration has been conducting baseline drinking-water quality tests at approximately 1,400 federally owned facilities and approximately 6,000 leased spaces, covering all federal tenants, including EPA. On Monday, Aug. 26, the GSA shared preliminary findings from an Aug. 7 routine water test of the William Jefferson Clinton North and South buildings. The test results indicated the presence of Legionella in the following locations:

- Fountain by Men's Restroom 7137
- Fountain by Office 1311
- Fountain by Office 1105
- Pantry Sink 2321
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- Expansion Tank B200

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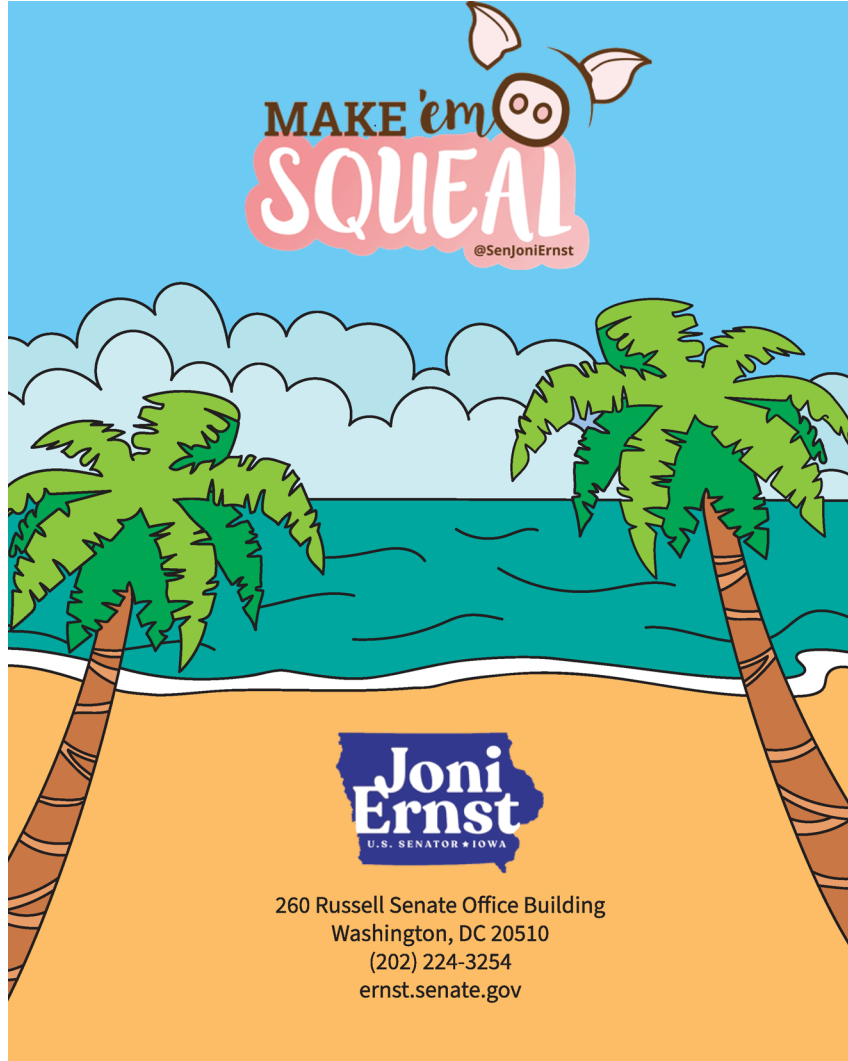
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January 14, 2025

The Honorable Rand Paul
Chair, U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Gary Peters
Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs

Dear Chairman Paul and Ranking Member Peters,

GLAAD, the world's largest LGBTQ media advocacy organization, is reaching out to urge you to ask Russell Vought, nominee for Director of the Office of Management and Budget (OMB), about his views and policy positions that affect LGBTQ people during his confirmation hearing.

The safety and rights of LGBTQ people depend on leaders who will protect the rights of all people. GLAAD has documented Vought's LGBTQ record, [here](#), including his role as a key [architect](#) of [Project 2025](#), a conservative policy initiative that includes proposals to roll back protections for LGBTQ people.

The OMB plays a significant role in shaping federal budget priorities and policies that impact marginalized communities, including LGBTQ people. Here are some suggested questions for Russell Vought:

LGBTQ Rights in Federal Policy

Your role at OMB will involve overseeing budget allocations that can significantly impact the lives of LGBTQ people across the country, including funding for health services, support for housing initiatives and educational programs, research and data collection, and reviewing eligibility standards for federal programs to make them more inclusive of LGBTQ families. Project 2025 proposes dismantling protections against discrimination based on sexual orientation and gender identity in various spheres, including employment and healthcare.

- **Question:** How do you plan to address potential discrimination against LGBTQ employees within federal agencies as Director of OMB?
- **Question:** What steps would you take to ensure that federal budget priorities do not discriminate against LGBTQ people in terms of access to essential services and programs?
- **Question:** How would you work to promote inclusivity within federal budget processes, particularly regarding funding for organizations that support LGBTQ rights?
- **Question:** How will you advocate for the continued collection of data related to LGBTQ issues within federal agencies to inform equitable policy-making, especially considering the recommendations from Project 2025?

Impact of Project 2025 on LGBTQ Policies

Project 2025 outlines a range of policies that could severely undermine protections for LGBTQ people, including efforts to erase terms including "sexual orientation" and "gender identity" from federal regulations.

- **Question:** How would you reconcile your role in overseeing budget allocations with the implications of Project 2025 for LGBTQ people, particularly regarding funding for programs that support LGBTQ rights and protections?

Access to Essential Services

Research indicates that LGBTQ people often face barriers in accessing essential services due to discriminatory policies in access in areas including healthcare and public assistance programs.

- **Question:** What initiatives would you implement to ensure that LGBTQ people have equitable access to federally funded programs and services?
- **Question:** How would you address any existing biases within federal funding mechanisms that may prevent LGBTQ people from receiving necessary support?

Impact on Mental Health Services

Discrimination and stigma can lead to higher rates of mental health issues among LGBTQ people. Access to reliable funding for mental health services is crucial for these communities.

- **Question:** What measures would you implement to enhance funding for mental health services specifically tailored to meet the needs of LGBTQ people? How will you ensure these services are accessible and effective?

Protection Against Discrimination

As Director of OMB, addressing discrimination against LGBTQ people is essential for fostering an inclusive environment within federal agencies.

- **Question:** What strategies would you propose to combat discrimination against LGBTQ people in federal employment and contracting processes? How will you ensure that complaints are taken seriously and addressed appropriately?

Thank you for considering these questions during this important hearing. The safety and freedom of LGBTQ people depend on your engagement with the nominee and your ability to hold him accountable for his views and proposals.

Sincerely,



Sarah Kate Ellis,
President and CEO