

**NOMINATION OF THE HONORABLE DAN
BISHOP, OF NORTH CAROLINA, TO BE
DEPUTY DIRECTOR OF THE OFFICE
OF MANAGEMENT AND BUDGET**

HEARING
BEFORE THE
COMMITTEE ON THE BUDGET
UNITED STATES SENATE
ONE HUNDRED NINETEENTH CONGRESS
FIRST SESSION

**March 5, 2025—HEARING ON THE NOMINATION OF THE HONORABLE
DAN BISHOP, OF NORTH CAROLINA, TO BE DEPUTY DIRECTOR OF
THE OFFICE OF MANAGEMENT AND BUDGET**

**March 12, 2025—EXECUTIVE BUSINESS MEETING ON THE NOMINA-
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TO BE DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND
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Printed for the use of the Committee on the Budget



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**THE NOMINATION OF THE HONORABLE DAN
BISHOP, OF NORTH CAROLINA, TO BE DEP-
UTY DIRECTOR OF THE OFFICE OF MAN-
AGEMENT AND BUDGET**

WEDNESDAY, MARCH 5, 2025

COMMITTEE ON THE BUDGET,
U.S. SENATE,
Washington, DC.

The hearing was convened, pursuant to notice, at 10:06 a.m., in the Dirksen Senate Office Building, Hon. Lindsey O. Graham, Chairman of the Committee, presiding.

Present: Senators Graham, Johnson, Marshall, Lee, Kennedy, Ricketts, Moreno, R. Scott, Merkley, Murray, Whitehouse, Warner, Kaine, Van Hollen, Luján, and Padilla.

Also present: Republican staff: Nick Myers, Majority Staff Director; Caitlin Wilson, Senior Counsel; Lillian Meadows, Counsel; Walker Truluck, Senior Policy Advisor; Nick Wyatt, Professional Staff Member.

Democratic staff: Ben Ward, Minority Staff Director; Joshua Smith, Budget Policy Director.

Witness: The Honorable Dan Bishop, of North Carolina, to be Deputy Director of the Office of Management and Budget.

OPENING STATEMENT OF CHAIRMAN GRAHAM

Chairman GRAHAM. Good morning, everybody. Told them, you were still clapping over in the Chamber, but thanks for coming. We're going to do the Deputy Director of Office of Management and Budget (OMB). I'm going to make a short opening statement and turn it over to Senator Merkley. Here's my short opening statement. I am for eliminating waste and relooking at the government, but I'll be honest with you. If President's Emergency Plan for AIDS Relief (PEPFAR) is shut down, that's bad. There are 83 girls in Oman from Afghanistan that we're supporting. They're going to run out of money for their support in the middle of March. Nobody, I think, wants to send them back to Afghanistan.

So what we're going to do is we're going to work with the Administration to the point that we can to give the government a good once over, but in the process of eliminating programs that make no sense, making them more efficient, I think it's important we realize there are some things in this world we need to do and find out what's wrong with the system because Rubio gives a waiver and the money still doesn't come and that's not acceptable. Senator Merkley.

OPENING STATEMENT OF SENATOR MERKLEY¹

Senator MERKLEY. Thank you very much, Mr. Chairman, and welcome, Mr. Bishop. And today we're considering your nomination for Deputy Director of OMB and that's a very important post. OMB has been at the center of many consequential decisions in a very short of time. It's cancelled programs, it's suspended grants, it's reorganized departments, it's fired federal employees, and many of these actions are in violation of the law and certainly when it comes to Impoundment, in violation of the Constitution.

The Executive Branch has existing ways to reorganize the federal government and to cut spending. It can work with Congress to pass a new law. The President can reorganize a department by asking Congress to put forward such legislation, but also the President has recession powers. He can send a request to change an existing program that's already been in the law. That was put into the 1974 Act because Congress wanted to give a fast track for a President to ask for changes for the existing law, subject to a simple majority and both sides 45 days, but that recession power has not been used by this Administration.

And the President, of course, can influence the budget to come. We're only months away from the start of the next year and the President has a lot of ability through bringing forward an initial budget, to lobby, in this case, his own party that controls both chambers to implement that vision into law. And if he doesn't like it, he can veto it. He can veto the bill. So he has tremendous power going forward.

But here we are at this moment in a situation where instead of using the legal tools, the President is illegally acting and part of what members of this Committee is interested in is are you going to be party to these illegal actions? Are you going to be a party to violations of the Constitution? Are you going to be a different influence that says, hey, let's use these tools. We're months away from Fiscal Year (FY) 26, starts on October 1st. Let's build this vision for the future. Let's work with the majority in both chambers to make it happen.

I can tell you in my town halls back home—and I do a town hall in every county every year. Most of my counties are very “red” so it's a wide diversity of opinion that's brought to bear. There is extreme concern that the very foundations on which country operates, respect for the law and respect for the Constitution are in deep trouble.

Today I want to find out if you're going to be part of that trouble or are you going to be part of restoring the vision of the foundation of law and the Constitution. There will also be questions today, I'm sure, from members regarding your specific viewpoints. That's normal in a hearing to understand better the talents and qualifications that you bring to the post. Look forward to that conversation.

Chairman GRAHAM. Thank you. So it's my pleasure to introduce the nominee, Dan Bishop, who I've known for a long time. I think you're an excellent choice. You and Mr. Vought will be a good team. He's currently a senior advisor at OMB. He was the North Carolina Attorney General campaign in 2024, so he knows what it's like to

¹Prepared statement of Senator Merkley appears in the appendix on page 39.

campaign throughout a big state. House of Representatives from 2019 to 2025. He was on the Judiciary and Homeland Security Committee and North Carolina State Senate, North Carolina State House, County Commissioner, and went to University of North Carolina (UNC)—nobody's perfect. So I just think you're the right guy at the right time and welcome to the Committee. Senator Budd.

STATEMENT OF SENATOR BUDD

Senator BUDD. Thank you, Chairman. Thank you, Ranking Member. I'm proud to introduce my friend, Dan Bishop, who I've known quite a long time. It's good to see his wife, Jo, here and a lot of other North Carolinians, almost South Carolinians, if you will, Chairman.

So long before I was ever in Congress when Amy Kate and I lived in Charlotte, North Carolina, everyone would tell me if you want to know a great leader, if you want to get to know a great leader, get to know County Commissioner Dan Bishop. So I was in my twenties at that point and I was just getting started in business. I think I was a little too shy or a little too nervous to even give him a call because after all, Mecklenburg was a really big county. So I've got no doubt that Dan will bring the same tenacity of the job at OMB that he's shown throughout his career, both as a litigator in his time serving the people of North Carolina public office and through his role in the U.S. Congress.

So Dan, best of luck and God speed. When I introduced Dan—this has two hearings and when I introduced Dan at the Homeland Security Conference, I ended with y'all be nice. While I say that again, I want to leave the Budget Committee with this. If we're serious about shrinking our national debt and deficit, Dan is the man for the job of Deputy OMB Director. Dan, good luck and thank you.

Chairman GRAHAM. Would you please stand? Raise your right hand. Do you solemnly swear the testimony you're about to give before the Budget Committee is the truth, the whole truth, and nothing but the truth, so help you God?

Hon. BISHOP. I do.

Chairman GRAHAM. Thank you. The floor is yours.

STATEMENT OF THE HONORABLE DAN BISHOP, OF NORTH CAROLINA, TO BE DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET²

Hon. BISHOP. Thank you, Chairman Graham and Ranking Member Merkley, and members of the Committee for this hearing. Thank you also to my dear friend, Ted Budd. I think he was rubbing it in how much younger he is than me, but I want to thank him for his kind words of introduction at both hearings. Our friendship is a great personal privilege for me and the people of North Carolina should know, they do know, that they have a great champion in Ted Budd.

After five years in the House of Representatives where I had the pleasure of working with several of you, I now find myself facing you on the other side of the dais. If I am confirmed, it would be

²Prepared statement of Hon. Bishop appears in the appendix on page 41.

an honor to work with you once again to serve our nation in a new capacity—to implement President Trump’s vision and agenda.

I want to thank my wife, Jo. She’s also my partner in life in every respect, and my son, Jack, who’s working hard at law school today, for their endless strength and support over my entire career, including this nomination process.

Thanks also to my former Congressional office staff who’ve come to show their support at these hearings as my dear friends. And of course, I want to thank Director Vought for his support and for his extraordinary gesture of attending today. I was thrilled to see Director Vought confirmed and I can assure you that he is the man to get management of the federal government back on track.

If confirmed, I look forward to serving as his Deputy. It’s a tremendous honor to be nominated by President Trump to serve as the Deputy Director of the Office of Management and Budget. Unknown by name to many, it impacts every American household through crafting the President’s budget, managing the federal government, reforming regulation, and much more.

It’s a critical part of ensuring that the government reflects the will of our democratically elected President in order to respond to the will of the American people. That’s who government is for, not entrenched Washington interests and the political establishment.

Something I always noticed when I was in Congress when I was out meeting folks in North Carolina is that the American people are way ahead of us in Washington. They know what is going on. They’re smart, resourceful, resilient, and hardworking. They want accountability, transparency, and an end to the waste and the Washington status quo.

They recognized in this past election that our nation was at a crossroads. On the precipice of either renewed greatness or ruin. In that precarious moment, they placed their confidence in President Donald Trump to usher in a new Golden Age for America. I’m here on behalf of that mission and the trust placed in President Trump by the people.

Our children and grandchildren are being crushed. Their futures are being crushed under the massive burden of an out of control federal debt. For too long we’ve been spending money we don’t have on things we don’t need. Our government has been self-absorbed, inefficient, unaccountable, and maladministered. The good news is that we can fix all of those things and if confirmed, I will be laser-focused on doing so at the side of Director Russ Vought and the superb public servants at OMB.

It’s finally time for a government accountable to the people. I fought to deliver that my entire public service career from county commission, as Ted mentioned, to state legislature, to Congress, and it will continue to be my North Star. Whether elected or appointed, we must never forget the right of the people to decide. I know that I will never forget it.

Thank you for considering my nomination. I look forward to your questions.

Chairman GRAHAM. Thank you very much. I’ll start off here. Department of Government Efficiency (DOGE), do you believe that’s a good exercise in terms of trying to find out what makes sense in terms of spending and what doesn’t?

Hon. BISHOP. I think it's an absolutely outstanding effort, Senator. And I think the President's made it clear that's what he wanted to do. Elon Musk's contribution to the effort—it is changing the status quo.

Chairman GRAHAM. I agree. And let me tell you why.

Somebody should've known a long time ago. What percentage of the federal budget is entitlements, plus interest?

Hon. BISHOP. Can't give you the exact percentage. You know, it's—when you get the interest added on, which now exceeds the Defense budget, we're talking, you know, well over 50 percent of the federal budget.

Chairman GRAHAM. Yes, I think it's north of 75 but Ron would know that.

Hon. BISHOP. Right.

Chairman GRAHAM. I think it's like 78.

Hon. BISHOP. Right.

Chairman GRAHAM. The way I've always supposed this. You're never going to get people to work together to reform entitlements until you first go through the budget and get waste and stupid stuff out. Do you agree with that?

Hon. BISHOP. I totally agree, Senator.

Chairman GRAHAM. Well, that's going on and I applaud that. The list things that the President read last night was pretty funny and at the same time obscene what your money's being spent on, right?

Hon. BISHOP. Right.

Chairman GRAHAM. So I applaud all that, but there's some things in the process. In the process of finding out what works and what doesn't, let's don't kill things that are absolutely necessary. The President wants 5 percent of Gross Domestic Product (GDP) on Defense. That's what he says. Does that make sense to you?

Hon. Bishop. Well, Senator, if the President says it—

Chairman GRAHAM. Well, that's what he said. Yeah, I'm not trying to pitch against him. I'd like that too. Let's see if we can get there. He wants to balance the budget. I know I do too. And so about 25 percent of the budget is non-entitlements, non-interest, and let's give a once over. Defense is in that. Eliminating the Department of Education, fine with me, and all that good stuff. But there are 83 girls in Oman that we got out of Afghanistan that we're supporting, that the money ends out in the middle of March.

Do you think it's in our interest to make sure they don't have to go back to Afghanistan?

Hon. BISHOP. Well, Senator, I think I'd have to know the rest of the details. You made reference to it in your opening comments. I'm not familiar with the story you're talking about. Undoubtedly, when you make change, you're going to see some things that are dislocated and they may have to be put back.

Chairman GRAHAM. Well, I want to talk to you about that because that doesn't advance the ball at all. Are you familiar with PEPFAR?

Hon. BISHOP. I am.

Chairman GRAHAM. Do you think it's generally been a good program?

Hon. BISHOP. As a general proposition, absolutely. I've heard some news about PEPFAR in the last couple days and the things

from which PEPFAR money is going that were stunning to me, if true, so I think even that—every program, no matter how valuable ought to be looked at very carefully.

Chairman GRAHAM. 100 percent. Yes, I'm a big fan of PEPFAR. The concept of helping people not pass Acquired Immunodeficiency Syndrome (AIDS) onto unborn children and all that good stuff, but it could be looked at too. Mothers—child AIDS transmission has gone down by like 70 percent in the last 20 years. All that's good stuff, but everything should be looked at, so count me in for that, including the Defense Department.

I hope the DOGE people will give the Defense Department a good once over. Does that make sense to you?

Hon. BISHOP. It does, Senator, very much.

Chairman GRAHAM. Now here's the problem I've got. I support what you're doing, but I've talked to Secretary Rubio a bunch about programs that are now very much in limbo or have actually been shutdown that I don't think most Americans would want that to happen and he's granted waivers. He has waiver authority; are you familiar with that?

Hon. BISHOP. I am, Senator.

Chairman GRAHAM. When he grants a waiver, the money doesn't flow. Do you know what causes that?

Hon. BISHOP. I do not, Mr. Chairman.

Chairman GRAHAM. Well, I don't either. I mean I'm not blaming you. Can we, me and you and Mr. Vought get together and try to figure out—the only way this works—you're not going to get the American people to do what Ronald Reagan and Tip O'Neill did, which is save Social Security by making some commonsense adjustments—until they have confidence you've really cleaned the underbrush of the government out. In the process of doing that, all things are not the same. Does that make sense to you?

Hon. BISHOP. It does.

Chairman GRAHAM. So if you go too far, you're going to lose trust in terms of actually cleaning up the place. So this is a historic moment. What's happening should've happened a long time ago and let's get it right to the point that we can. If we have to adjust because we overshot the runway, do it. If you need to go around—let's get this right. I really do believe you and Mr. Vought are the right two to be able to convey to the Congress and to the President what works and what doesn't.

Most people don't know about this job you two have, but it's one of the most important jobs in town. Good luck.

Hon. BISHOP. Well, thank you, Senator.

Senator MERKLEY. Thank you very, very much, Mr. Chairman.

The key point of conversation has been the Impoundment Control Act and back when Nixon decided to start impounding funds two things happened. One is there were appeals to the courts which eventually made it to the Supreme Court and the Supreme Court reinforced that you know when a separation of powers embodied in our Constitution Congress makes the law. The Executive has to follow the law and that means to spend the money in the way that Congress has laid out.

The second thing is that Congress said, but you know what, we should create a fast track for a President to undo or propose

undoing spending that the President considers inappropriate called a rescission. That rescission power was used in the early years after the 1974 Budget Empower Control Act, but not used much since. And you have a law degree. You practiced law. Correct?

Hon. BISHOP. That's correct.

Senator MERKLEY. You have a fundamental education and an understanding of the U.S. Constitution, do you not?

Hon. BISHOP. I do.

Senator MERKLEY. Do you understand the importance of law being applied as written?

Hon. BISHOP. Certainly.

Senator MERKLEY. And so, how do you feel about this situation in which funds are being impounded currently which the Supreme Court has said is unconstitutional?

Hon. BISHOP. Senator, President Trump ran on Impoundment. I've heard Director Vought in his hearings speak about Impoundment. I've studied the issue, but I am seeking a position—seeking to be confirmed to a position that is not a lawyer position. I won't be making the legal determinations for OMB or for the Administration in terms of the legal positions that it decides to take. I am persuaded, though, that there was history in the United States before the 1974 Impoundment Control Act.

Former Senator Harry Truman, as President of the United States, impounded funds to prevent the funding of a squadron of strategic aircraft. Ulysses S. Grant exercised Impoundment Power. Thomas Jefferson exercised the Impoundment Power, and I think Senator, when you dig in, it's a compelling argument that there is power in the Executive in the nature of Impoundment. Exactly what its contours are I don't know. I won't be deciding those things, but I support the President's plan to use Impoundment to get federal government spending in line.

Senator MERKLEY. Well, sitting behind you is your future boss, who very much advocates that he doesn't care what the Supreme Court decided before because he disagrees and he thinks the President disagrees. He was very honest and upfront about that. But in our system of government, we don't get to decide the constitutional issue and say individually we disagree with the Supreme Court.

Now if the Supreme Court relitigates this and comes to a different conclusion, then there would be the traditional power is granted by the Court and I understand that that's the plan. But at this point every consideration has been that this is illegal and unconstitutional and I'm sorry to hear that with your training in the law you're inclined to simply say, well, President ran on it.

He didn't give a lot of speeches about Impoundment, by the way, and he didn't give a lot of speeches about the plan to cut two trillion dollars from fundamental programs for families to give two trillion dollars to tax giveaways to the richest Americans. He didn't talk about it last night either, but when there's a fundamental question of law and you, as a trained lawyer, say, well, I'll just follow whatever the President says, that concerns me because we need to have people of integrity who are willing to follow the law in key positions like this. Are you going to be a person with integrity to follow the law?

Hon. BISHOP. Senator, you've put words in my mouth that I did not say and you've put words in Director Vought's mouth that he did not say, with respect, and I certainly am a person of integrity, but it is not a question of not following the Supreme Court. For example, you say the Supreme Court has decided the constitutional questions of the Impoundment Control Act. That's just misinformed.

Senator MERKLEY. Oh really? Why don't you inform us all on how—given that they've made that decision.

Hon. BISHOP. Well, they didn't, sir. *Train v. New York* does not consider the Impoundment Control Act and it does not consider the President's power of Impoundment, neither one.

Senator MERKLEY. We'll continue that conversation because others disagree with you. I'm not a lawyer myself, so I will take this under advisement, but that's certainly my understanding from other legal scholars that this has been well adjudicated.

I am concerned also about your flipflopping. You proceeded to say in a letter back in 2021 when you were concerned about whether or not President Biden was proceeding to not execute the law exactly as written. You said this action is an abuse of the Executive Branch's authorities and appears in violation of the Impoundment Control Act of 1974.

Here you are a champion of the Impoundment Control Act back in 2021 and now you're saying you're not so sure. You just want to follow the President and the President doesn't believe that he needs to follow it. I'm a little concerned about that flipflopping. Can you explain why your opinion has changed so dramatically in just a couple years?

Hon. BISHOP. Well, first, it hasn't changed that dramatically. In that instance, what was being discussed was President Biden's three year by then refusal to spend money that the Congress had appropriated for border wall construction. General Services Administration (GSA) had earlier said at an earlier point that his suspending funding for a programmatic review was not in violation of the Impoundment Control Act, by the way. And so, it something that continued almost to the entire Administration at that point in time.

And furthermore, as I said, Senator, I've spent time studying *Train v. New York* that you made reference to. I've spent time studying the history of Impoundment and the presidents who've used it and the circumstances and I'm disinclined to believe that the Congress could fundamentally alter the balance of authority between the Executive and the Congress when they decided to pass a statute in 1974.

Senator MERKLEY. My time is up, but I'll just say you were very firm in attacking President Biden for Impoundment. Now you're very firm in granting license to Impoundment. That seems like a massive flipflop to me.

Chairman GRAHAM. I don't tend to be a legal scholar, but if you look at the case, it really doesn't address the issue of the scope of the Impoundment Act. You're right about that in my view. I think the Court will take that up and it'll probably be good for the country. Senator Johnson.

STATEMENT OF SENATOR JOHNSON

Senator JOHNSON. Thank you, Mr. Chairman.

Mr. Vought and Mr. Bishop, welcome back to the Committee. I look forward to working with you closely in your important role. I didn't want to disappoint anybody, so I thought I'd bring at least one chart.

Hon. BISHOP. You have some famous charts, Senator.

Senator JOHNSON. Again, you realized I've proposed a number of pre-pandemic levels of spending. They've all been prepared the exact same way. I've taken actual total outlays from 1998 under Clinton, 2014 under President Obama, and then 2019 under President Trump. I've exempted Social Security and Medicare. I've used 2025 numbers for those and interest, but all other spending I've increased the total outlays by population growth and inflation.

So these are three options ranging from 5.5 trillion up to 6.5 trillion. It's interesting if President Trump or President Biden projected revenue for 2025 at 5.5 trillion. If we use the Clinton baseline, we'd have a balanced budget, so it's within our grasp if we know how to do it. That's what I want to really talk about.

Yesterday at the Senate lunch for the Republicans I just asked the question. Did anybody, any of our colleagues think that in 2019 we spent too little? Nobody did. Anybody think it wouldn't be a reasonable control to take that spending level increased by population and inflation and put that in as a baseline. Nobody disagreed. Then I pointed out this year we'll spend 7.3 trillion. That baseline is 6.5. It's an almost trillion dollar delta, \$800 billion. So how do you get there?

A couple dozen of us Republican senators meet with Elon Musk last week and what I thought was noteworthy is we're not talking about two or three big items. We're talking about thousands and thousands of contracts. You know a few million dollars, you know, just unbelievably wasteful and abuse of the taxpayer money or the borrowed money that's mortgaging our children's future.

President Trump had some great examples, some embarrassing, some outrageous examples last night. So I handed you a variance sheet, 17 pages, comparing that baseline to project '25 by function and subfunction. I've also got hundreds of pages of 5 to 6,000 line items of every outlay, again, plussed up for population growth and inflation compared to about 2025 within the variance. And that's what I'm trying to get across to my colleagues who've never been in business the way the private sector would do this.

Line by line, you know, asking the manager to come and say we never gave you the permission to increase your budget beyond the number of people we're working with or inflation. Explain yourself and then basically demand reduce spending to that control. How do we do this? Is that the right approach? Because what's happening in the House right now, they're starting at 7.3 trillion. They're looking at a couple of big programs. They're getting attacked, so they're saying we can't cut that, can't cut that, can't cut that as opposed to, start from a baseline that everybody on our side thinks more than reasonable.

I don't think we should be looking at anything over 6.5. I'd be starting at 5.5 and probably plussing up for Defense, but isn't that

the way we need to do this, line-by-line the way the private sector would approach outrageous overspending, Mr. Bishop?

Hon. BISHOP. Well, Senator, I would say a couple things. I've heard you speak of this topic and lay this out in this very persuasive way in a number of different forums, as you know, public ones and private ones. And first, I would say I think the conversation—the point that you are making absolutely should be at the forefront of the discussion at all times and I'm grateful to you for making it so.

I have seen it. I think most Americans would wonder why the massive growth in the federal government spending at COVID, at that event, why would that be completely irreversible? Why would we now be on a permanent track at a higher percentage of GDP as expenditures in federal government than ever in the history of the country? It's untenable and you can look at those numbers and you can see that the debt is already out of control and it's going in the wrong direction so fast it ought to frighten everyone. So your point's well taken.

I would say also that, of course, in my role as Deputy Director I spent a lot of time in Congress articulating my own views, but now I am working on behalf of the President to implement his policies and there are a lot of things that are competing for attention, but I think that one—you make the greatest points of anyone I think in Congress about consistently focusing on this issue and making sure this point is in the conversation. And it certainly has an impact on me. I know it does on Director Vought and we'll continue to look forward to working with you to see how we can bring the logical conclusion to reality.

Senator JOHNSON. So Mr. Chairman, one more point is, you know, on thing—and we have to figure out how do we implement the DOGE exposures. There may be room for Impoundment, but in general, we're going to have to codify that and it is going to be line-by-line. So again, I want to work with you and the Administration to literally go line-by-line and build this thing up as opposed to suffering death by a thousand cuts, starting a grotesquely unreasonable spending level of \$7.3 trillion, so I look forward to working with you.

Hon. BISHOP. I look forward to joining in the endeavor. Thank you, Senator.

Senator JOHNSON. Thank you.

Chairman GRAHAM. Senator Merkley actually had that one right, I thought, do a recession bill. Senator Lee.

STATEMENT OF SENATOR LEE

Senator LEE. Thank you, Mr. Chairman. Mr. Bishop, it's great to see you. I'm so glad that you're willing to stand for this nomination and be considered for confirmation.

Hon. BISHOP. Thank you, Senator.

Senator LEE. As you note, the administrative state has been crushing the American people for some time. This is often perceived as a soft exercise of power, but the way it's experienced by the American people is anything but soft. You know in 2024 alone our administrative agencies promulgated enough regulations that together it produced a combined net economic impact of about \$1.5

trillion. So you add to where the federal regulations promulgated prior to 2024 stood, which estimates vary wildly, but a lot of people have estimated those regulations in effect previous to that time being somewhere in the range of maybe 2.5 to \$3 trillion.

We're now looking at a federal regulatory system that imposes costs that more or less rival that which we spend on federal income tax as an entire country. These are laws made by men and women as well educated, well intended, hardworking, highly trained as they might be, don't work for the American people. They're law-makers who are never elected.

Now my copy of the Constitution in Article 1, Section 1 and in Article 1, Section 7, makes clear you cannot make a federal law unless you follow the formula and the formula goes something like this. You got to pass the bill in the House and you've got to pass it in the Senate. Most of the time it doesn't matter what order, unless you're dealing with a revenue bill, but you've got to pass the same text in both Houses and then present it to the President, who may sign it, veto it, or acquiesce to it.

At the conclusion of that process, the legislative bill has been rung. Then and only then may you make a new federal law or change an existing federal law. But the means by which Congress has since the late 1930s has been deferring, been delegating this lawmaking power. It's completely reversed the equation such that the American people are now subject to this byzantine labyrinth of federal regulations and it brings to fulfillment a warning made by James Madison in Federalist 62, who said, in effect, it'll be of little avail to the American people that their laws may be written by men of their own choosing if those laws be so voluminous, complex, and everchanging that they can't be read and understood. Anticipated from one day to the next as to what the law actually requires. Only it's much worse than James Madison's warning because it's not just that they're everchanging, voluminous, and complex such that you can't know what's happening. They're not even written by men and women of our own choosing.

Now in my view, this calls out for aggressive reforms, including, but not limited to, but definitely including the REINS Act, Regulations from the Executive in Need of Scrutiny. The REINS Act would require essentially what Article 1, Section 7 already compels us to do, which is before you create a new affirmative legal obligation applicable to the public, enforceable on the public at the risk of losing life, liberty, or property for failure to comply that you've got to run these through the legislative formula prescribed by Article 1, Section 7.

Mr. Bishop, I'd like to know your views on the REINS Act and how the White House and Congress can work together on regulatory reform more broadly.

Hon. BISHOP. Thank you, Senator, for the question. Anybody who hasn't had the experience needs to come to sit with you in your office where you see that massive—I guess they call it a bookshelf filled floor to ceiling, floor to top with paper that represents the regulatory output last year and then see what Congress passed as a small stack on top. I'm not sure I've ever seen anything that—in fact, it took me by surprise when I met with you that it well

captures how out of control the regulatory states—you know, massive output of law is and yet those were regulations.

I mean on top of that you've got guidance and unofficial statements that get out on the websites, all of which can be the source of enforcement by those same agencies in which they make the law, they act as the judge and jury also for everybody out in the society. I guess I'd say a couple things, Senator.

President Trump has, you know, his own plans to reform the regulatory state. He's talked about taking 10 regulations down for every 1 that comes along. The Office of Information and Regulatory Affairs, OIRA, at OMB will be at the heart of that effort and I look forward to participating very much in that. As a member of Congress, I was very much in support of the REINS Act. In fact, we tried to do something similar in North Carolina. We did have a great regulatory reform agenda that was very successful in North Carolina, so I know it can be done. I think REINS has great merit, but of course what the President's priorities are where I'll focus as Deputy Director of OMB.

Senator LEE. I appreciate that, Mr. Bishop, and I see my time's expired. I'll add here just that I too cheered last night when President Trump talked about 1 in/10 out.

That's fantastic. That buys us food for a day or at least four years.

In order to have a sustainable supply of liberty, we need legislative reform, permanent structural reform. And in my view, the best way to make that happen, maybe the only way to make it happen is to attach to a must-pass vehicle. I think the most fitting pairing would probably be a debt ceiling bill. I believe Congress should not enact legislation suspending or increasing the debt ceiling without attaching the REINS Act and I hope that you and the White House will support that. Thank you, Mr. Chairman.

Hon. BISHOP. Thank you, Senator.

Chairman GRAHAM. Senator Van Hollen.

STATEMENT OF SENATOR VAN HOLLEN

Senator VAN HOLLEN. Thank you, Mr. Chairman.

Mr. Bishop, it's good to see you. As you know, we only get five minutes.

Hon. BISHOP. Yes, of course.

Senator VAN HOLLEN. Try to keep your answers short.

I'm just going to ask some direct questions.

Hon. BISHOP. All right.

Senator VAN HOLLEN. The first one is do you commit, if you're confirmed for this position, to comply with any court orders directed toward the jurisdiction of the Office of Management and Budget?

Hon. BISHOP. Yes, Senator.

Senator VAN HOLLEN. Good. So now let me talk briefly about what Senator Merkley discussed, which is the Impoundment Control Act. I think he referenced the letter you earlier signed at Government Accountability Office (GAO) asking whether or not the Biden Administration had violated the Impoundment Control Act. You remember that letter, right?

Hon. BISHOP. I do.

Senator VAN HOLLEN. And at that time you agreed that the Impoundment Control Act was good law, am I right about that?

Hon. BISHOP. Well, Senator, my views were more informed now than they were then, but I didn't draft the letter either, but I signed a letter to that effect.

Senator VAN HOLLEN. That's right. And obviously, the assumption behind that letter at that time you believed that was good law.

Hon. BISHOP. It was a lay opinion, Senator. That's right.

Senator VAN HOLLEN. So you've changed your opinion since then, is that right?

Hon. BISHOP. Well, I've studied it more.

Senator VAN HOLLEN. It is the law of the land. I mean you signed that letter to GAO making that clear. Do you agree that until it's overturned by a court that you will comply with the Impoundment Control Act, if confirmed?

Hon. BISHOP. Well, Senator, the determinations about how the Administration will proceed and the legal strategy or the determinations are being made by others than me. I'm not a lawyer. I'm not going to be—I'm not a lawyer in the Administration or to be a lawyer in the Administration. The General Counsel's Office at OMB makes those determinations. Director Vought will make decisions in light of their determinations.

Senator VAN HOLLEN. Okay. I would suggest, Mr. Bishop, that you were right when you signed that letter a number of years ago. And to the Chairman's comments, I would just point out if you tear up the Impoundment Control Act, you might as well tear up Article 1 and we might as well pack up when it comes to using the power of the purse.

Chairman GRAHAM. If I may, I don't mean—

Senator VAN HOLLEN. As long as it doesn't come of my time.

Chairman GRAHAM. Oh yeah, it will not count against you. Take all the time you need. Biden said the Impoundment Control Act did not require him to build the wall. Do you agree with that?

Senator VAN HOLLEN. I believe the GAO looked at the allegation. (Simultaneous discussion)

Senator VAN HOLLEN. No, no, no, GAO is the body that we entrust to make these determinations.

Chairman GRAHAM. Well, I mean okay, but he said the Impoundment Control Act did not require him to build the wall when Congress told him to do it.

Senator VAN HOLLEN. Well, GAO found that that was not—

Chairman GRAHAM. GAO is not the court here.

Senator VAN HOLLEN. Well, GAO is the body that we, as Congress, have—well, they are.

Chairman GRAHAM. No, they're not. You get two extra minutes.

Senator VAN HOLLEN. Actually, they are if you look at the law. They're the ones that are entrusted in bringing actions to comply with the Impoundment Control Act, is that right, Mr. Bishop?

Hon. BISHOP. No, sir. The GAO is an instrument of Congress, so it might set an opinion that binds Congress, but it's not a court.

Senator VAN HOLLEN. No, no—anyway, that's who we empower to bring cases on behalf of Congress with respect to compliance with the Impoundment Control Act. Let me turn to the issue of the firing of probationary employees. You're familiar with the fact that

a California Federal District Court issued a ruling related to this, right?

Hon. BISHOP. Actually, Senator, there are a lot of stories about a lot things. I don't know if I've got that one crystal clear in my mind, but yes, I'm aware there's—

Senator VAN HOLLEN. So they just issued a ruling that directly relates to this and the Merit System Protection Board also ruled in favor of six representative federal employees who'd been on probationary status, are you familiar with that?

Hon. BISHOP. I heard about that, yes, sir.

Senator VAN HOLLEN. All right. And so it's interesting because just yesterday, I believe, a spokesperson for Office of Personnel Management (OPM) said, "This change was helped to provide clarity in light of a recent court order" and the change was that the Administration conceded that OPM cannot fire people who probationary employees, are you familiar with that?

Hon. BISHOP. No, I'm not actually, Senator.

Senator VAN HOLLEN. So these employees were getting these notices from OPM and some of Elon Musk's folks to informed them that they were being fired. That is not allowable. It has to be done by the agencies and so I see that OPM had to clean that up. They claimed it was because of some public misinformation, but there's no public misinformation when somebody gets a directive from OPM.

You are familiar with the standard, and I think you outline it here in this memo, that it's always been up to agencies whether to take performance-based actions against probationary employees. So you agree that it has to be a performance-based reason to fire somebody who's on probationary status, is that right?

Hon. BISHOP. I'm sorry, Senator. I'm trying to remember what memo you're referring to; is it something that I wrote?

Senator VAN HOLLEN. No, but this is something that came out of OPM that directly relates to the Administration's action.

Hon. BISHOP. Well, I'm not in command of everything that OPM has issued and not even in the same agency obviously.

Senator VAN HOLLEN. Right.

Hon. BISHOP. And I'm just a senior advisor.

Senator VAN HOLLEN. OMB is sort of the cockpit for the entire federal budget, but let me ask you this. Do you know what the standard is for firing somebody who's on probationary status?

Hon. BISHOP. I do not. I certainly don't profess, for example, to be an expert, a legal expert on that subject. A lot of people sort think if you're a lawyer you should know all of the law. I have not been an expert in federal personnel. I'm generally aware of the existence of Title V and so forth.

Senator VAN HOLLEN. Well, the bottom line is courts are finding that these were illegal actions taken by the Musk operation and so I appreciate your answer to my very first question that if confirmed you will agree to comply with court orders. Thank you, Mr. Chairman.

Hon. BISHOP. Yes, Senator. Thank you.

Chairman GRAHAM. You've got a minute if you want it.

Senator VAN HOLLEN. That's all right.

Chairman GRAHAM. Okay.

Senator VAN HOLLEN. I may come back, but thank you, Mr. Chairman.

Chairman GRAHAM. Okay. Senator Kennedy.

STATEMENT OF SENATOR KENNEDY

Senator KENNEDY. Congressman, when moms and dads lie down to sleep at night and can't, one of the things they're worried about is cost of living, high prices; isn't that true?

Hon. BISHOP. Absolutely, certainly true.

Senator KENNEDY. And those high prices were caused by inflation.

Hon. BISHOP. Yes, Senator.

Senator KENNEDY. Am I right?

Hon. BISHOP. That's right.

Senator KENNEDY. And inflation has come down. That's a good thing, right?

Hon. BISHOP. It is a good thing, Senator.

Senator KENNEDY. But that just means when the inflation has gone from 10 percent to 3 percent that prices are rising less quickly. They're still rising, aren't they?

Hon. BISHOP. Yes, Senator.

Senator KENNEDY. That's call disinflation.

Hon. BISHOP. If they fall, that'd be disinflation, yes, sir.

Senator KENNEDY. No, if the rate of inflation comes down, that's disinflation.

Hon. BISHOP. Oh, I beg your pardon. Okay.

Senator KENNEDY. If prices comes down that's deflation.

Hon. BISHOP. Yes.

Senator KENNEDY. Now most Americans they don't read Aristotle every day. They're too busy earning a living. They don't know the difference between deflation and disinflation, but they sure as hell understand that the high prices have remained, don't they?

Hon. BISHOP. Yes, Senator.

Senator KENNEDY. We've got a lot of work to do around here.

Hon. BISHOP. Yes, sir.

Senator KENNEDY. And we need four years to do it and we need a cooperative House and Senate to do it.

Hon. BISHOP. I agree, Senator.

Senator KENNEDY. If we don't get these high prices down, we're not going to have four years. We're going to have a divided Congress. You can write that down and take it home to momma.

Hon. BISHOP. Yes, sir.

Senator KENNEDY. This election was about the economy and people were still worried about these high prices. Now one way to get these high prices down to reduce prices. Reduce prices would be to reduce the amount of federal spending; isn't that true?

Hon. BISHOP. I think so, Senator.

Senator KENNEDY. Because that's how we got here with the massive amount of federal spending that President Biden perfected. So if we can reduce the federal budget, we can reduce prices.

Hon. BISHOP. Yes, Senator.

Senator KENNEDY. That's one thing you and Mr. Vought can do. Number 2, if we deregulate that'll reduce prices, won't it?

Hon. BISHOP. It will, Senator.

Senator KENNEDY. Why is that?

Hon. BISHOP. Because producers of goods and services in the economy face less costs, particularly less costs that waste money because they're not really accomplishing anything. They're just sort of chasing the regulatory wheel.

Senator KENNEDY. Well, hell yeah. Regulations cost the American business community two trillion dollars a year. If we can cut that in half, they can pass and will pass the savings onto the American people.

Hon. BISHOP. Yes, sir.

Senator KENNEDY. Now the third way we can get these high prices down, is it not, is to grow out of them.

Hon. BISHOP. Agreed.

Senator KENNEDY. Stimulate the economy.

Hon. BISHOP. Certainly, the President intends to that, Senator that's right.

Senator KENNEDY. To raise wages.

Hon. BISHOP. Yes, real wage gains.

Senator KENNEDY. So this idea that we have to go into a recession in order to have deflation is not really true, is it?

Hon. BISHOP. Not at all.

Senator KENNEDY. If we cut spending, if we deregulate the economy, if we stimulate the economy in a way that helps real people—small businesses and large businesses, but most real people to increase their wages we can deal with these high prices, can't we?

Hon. BISHOP. That's exactly right.

Senator KENNEDY. Well, that's what I hope you gentlemen will do.

Hon. BISHOP. Well, we'll need the help of Congress.

Senator KENNEDY. I haven't heard enough about deregulation. I mean I know these other issues that we're talking about are important, but that's the surest way.

Hon. BISHOP. I can assure you, Senator—

Senator KENNEDY. In the short term, while we're working on our reconciliation bill, the surest way is to deregulate and reduce the spending.

Hon. BISHOP. I can assure you that is a focus that Director Vought is focused on like a laser and the effort is getting ready to get underway.

Senator KENNEDY. Yes. Now another question quickly. Do you think we ought to be sending government checks to dead people?

Hon. BISHOP. No, Senator, I think that's poor management.

Senator KENNEDY. During the pandemic we sent out \$1.4 billion of checks to dead people, didn't we?

Hon. BISHOP. I don't have the figures, Senator, but I wouldn't be surprised by that, given everything that—

Senator KENNEDY. And they were cashed, weren't they?

Hon. BISHOP. They generally get cashed whether they're dead or not.

Senator KENNEDY. What does that tell you?

Hon. BISHOP. Somebody's alive.

Senator KENNEDY. Yes. Now Senator Carper and I passed a bill. It took us two years to try to stop that. When you die, the state

sends your name to the Social Security Administration. Your name goes on what's called the Death Master File.

Hon. BISHOP. Yes, sir.

Senator KENNEDY. I went to Social Security and I said can I see the list. They said sure. I said who do you share this with. They said nobody. We can't. We don't have statutory authority. I said you don't share it with the Do Not Pay folks at Treasury? They said nope. It's against the law. Well, rather than argue with them, Senator Carper and I passed a bill. But believe it or not, to say Social Security share the dead people list with the rest of government for God's sakes. Put down the bong and share it with them. And believe it or not, we had opposition, so we had to agree to a three-year trial period.

We saved a bunch of money. That three-year trial period is up at the end of 2026. I've got another bill with Gary Peters to extend it to make it permanent. You guys got any problem with that?

Hon. BISHOP. Well, Senator, I cannot speak for the President or for Director Vought.

Senator KENNEDY. Oh, go ahead.

Hon. BISHOP. It's hard for me to imagine who would be opposed.

Senator KENNEDY. Well, you'd be surprised.

Hon. BISHOP. No, sir, I wouldn't be surprised as it turns out, but I still can't imagine who would be opposed.

Senator KENNEDY. Okay. You going to follow the law?

Hon. BISHOP. Absolutely. Absolutely.

Senator KENNEDY. You going to defy court orders?

Hon. BISHOP. No, sir.

Senator KENNEDY. Thank you, Mr. Chairman.

Chairman GRAHAM. Thank you, Senator. Dead people have a very good lobby apparently. So Senator Murray.

STATEMENT OF SENATOR MURRAY

Senator MURRAY. Well, thank you. Thank you very much,

Congressman Bishop. I just want to be really clear upfront. You may not like it, but our Appropriation bills are not optional. They're actually law. You were just asked if you'd follow the law. Appropriation bills are law and I expect you and the entire Administration to allocate funding as Congress intended by law. This is not a theoretical issue. If Congress passes a law that specifies that a hospital in Seattle should receive some amount of federal funding, I expect that hospital to receive every penny.

In this system of government under the American Constitution, Elon Musk, President Trump can't pick winners or losers. They don't get to pick which laws they follow or what hospitals or schools get funded. They can write a budget. They lobby all of us for it. I expect them to do it, but they cannot overrule the entire democratically elected Congress and use the American people's taxpayer dollars as a giant slush fund.

Congressman, at a hearing last week, you refused to say that you'd follow that law no matter what illegal directive you're given. I, as a former preschool teacher, like to keep things simple. Congress legislates. We write the bills, allocate the funding, after the President signs the bills, he faithfully executes. So just let me give you another opportunity to say you will follow the law.

Appropriation bills are passed, will you follow the law and use the funds as directed?

Hon. BISHOP. Senator, thank you for the question. I've said in response to several Senators here today President Trump's run on Impoundment. Director Vought's expressed his view that impoundment is within the power of the President in certain ways.

Senator MURRAY. Wait a minute. There's a law that says that impoundment is illegal. You won't follow that law.

Hon. BISHOP. I'm aware of the Impoundment Control Act, Senator.

Senator MURRAY. Right. You just don't agree with that law?

Hon. BISHOP. I believe that is—I join Director Vought's view that that's not a constitutional law.

Senator MURRAY. You just answered Senator Kennedy that you would follow the law, but you're going to pick out one exception that you won't follow?

Hon. BISHOP. Well, Senator, you know, the Budget Control Act requires a budget process be completed every year. The Senate hasn't done that in decades.

Senator MURRAY. That's not a law. That is a process here, but when we write Appropriations bills.

Hon. BISHOP. It is a law, Senator.

Senator MURRAY. Appropriations bills are laws. Correct?

Hon. BISHOP. They are.

Senator MURRAY. Signed by the President.

Hon. BISHOP. That's correct.

Senator MURRAY. Will you follow those laws or not? Do you have a law you disagree with?

Hon. BISHOP. Senator, we'll certainly follow the law. It's no more complicated than the question—

Senator MURRAY. Yes, I can see you're not going to follow that one. Okay. Perhaps you can help me understand something else. As I understand it, Elon Musk and DOGE are saying they're conducting mass firing to help save taxpayer dollars. Out in the Pacific Northwest we have the Bonneville Power Administration (BPA). It's actually a self-sustaining agency. It provides millions of dollars—power, sorry. Power to millions of people in states like mine in the Pacific Northwest. It's actually funded by ratepayers, not by taxpayers. We don't use a dime of taxpayer money to pay BPA salaries. So do you have any idea why Elon Musk thinks firing people, which he did at the BPA, will reduce federal spending?

Hon. BISHOP. Senator, I am completely unfamiliar with that situation. Be glad to take it back or look into it and be glad to make my number available to you.

Senator MURRAY. I would appreciate that because firing BPA employees saves us zero taxpayer dollars. It is completely funded by the users in the Pacific Northwest.

Hon. BISHOP. Thank you, Senator. As I said, I'd be happy to take that back and look into it.

Senator MURRAY. Okay. I want to talk about Social Security for just a minute. Do you think seniors should be able to talk to a real person? Elder people when they're trying to get ahold of somebody, do you think they should talk to a real person or have the possibility to do that?

Hon. BISHOP. Senator, it might seem like common sense to me, although I will say there's a somewhat—you know, I'm not a spring chicken anymore and a lot of things have moved into a direction other than having a live person available for every telephone call. I really can't speak to it.

Senator MURRAY. Well, can you promise every member here that cutting more than 12 percent of the agencies' workforce will improve customer service?

Hon. BISHOP. I don't know enough about the Social Security Administration's workforce to know that Senator. I think that's one of the issues about where we are today is there are lot of assumptions like that, that turn out not to be true when they're looked at very carefully.

Senator MURRAY. I would just have the premise when you cut 12 percent of the people that there will not be—and, by the way, a number of field offices, there won't be people to answer people's calls or have them come in and understand really challenging situations when a spouse dies or the other many things that they deal with. So we'll leave that at that.

I just want to ask you one last question for the record.

Do you believe the 2020 election was rigged?

Hon. BISHOP. I join the view Director Vought expressed on the point.

Senator MURRAY. I'm sorry?

Hon. BISHOP. I join Director Vought's view of that question. He said it was rigged in his responses and I join that.

Senator MURRAY. And you think it's rigged?

Hon. BISHOP. Yes.

Senator MURRAY. Thank you.

Chairman GRAHAM. Senator Moreno. Scott, I apologize.

STATEMENT OF SENATOR SCOTT

Senator SCOTT. Well, Congressman, I'm glad you're here.

Hon. BISHOP. Thank you.

Senator SCOTT. Good luck with your job.

Hon. BISHOP. Great to be here.

Senator SCOTT. You know I love it when the Democrats talk about following the law. When I was Governor of Florida because I wouldn't expand Medicaid, Barack Obama cut a billion dollars out of my Medicaid program like that. Not one Democrat said that was a problem, not one Democrat. He cut a billion dollars and it was a program that went to hospitals that did more uncompensated care, a billion dollars gone and didn't come back until we got a new president. So congratulations. Why do you want to do this and what're you going to get done in your four years?

Hon. BISHOP. Thank you, Senator. And if I might real quickly to say in response to what you just said, I think there are many such examples. If you think about orders that President Biden issued in the last Administration that were plainly contrary to law. Even after the Supreme Court issued opinions on student debt cancellation, for example, he did more of it. And I want to make clear because I think there is something that needs to be said, which I haven't talked about violating the law. I talked about there may be issues about the Impoundment Control Act and its constitutionality

and what exactly the contours are of the historic power to impound and that's probably going to—President Trump has made clear that's going to be looked at. So that's part of, I think, in answer to the question what I hope to do.

I think what President Trump said last night in a speech—I don't think I've ever seen a better State of the Union address—but he said there's going to be action. The American people are so ready for action and I spent five years in the Congress in the House of Representatives ready for action that I never saw take place. And I don't even know that it's conservative or liberal. It's common sense and it's actual change.

The reason I'm looking forward to this job more than any job I've had in my life is because I know Russ Vought. I know what the President of the United States intends to do in terms of action to see change and I am thrilled, should I be confirmed by the Senate, to be part of it.

Senator SCOTT. Do you think you can balance the budget?

Hon. BISHOP. Absolutely. I'm certain that can be done,

Senator.

Senator SCOTT. Have you done that in your personal life?

Hon. BISHOP. I certainly have.

Senator SCOTT. Gosh, how do you do it?

Hon. BISHOP. It's amazing. My wife is the key to so many things.

Senator SCOTT. Did you like find out what you're going to make and not spend more than that?

Hon. BISHOP. Look for opportunities to save and not pay for some things we paid for at one point in time we find not to be worthwhile.

Senator SCOTT. Do you have a credit card?

Hon. BISHOP. I do.

Senator SCOTT. Do you review it to see if it's proper?

Hon. BISHOP. The way the review works in our household is that if something's on it that's not supposed to be there, I hear about it from the boss.

Senator SCOTT. And have you ever like changed your telephone plan to get a better deal?

Hon. BISHOP. And that's a constant source of discussion internally. I've got the cheapest plan you can imagine,

Senator. I'd be glad to tell you about it.

Senator SCOTT. Yes. So we've seen a 2 percent increase in population five years and a 53 percent increase in federal spending. How on God's green earth can we live within this?

Hon. BISHOP. Every American who had an opportunity to focus on that number would say that's absurd.

Senator SCOTT. Yes. So my colleague from Ohio and others here we just went through campaigns. I went through my reelection and I tell people when they come up here because everybody's in my office now asking for money. And here's what I tell them. I said, you know what, I'd say, I don't know, I'd say a thousand events in the last year, nobody, not one person in my state asked me about that program, but you know what they did ask me about? Why isn't the border secure and why's the cost of living going up? That's all they're asking about. I mean the whole campaign that's they—I was at a Jimmy Johns restaurant the other day and the lady was

just saying, look, I moved to Florida because you're the governor. I could get a job but she said the cost of living is just skyrocketed. The groceries are out of whack.

So what are some of the things you think that you can get done—and by the way, do you think we get inflation under control if we don't balance the budget?

Hon. BISHOP. No, sir, I don't think so. And whether we have to actually get the balance to get it under control, I think you could get inflation under control probably short of that target, but it still needs to be done to be sustainable over the long term. But I think the plain thing is that President Trump has made it clear over and over. In his State of the Union last night, he made it clear how relentlessly he is focused on that.

He's laid out strategies that are plausible in terms of, for example, unleashing American energy production, lowering the cost of energy. You're not only going to reduce the cost of every time somebody makes an energy-related transaction, but energy goes into everything that is done in the goods and services across the economy. That's a businessman's judgment. If I can say that to you and Senator Moreno next to you thinking about this, Senator Johnson, Senator Ricketts, and I think that's so refreshing to the American people to hear, but those are the things that are affecting their lives. What prevents them from getting to the end of the month successfully and so I think that's right, Senator.

Senator SCOTT. When I was in business, I read the lines of my budget, right? I had 342 hospitals—went through the budgets. Surgeons went through the budget. Every manufacturing companies went through the budget. When I was governor of Florida 4,000 lines of the budget, I went through every line every year. They had a written purpose. Do you think we ought to do that with the federal government?

Hon. BISHOP. I think there's no substitute for it. It requires sort of a preparedness to confront a tedium and work through it because it has to be done.

Senator SCOTT. And if we can't find a purpose or didn't do it, should we just keep doing it because we did it before?

Hon. BISHOP. That one doesn't sell for me, Senator, ever. I think we ought to consider everything anew every time.

Senator SCOTT. Thank you, Mr. Chairman. Thank you, sir.

Chairman GRAHAM. Senator Warner.

STATEMENT OF SENATOR WARNER

Senator WARNER. Well, thank you, Mr. Chairman.

Mr. Bishop, it's good to see you. We don't know each other. I have a dramatically different view of the President's discussion last night. I've never heard frankly one that was less bipartisan and less willing to acknowledge ought to be in this together. And actually, Senator Scott—and I'll match my business credentials against anybody. I balanced a budget. I've met a work payroll. I was governor of Virginia and got named best managed state and best state for business. And as a matter of fact, we even did it in a way where we also got named—Senator Kaine and I were colleagues and he was governor afterwards. We got best state in the country for its

public education. And we realized you couldn't just balance the budget on one side of the ledger.

And again, I've only got five minutes but I am flabbergasted by some of your comments. The last time I had a hearing here we had Russell Vought in this chair and your willingness to be obsequious to him which I inferred from some of your comments, frankly, scares the hell out of me.

Mr. Vought, one thing he's been remarkable in 40 some odd days is terrorize the federal workforce. I know you're a lawyer. I was actually a business guy, so I read a balance sheet. But by terrorizing your workforce you don't get better production. As a matter of fact, you destroy production and the haphazardness of the DOGE boys firing people without warning, not letting them come back, then realized, oops, we screwed up. I think it's kind of the absolutely opposite of any kind of solid business credentials.

Now I will acknowledge some consistency on voting against every federal funding bill under the Biden Administration, but now you're going to be charged with helping to fund the Trump Administration. I don't know whether you're going to vote against or encourage your congressional colleagues to vote against everything put forward. You also flipfopped on the basic notion of whether a nation should default on its debt. I mean, again, I know you're a lawyer, I was a business guy, but if we default on our nation's debt that is not something the markets are going to be willing to reverse on right away.

And kind of to add insult to injury, yes, you accused Biden of illegally withholding federal funds. The Trump Administration is doing this at an unprecedented level, yes, your peers are willing to go in and simply support those policies. I don't get it. I know you're from our neighboring state in North Carolina, maybe you've not heard the economic disruption that's being caused. I frankly don't even know whether the Trump Administration is going honor its commitment under disaster relief. Lord knows you guys and we in Virginia got hard hit. But I guess in my last two minutes, I want to talk about Social Security.

So we had a 1.6 million Virginians on Social Security benefits. Now Mr. Musk, who appears to me to be the actual czar of the budget and management or lack thereof, has called Social Security the biggest Ponzi scheme of all time. Now I know President Trump says he's not going to touch it, but I have no confidence that, so I've got a couple, if you don't mind, sir, yes/no questions.

Are you aware that the Social Security Administration has currently as fewer staff at this time than any point in the last 50 years?

Hon. BISHOP. No, I don't know that, Senator. I'm not familiar with the staffing at the Social Security Administration.

Senator WARNER. All right. Thank you. Are you aware that Social Security and DOGE, and I believe your new boss, Mr. Vought, plans to actually fire half of that existing staff, are you aware of that?

Hon. BISHOP. I am not aware of a specific plan Senator Warner. Okay. Thank you. And you said you and your wife manage your budget and I appreciate that. Have you ever made a call to a Social

Security representative and ever been put on hold or waited a long time to get an answer?

Hon. BISHOP. Have I done that?

Senator WARNER. Yes, sir.

Hon. BISHOP. No, in fact, I've had some interactions with Social Security Administration and I did not have that experience.

Senator WARNER. Okay, so you never had any constituents that complained that they got put on hold. You be a remarkable district because I——

Hon. BISHOP. I didn't say that.

Senator WARNER. All right, sir. Do you actually think that Social Security seniors who rely on those funds ought to get them on time?

Hon. BISHOP. Absolutely.

Senator WARNER. Okay, so if we're going to have the lowest staffing levels in 50 years, your plan is to cut half that staff additionally. I don't know how that's going to get done. And my time has run out, Mr. Chairman, but I would just say I even get to the questions around concerns when I was Chairman of the Intelligence Committee, now Vice Chairman, the damage that's being done to our Intelligence and national security issues, so Mr. Bishop, I want to try to give all nominees a fair shot. I voted for many of Mr. Trump's initial nominees but your alignment with Mr. Vought and some of these Musk principles really concerns me greatly, sir. So thank you, Mr. Chairman. I look forward to hearing the rest of his answers.

STATEMENT OF SENATOR RICKETTS

Senator RICKETTS. Great. Well, I am sitting in for Chairman Graham and so I get to go next on questions as well, so I'll pick it up from there, but I want to thank the Ranking Member here and the Chairman for holding this hearing and Mr. Bishop for your willingness to serve in this role for our country.

We had a great discussion when you were in the office last week and when Director Vought came before this Committee, we talked a lot about the consequences of the Biden Administration's flood of federal regulations and the reckless spending and I think you've talked a little bit about that.

Last week I actually joined Elon Musk and a member of my colleagues getting an update about what the DOGE has been doing and one of the things that he talked about was making sure that we were doing what you said a little bit earlier is if we got things we don't need we shouldn't pay for them.

For example, he used the fact that in one of our agencies we have 13,000 employees and 3700 software licenses. The Senator from Virginia just referenced Social Security, but I think Mr. Musk in that meeting said we have 22 million people that are on Social Security that are too old to be alive and I think that's what the President was highlighting last night in his State of the Union address and the fact that we've got 4.6 million credit cards out there but not that many people work for the federal government. All those things leave open the opportunity to be able to find ways to do a better job. And in fact, it's that kind of business approach and

frankly common sense that I think is so refreshing about having Elon Musk and the DOGE there.

One of the things we discussed was Lean Six Sigma, which is what I implemented in the State of Nebraska and it's a process of proven methodology. We discussed about how you could actually have fewer people and do a better job providing services because you leverage better process and better technology.

That's what we did to be able to reduce about—we did about a thousand projects, saved about 900,000 hours of our teammate's time. We cut \$100 million in hard savings that way. And now a part of the DOGE caucus, I'm excited to bring some of those processed improvement ideas to how we run the federal government. The bottom line is this, we need to make sure that we're doing a better job providing services. We're doing a more effective and that we're increasing efficiency and saving taxpayers' dollars to get at that goal that President Trump played out last night of balancing the budget, which is, you pointed out earlier, very, very important that we get to a balanced budget. It's not sustainable what we're continuing to do. When your interest payments are more than what you spend on national defense, you've got a problem. We need to acknowledge that and we need to address it.

Elon Musk in our meeting said he wants to cut a trillion dollars out of the federal budget on a run rate fiscal year 2026. So I look forward to continuing to work with Elon Musk and President Trump and the Senate DOGE caucus and you, Mr. Bishop, to replicate what we did in Nebraska at the federal level.

So Mr. Bishop, are you committed to increasing government efficiency and saving American taxpayer money?

Hon. BISHOP. I certainly am, Senator.

Senator RICKETTS. Great. That was an easy question.

Hon. BISHOP. It was easy.

Senator RICKETTS. All right. Good. Will you commit to work with me on bringing cost improvement methodologies like the one I described with you, the Lean Six Sigma to the federal government so we can improve our services while keeping our cost down?

Hon. BISHOP. Yes, Senator. And in our meeting, I was intrigued by the Lean Six Sigma idea. And one of the things that I could say quickly is that, you know, you hear a lot of Ad Hominem attacks on Elon Musk, but people rarely want to engage with the merit of what he's actually saying, what makes sense. And by the same token, what Lean Six Sigma recognizes is that you're actually empowering employees when you elevate them to make process improvement recommendations and that's exactly what—you know, there's a notion that they're trying to set up an antagonism between Elon Musk and employees, but what Musk has done in his businesses, if you read his biography, is he has shown that by being ready to make significant change, you actually bring out the superlative employment or performance out of people and they actually can improve things beyond that you might expect by just adding numbers and I think it's a similar concept.

Senator RICKETTS. Yes, you're actually right there, Mr. Bishop. At the state of Nebraska, Lean Six Sigma engages frontline people in making their jobs better because they see the waste, the number of steps that we try to cut out. They see that duplication and won-

der why we do it. They don't feel empowered to change it. Lean Six Sigma actually gives them the opportunity to be able to change those processes that not only do a better job providing services, keep our costs down, but actually make their jobs easier as well.

Quickly, as I'm running out time here as well, when Director Vought was here I asked him about his commitment to helping ensure the timely issuance of Renewal Volume Obligations or RVOs. The biofuels industry is very important to Nebraska's farmers. It's our number one industry in the State of Nebraska and of course to the energy industry as well. The 2026 RVOs were obligated to be filed by November 1st, 2024, but will not be filed until December 2025, so a year late.

Timely RVOs are critical, not only because it's the law, because our nation's farmers rely on RVOs to inform planting decisions and of course, as you know, businesses want certainty. So Mr. Bishop, will you make the same commitment to me today to help expedite this process and ensure the timely issuance of RVOs?

Hon. BISHOP. Yes, Senator. Director Vought makes clear that he wants to move processes on time and that's the discipline he brings, and so I can't speak with great specificity to that particular situation, don't have the knowledge of it yet, but certainly look forward to working with you and with Director Vought to accomplish that objective.

Senator RICKETTS. Great. Thank you, Mr. Bishop, and Mr. Padilla.

STATEMENT OF SENATOR PADILLA

Senator PADILLA. Thank you, Mr. Chair.

Colleagues, I know I'm not alone in saying that it's extremely unfortunate where we find ourselves today. President Trump has made clear that the OMB's sole mission, at least as he wishes it under his Administration, is to cut programs, the very programs that so many Americans rely on in order to pay for another massive round of tax cuts for the wealthiest Americans.

In fact, during his address to Congress just last night, he doubled down on DOGE's wildly unpopular agenda of chaos and corruption. Proudly listing the ways he has and will continue to devastate communities. And today we're asked to consider the next nominee preparing to further eliminate funding and jobs from our constituents.

Mr. Bishop, I'd like for you to speak to the Californians that I represent for a minute here. I want them to hear how you'll justify ripping away important services and programs while raising the cost of everything. That's the impact that we're seeing from this Administration. My constituents deserve to know exactly who to thank for these reckless cuts.

You know in the last six weeks it's all of the time that it's taken for President Trump and the Office of Management and Budget to wreak havoc across critical government programs. During your confirmation hearing in the Senate Homeland Security and Government Affairs Committee last week, I heard you insist multiple times that President Trump's firing of civil servants was not indiscriminate; is that correct?

Hon. BISHOP. That's correct and I continue to hold that—

Senator PADILLA. So is it not indiscriminate or was it intentional when President Trump fired scientists fighting the Bird Flu outbreak while the cost of eggs continues to soar.

Hon. BISHOP. We'd have to look at the details of that, Senator. I'm not aware of the specific point you're making.

Senator PADILLA. You're a smart man. You're a smart man. I know you've seen the details. Was it indiscriminate or intentional when President Trump fired military veterans operating the Veterans Crisis Line?

Hon. BISHOP. I'd have to look at the details of that, Senator. I don't—as I said—

Senator PADILLA. Was it not indiscriminate or was it intentional when President Trump fired thousands of seasonal employees at the National Park Service?

Hon. BISHOP. Yes, I do not think that—and the dismissals that have occurred are indiscriminate.

Senator PADILLA. I'm asking these questions because you seem to be applauding Elon Musk's efforts and this DOGE strategy and chaos.

Hon. BISHOP. I certainly am.

Senator PADILLA. So was it not indiscriminate or was it intentional when President Trump fired thousands of nuclear weapons safety and security workers at the National Nuclear Security Administration?

Hon. BISHOP. We'd have to look into the details of that, Senator. I'd be glad to do that.

Senator PADILLA. All this is just to disappoint and to make matters worse in so many areas of these indiscriminate firings. They have had to scramble to hire them back shortly after they realized their colossal error. And I could go on and on with additional examples but let's be clear. This is not a one-time adjustment as Mr. Bishop has characterized it. So here's the actual real question and I'm interested in your response.

What corrective measures has OMB taken to undo and limit indiscriminate firings of federal employees by an unelected bureaucrat?

Hon. BISHOP. I don't think any of the premise of the question is accurate, Senator, but of course, OMB is not the agency within the Executive Office of the President that deals with personnel. That's a different office and moreover, I'm not yet serving as Deputy Director and do not have management responsibility nor am I aware of some of the details that you've made reference to, so I can't speak to the question.

Senator PADILLA. OMB's involvement, Russell Vought's involvement, the Director now, will be evidence to the contrary of direct involvement in those personnel decisions. Maybe let me end with this since I referenced Director Vought. When he was before this Committee, one of the questions I asked is if he stood by his previous statements of a mission, a goal, an agenda to put federal employees into trauma and there's example after example of exactly that happening, given the activity of the last six weeks and especially since Mr. Vought was confirmed. Is that what you're signing up for, to help facilitate that, to help further that, putting federal employees into trauma?

Hon. BISHOP. You know, Senator, with that comment in one of his writings that's been—or one of his speeches that has been taken out of context.

Senator PADILLA. It's pretty clear and direct.

Hon. BISHOP. No, it really—it's been used in a misleading way. What he means is that federal employees—that the American people need federal employees to perform. If federal employees themselves, I'm certain—

Senator PADILLA. How do they perform when they're in trauma or traumatized by their employer?

Hon. BISHOP. Yes, well, I think that the—again, the answer is that federal employees—there must be change in the workplace. Federal employees were making the comment that they see underperformers continuously among their colleagues that they cannot see—the processes will not allow to be removed. Those were federal employees. I've seen the way Russ Vought works with the people at OMB, the career officials there. He has extraordinary respect for their skill but he expects them to perform and they do.

Senator PADILLA. But don't mistake their trauma for respect. Thank you, Mr. Chair.

Chairman GRAHAM. Who's up?

STATEMENT OF SENATOR MORENO

Senator MORENO. Moreno.

Chairman GRAHAM. You're up.

Senator MORENO. We had a little shuffle. Thank you, Mr. Bishop, for agreeing to serve your country again. I think the American people appreciate your willingness to put yourself into the battlefield.

I want to ask you. You've been around—how long have you been around government? I've been around government for eight entire weeks. How about you?

Hon. BISHOP. Senator, a little longer than that but I too think of myself as a private sector career person. I spent 30 years practicing law in a small firm serving people whose lives were on the line, frankly, in commercial matters that, you know, might be their business ownership or something that was—and so—

Senator MORENO. But how long as an elected official?

Hon. BISHOP. So as an elected official, I've been about 10 years.

Senator MORENO. Ten years. So in that time, especially your time here in Congress, have you ever seen an appetite to actually reduce the size and scale of government, like a really meaningful effort to make that happen?

Hon. BISHOP. You know, Senator, it has been a constant presence. I've seen a lot of really great people who've pursued the objective and yet it doesn't ever seem to come to pass. You would have to conclude that there are a lot of people who are not doing that.

Senator MORENO. And when you were in the private sector, did you ever run into organization that didn't fire anybody? Like did you ever run into a company that said, you know, we haven't fired a human being in 50 years or is it more natural that you have to constantly evaluate your workforce and say this group of people just isn't getting the job done. Maybe they didn't have the right training, maybe they were the bad hire, whatever reason, but I've found in my private sector experience that when you do that, when

you reduce and get rid of and eliminate poor performers the whole enterprise rises. Did you find that?

Hon. BISHOP. I think that's exactly right, Senator. And it's never a pleasant task perhaps or one we'd like to avoid, but it's one of the tasks that's necessary in order to perform.

Senator MORENO. And just to clarify some misinformation that's out there online, does Elon Musk personally have the authority to fire anybody in the United States Government?

Hon. BISHOP. That is not my understanding. I will say I'm not involved with the DOGE effort directly yet and in any way, but everything that I've understood about it and followed is that he does not exercise that power. Correct.

Senator MORENO. That's in the job of the people who actually do that.

Hon. BISHOP. That's right.

Senator MORENO. But he could certainly recommend. So for example, like I get a lot of calls from constituents. So if somebody's a person who works for the Veterans Affairs (VA) and their jobs is to greet veterans at the door, make sure that they got the resource they need, we look at it and say that's a good job, right? We should have somebody there greeting the veterans, making certain they know what their needs are. If that person lives five hours away and never shows up to the actual VA, would you think that that's a job that should be eliminated?

Hon. BISHOP. That ought to be looked at pretty seriously.

Senator MORENO. So what if they're a really nice person? What if they're a really nice guy?

Hon. BISHOP. Even then.

Senator MORENO. What are they're a veteran themselves and still live five hours away and never show up for work, should we just keep that person on?

Hon. BISHOP. That's the kind of thing that doesn't make any sense, Senator, and the American people are ready for something to be done about it.

Senator MORENO. And if you have a company, for example, and we're going to get to the bottom of it in Homeland Security and Government Affairs Committee (HSGAC), but if you have companies that have sales reps that call on the government and yet allow something like what's happening at Small Business Administration (SBA) with 37,000 software licenses for 13,000 employees, does that seem normal to you?

Hon. BISHOP. That would never happen in a private business where you're trying to make ends meet, Senator.

Senator MORENO. I mean I would just urge my Democratic colleagues. I plead with them argue with us on things that actually are common sense and reasonable, but to argue the counterpoint that we should absolutely not root out waste, fraud, and abuse and the counterargument would be, oh, we'll all for rooting out waste, fraud, and abuse. I've been here eight weeks. They've been here centuries combined, centuries, like literally centuries combined and it's never been done. So maybe sit this one out and allow this effort to go forward and not defend insanity like what we're seeing.

What the DOGE efforts is being done—I want to say how history's going to judge this moment. You have the world's most suc-

cessful entrepreneur, a guy who has zero reason even to go to work. He could literally point anything on this earth and say I'll take it. I want to take that 500-foot yacht and go sail away. He's sleeping at the Executive Office Building, going through line-by-line of the federal budget and recommending things like that to be cut, 4.7 million credit cards out in the hands of government workers.

I ran a company of 1100 employees, so a minuscule comparison. I had five corporate credit cards and I had anxiety over all five of them.

Hon. BISHOP. Right.

Senator MORENO. How do you defend that? Like why not be on the side where you say this makes sense. Like we got this incredible entrepreneur, a generational talent, the Thomas Edison of our time, and he's willing to serve our country, to help us. The guy who you once loved. I mean the left loved Elon Musk and now they hate him. This is a subject of a Taylor Swift breakup song. I've never seen anything like it. But you know I want healthy competition from the other side. I think we should have a healthy exchange of debate and ideas, but watching them humiliate themselves last night at the State of the Union address was just too much. You can't applaud for a 13-year-old Black kid who has brain cancer? Is this where we're at, Mr. Chairman, were we're sitting here as a body that's supposed to be deliberative body of the world and instead we can't even get them to applaud for a 13-year-old kid. We can't get them to say rooting out waste, fraud, and abuse is a good thing.

I urge my Democratic colleagues don't be like that team that played the University of Miami and got beaten 97 to 0. We need a healthy, vibrant Democrat party to challenge us, but challenge on the things that makes sense and don't put out misinformation like we're going to go out there and randomly cut 50 percent of Medicaid. Those messages on TV affect real people, real people who think, my God, if this happens I don't know what I'm going to do. That's not what we're doing. Attack us when you think we're wrong on real information.

My time is way expired. I used my minute and a half it took me to get to my chair, but thank you, Mr. Bishop for serving. I look forward to you serving with Director Vought and it was great to see him here today and I yield the negative amount to my time back to you, Mr. Chairman.

Chairman GRAHAM. Thank you. Senator Luján.

STATEMENT OF SENATOR LUJÁN

Senator LUJÁN. Thank you, Mr. Chairman. I'm going to accept the challenge of my colleague. I'm going to read you a note, Representative Bishop, from a constituent that was fired.

I am a Federal Bureau of Investigation (FBI) Victims Specialist, a civil servant, a career government employee. I am there when your loved one is killed by an actual shooter, when your child is sexually exploited online, when your family member is kidnapped and held for ransom. When your mother, sister, daughter is the victim of interstate domestic violence or stalking, when the federal agent is injured or killed in the line of duty, when your elderly par-

ent is defrauded of their life savings, when your child is kidnapped by their other parent, when you or someone you love is victimized in so many ways. I am not waste, fraud, and abuse. I am not the enemy. I am not expendable.

For more than 22 years, it has been my greatest honor to be with people in their darkest hour to bring light into the darkness of the cost of my own wellbeing. I do not deserve to be forced out under fear or duress or discarded. For if I am, you and those you love will have to walk in that darkness alone.

She continues, there are so many of us throughout the United States with stories just like this. Examples of how they've responded to crime victims. I agree, let's root out waste, fraud, and abuse but we should both agree that when there's a victim of a sexual crime or someone from across the border that is going to kill someone or do something to them, they don't deserve to be fired. That's the nonsense going on here.

I accept this responsibility but I'll tell you what, I'm not sitting this one out, not on behalf of my constituents. There's a better way for us to do these things. You know, Representative Bishop, you served at a time in the House of Representatives where there was a policy that wasn't in place and it's because Republicans got rid of it but Democrats never put it back in place. I hope this is something we could actually agree on. I know Senator Graham supported this once upon a time as well. He used to talk about this in a way that would convince more people to do it.

Under President Clinton, there was a balanced budget. There was something called PayGo and Congress restrained itself. In the same way that you described balancing your checkbook, if Congress moved a piece of legislation that cost money they had to either cut or they had to create revenue. It led us to balance budgets. I believe Congress needs to bring this policy back in place so everyone can restrain themselves and I think things will be better. I'll let that sit.

As Deputy Secretary of the Office of Management and Budget, Representative, it seems like you'll be working in lock step with Elon Musk and DOGE. I appreciate the conversations that we've had on both sides of the aisle, speaking about what Elon Musk and others are doing here. Now over the weekend, Elon Musk said something. I think it was brought up by one of my colleagues. He said Social Security is the biggest Ponzi scheme of all time. Do you believe that Social Security is a Ponzi scheme?

Hon. BISHOP. It really isn't my place—what I'm doing is sitting to be the Deputy Director of OMB is to implement President Trump's policies. I really am not in a position to comment on every comment that Elon Musk makes but I know that President Trump has said he's not touching Social Security or Medicare. He's going to ensure those benefits and that is the policy that I'm going to be seeking to work with Director Vought to implement.

Senator LUJÁN. President Trump says to do this, but Elon Musk says to do something else. He's not just someone. Elon Musk was described as President Trump last night at the address to the American people as being in charge. There's been a lot of questions over the last eight weeks if he is in charge or not, but Elon Musk is calling the shots right now.

President Trump's going to Daytona, Super Bowl, golfing, doing some good things. I believe in finding balance in your life. I had a stroke three years ago. Thank God I got better. I believe in finding that balance, but I think that the President is able to do those things because the other president is actually calling the shots. So when Elon Musk is passing things down to Director Vought and to others, some of which were actually documented and these ideas came from Director Vought, which are part of Project 2025 and you have someone that's calling the shots firing people across the country, cutting budgets, cutting programs, putting people on the chopping block using a chainsaw as a tool, who says Social Security is a Ponzi scheme. I think that requires us just to take notice. That's all I'm saying.

Your responsibility, sir, as you know is going to be making decisions with Director Vought to the President about these budgets. You said you want to get to a balanced budget. That's going to require cuts. This notion that Medicaid and Medicare are not on the chopping block I would just ask voters—Democrats, Republicans, Independent, (unintelligible). Go look at the votes that were cast in the House of Representatives last week, read the document, go back and read the document that Speaker Paul Ryan put together when he was Speaker of the House, 50-page document that described going after this program.

Go back when Paul Ryan was the Chairman of the Ways and Means Committee and went after that program. Go back and look in 2017 when Republicans were trying to eliminate all aspects of Medicaid, eliminating Affordable Care Act, and it took John McCain coming to the floor, and may he rest in peace, the great hero that he is and said, no, fighting brain cancer.

This is not new. It's not some secret. These are the facts. Go look them up. I invite that and I challenge my colleagues. Let's come up with a factsheet that we get back to a place where Congress once deliberated. Here are the facts. Let's agree and disagree based on the facts that are in front of us. That doesn't exist anymore. We need to get back to those times. So, Representative Bishop, it's good to see you again.

Hon. BISHOP. Thank you, sir.

Senator LUJÁN. We didn't vote the same a lot, but I appreciate you being here and stepping up and I pray for you. I pray for the President because we've got to do better for the American people. And I'll close where I started, I'm not sitting this one out. I'm going to stand up and fight for my constituents. I yield back.

Hon. BISHOP. Thank you, Senator.

Chairman GRAHAM. Thank you. Senator Merkley has a couple of questions and I believe we'll be done.

Senator MERKLEY. Well, thank you so much.

Congressman, when you were in the House of Representatives, you were a fierce opponent of raising the debt ceiling. Are you now planning to encourage the House—the House has put raising the debt ceiling into their plan on the House side by four trillion dollars. Do you now support raising the debt ceiling?

Hon. BISHOP. Well, Senator, the premise was not complete. I was an opponent of raising the debt ceiling without reforms to spending that would change the fiscal path, but the really significant thing

in what I'm acutely aware of, as I sit here as a nominee of the President, is that I'm not being nominated to serve my own views or interests. I'm being nominated to implement the policies that President Trump wishes to have implemented. He certainly has different ideas than me precisely about the debt ceiling and how that should be administered and so forth, but I'm going to be administering—I support and I'm going to be administering President Trump's or implementing President Trump's priorities.

Senator MERKLEY. Let's clear up a couple of points that have come up in this hearing. One is I noted that the Supreme Court had weighed in about the illegality and unconstitutionality of Impoundments. You then noted that the Supreme Court had not ruled on the Impoundment Control Act. Both you and I were both right. That is the summary of *Train v. The State of New York*. The Supreme Court unanimously affirmed that presidents do not have the unilateral power to impound enacted funding.

But the ruling wasn't on the Budget Control Act. It was on the constitutionality of impoundments, impoundments that Nixon had done, so I wanted to clear up that point.

And I've already asked you if you would follow the constitutional ruling of the Court and you made the point, well, they didn't rule on the impoundments, and that's the point I want to emphasize, and they said that they're unconstitutional. So I hope when you go away from here you'll have a moment when you go, hmm, am I going to take an oath to President Trump or Russell Vought or am I going to honor the Constitution because that is the challenge of you as a public servant and in our republic you take an oath to the Constitution, not to an individual.

The second point I want to make is there's been a lot of conversation here about the plan for a balanced budget. Actually, the President's plan as put forward by the House increases the deficits that total up to an additional 2.5 trillion in additional debt on top of what was already forecast. So increasing the deficits and increasing the debt. There was a lot happy talk about a balanced budget, but that is a big lie. The plan is to increase the deficits by 2.5 trillion of our total debt over the 10 years.

The third point I'm concerned about is in your previous testimony before another committee. Ranking Member Peters asked, do you know about any federal grant or loan programs that are frozen and you said, "I am unaware of any funds being frozen." Well, some of the headlines in the news were things like this. Climate Environmental Justice Program stalled by Trump freeze despite court orders and Trump team finds loophole defies spirit of court orders blocking spending freezes.

Trump Administration there's another headline, Associated Press (AP) headline, flaunting an Order temporarily lift a freeze on foreign aid. Another headline, Emergency food, Tuberculosis (TB) test, Human Immunodeficiency Viruses (HIV) drugs, vital health aid remains frozen. Another, Trump Administration stalls scientific research despite court ruling. And yet, you testified you were unaware that any funds had been frozen. Now you took an oath to tell the truth right before this Committee when this hearing started. Are you telling me you never heard of any story about funds being frozen as you testified last week?

Hon. BISHOP. Senator, I first of all deeply resent the assignation that something that I said was not true in the committee to which I testified.

Senator MERKLEY. This is your chance to clear it up right now.

Hon. BISHOP. I'm happy to do that. I certainly am reading the same newspapers that you are. The question was about—as I recall, was about my personal involvement in something in the course of serving as senior advisor at OMB. And as you know, Senator, until I'm confirmed as Deputy Director, it would be inappropriate for me to exercise the authorities of that office and I have not done so. So I have not been involved in any decisions or actions by OMB to manage spending or to cease spending in any way and that's what the testimony was about. And you may count on me always to be truthful.

Senator MERKLEY. This is a great chance to clarify that because I think you maybe didn't answer the question Peters asked because he asked, and I quote, "Do you know of any federal grant and loan funds are still frozen." And you said, "I am unaware of any funds being frozen." Those are direct quotes. I hear you saying that that's not the context in which you meant. That you are aware that funds have been frozen.

Hon. BISHOP. Senator, you said you're a lawyer, I think, so you know—

Senator MERKLEY. I actually said I'm not a lawyer and I'm thankful for it.

Hon. BISHOP. Oh, you're not a lawyer. Then it might escape that if someone's asking me in testimony about something for me to speak I'm speaking about my personal knowledge. I can talk to you all day about things that are in the media and whether—and if you want to know whether I'm aware of something that's in the media, I'm glad to talk about that, but the questions were what about I knew, my personal knowledge.

Senator MERKLEY. All right. I'm going to try to help you help out here, try to give you an opportunity to clear that up since your statement that I am unaware of any funds being frozen, you are clarifying that based on your personal experience and service you were unaware and we'll just accept that for the record. Because I'm glad you are aware of it and I hope that in the context of the challenge of the number of court ruling saying that these actions are illegal and the Trump team has been told you need to reverse what you've done. My colleague mentioned in the context of Agency for International Development (AID) programs that many of them do important work and I don't mean to put words in your mouth, but essentially, I think we've all had a lot of support for some of the programs affecting disease around the world.

Hon. BISHOP. I agree.

Senator MERKLEY. We don't want Ebola coming back here on the airplane and we also see it as a vision of helping people around the world thrive, which gives us a lot of soft power. So several of us on both sides of aisle have been concerned about the difficulty of getting the funds moving again, even after the court said it should be unfrozen. I hope in your work at OMB you will help in whatever part of the Administration where the gears need to turn a little

faster to follow the court orders so that you'll be helpful in doing so.

Hon. BISHOP. I think that's certainly a central function of the job, Senator. I'd be glad for you to have my cell number and to be in touch with anyone from here or around your staff at any time to see to it we can solve problems that have cropped up.

Senator MERKLEY. All right. We're going to take you up on that, I'm sure. You may be blocking my number very soon, but I certainly do feel like we need to advocate for when the court says unfreeze the funds they actually get unfrozen.

Chairman GRAHAM. Senator Whitehouse.

STATEMENT OF SENATOR WHITEHOUSE

Senator WHITEHOUSE. Thank you, Chairman.

Mr. Bishop, have you discussed with anyone at OMB plans for firings or freezes?

Hon. BISHOP. Senator, it would be inappropriate for me to talk about the details of deliberative processes at OMB. I will say to you, Senator, as I've said otherwise, I'm serving as a senior advisor now. I'm not exercising management authority as though confirmed.

Senator WHITEHOUSE. So you have had those discussions and you assert that the content of them is protected by deliberative process.

Hon. BISHOP. I'm not saying that I have had such conversations, Senator. I'm simply saying it would be inappropriate for me to speak to the details of deliberative processes at OMB.

Senator WHITEHOUSE. Well, why would you refrain from giving me the details of the deliberative process if you weren't a part of it? The simple answer then being, no, I have not had those discussions.

Hon. BISHOP. Well, if that were true, that would still be an indication of what processes are at OMB and my role——

Senator WHITEHOUSE. That is actually not true, That's actually not the way the law works. You can assert a privilege as to the substance, but as to whether or not you've been involved in conversations that is not protected by the deliberative process privilege.

Hon. BISHOP. Senator.

Senator WHITEHOUSE. And are you actually asserting the deliberative process privilege here?

Hon. BISHOP. I am not asserting a privilege, Senator. I'm simply saying there's an accommodation process and people who come up to the Hill don't talk about the details of internal deliberation.

Senator WHITEHOUSE. And my question was have you discussed, not what are the details. Will you answer that question?

Hon. BISHOP. I'm sorry. Have I discussed——

Senator WHITEHOUSE. Have you discussed with people at OMB the plans for firing and freezes?

Hon. BISHOP. No, Senator, I have not had discussions of that sort.

Senator WHITEHOUSE. Okay. How about with respect to plans for taking advantage of a long-term continuing resolution?

Hon. BISHOP. Senator, I'm trying to recall. I don't know if there's been a specific discussion or not, but again, I think that's the rea-

son you don't sit and try to give out details of the internal deliberations at OMB.

Senator WHITEHOUSE. Which is why I'm not asking for the details, although I believe I'm entitled to ask for the details, but that was not my question. So my question was simply have you had discussions on that topic.

Hon. BISHOP. About long-term continuing resolutions?

Senator WHITEHOUSE. Planning for long-term continuing resolution and how to take advantage of it?

Hon. BISHOP. Senator, I do not think so.

Senator WHITEHOUSE. All right. And how about plans in the event of a government shutdown?

Hon. BISHOP. Senator, I do not think so.

Senator WHITEHOUSE. Alrighty. What role, if any, have you had in—

Chairman GRAHAM. Can I ask a question with that? Do you support a government shutdown?

Hon. BISHOP. I don't think we should have a government shutdown, Senator. I think that'd be a bad idea. The President thinks it would be a bad idea, which is more important than what I think.

Senator WHITEHOUSE. Well, I have my doubts about that, to tell you the truth, but we'll see. I've got a pretty strong impression that Mr. Vought think that we should have a government shutdown and he would relish the opportunity that it provided him.

Project 2025, have you had any role dealing with Project 2025 or Heritage while it was running Project 2025?

Hon. BISHOP. Well, to Senator Merkley's point, I certainly read and heard a lot about Project 2025 in the media, Senator. I've had no personal involvement with Project 2025.

Senator WHITEHOUSE. Okay, that's good to hear. Are you aware of any ongoing Administration strategy to defy court orders regarding the freezes by refusing to give direct answers or refusing to answer phone calls or even suggesting that the funding has been freed up while at the same time not releasing the funds?

Hon. BISHOP. No, Senator.

Senator WHITEHOUSE. Okay, that seems to be the strategy we're seeing. I call it the fog bank strategy where everybody who's under a court order to comply with the order saying that there shouldn't be a freeze, refuses to actually comply with the court order and unfreeze the money, but when you try to pin them down on it, emails not answered, calls not returned, vague answers, general senses that, you know, don't worry. We'll get there or even actual, yes, the funding is clear and then the funding is not cleared. It's like this, you know, somebody in the room at the agencies who's saying no, no, no, no, the funding won't go out even though everybody else is saying that it's cleared to go or that we're ready to obey court orders.

Just in terms of conflict of interest, ProPublica reported that you've been living until recently in a Capitol Hill townhouse owned by a wealthy Republican donor named Lee Beamon. That Speaker Johnson has also been living in what was described as a four-level, second empire styled townhouse of impeccable elegance and exceptional scale. Did you pay fair market rent in that townhouse of impeccable elegance and exceptional scale?

Hon. BISHOP. Yes, Senator.

Senator WHITEHOUSE. And how was that fair market rent determined?

Hon. BISHOP. It was determined by the landlord. I rented a room, so I don't know the details of the determination, merely that it was done.

Senator WHITEHOUSE. Yes, so if, for instance, he offered you highly favorable terms because he wanted you in the house because you are an important potential policymaker, same reason he might want the Speaker in the house, you would have no idea whether that actually was fair market rent. It was just you paid what you were asked to pay.

Hon. BISHOP. I have my own experience to rely upon and what seems proportional, so I'm pretty sure it's about right.

Senator WHITEHOUSE. Okay. My time has expired.

Chairman GRAHAM. Two minutes to Senator Moreno and we're going to wrap it up.

Senator MORENO. Thank you, Mr. Chair, for the extra little follow up.

Look, we could spend 15 hours if we had to rebut misinformation from the other side, but let me just do it real quickly. Again, I've been here eight years. The Ranking Member's been here—I mean eight weeks. The Ranking Member's been here 16 years. You say you've been here 10 years. Is a budget resolution a budget?

Hon. BISHOP. No, Senator, it's not. It's not the whole plan in other words, yes.

Senator MORENO. Well, wait a second. I just heard my colleague who's been here a long time as well, say that we're cutting Medicaid because the House passed that. Did they pass a budget?

Hon. BISHOP. No, Senator, they didn't. They passed just the first step in the direction of a spending plan.

Senator MORENO. So when you spew nonsense, it's not helpful and that's the point I was trying to make to my colleagues earlier. Look, don't try to win arguments by just making nonsensical points. I just urge my colleagues not to do that. Senator Luján gave a very—and I think he's a good man. I don't know him that well—again, I've been here eight weeks—gave an impassioned speech about some federal employee who is a very good writer. I mean that guy should be a fiction writer for sure. Do you think that it's possible that he was an employee that had disciplinary actions?

Hon. BISHOP. That's the thing. You know we've got a secondhand account of someone's perception about their own employment situation. More has to be taken into consideration.

Senator MORENO. But he wrote a very impassioned email, doesn't that make him automatically a good employee?

Hon. BISHOP. He might be, even all the things that he said—

Senator MORENO. But he might not be.

Hon. BISHOP. But he still might not be the right person for the job or it may be that those jobs need to be checked.

Senator MORENO. He didn't show up for work, maybe a disciplinary action, maybe a troublemaker in the office, but I think that this idea that, oh my God, a constituent wrote me a letter. We're doing terrible things. Last quick, quick point, this body tried, with my Democratic colleagues, to pass student loan relief, is that cor-

rect? Like we try to say, hey, if you went to college somehow you're better than all the other Americans and your debt should be forgiven. That got voted down. Joe Biden said, well, too bad what Congress said and relieved student debt.

The Supreme Court said absolutely not. And yet Joe Biden still forgave student debt. My colleague crickets. So they love the Constitution when it serves their point, but in reality they shredded the Constitution over the last four years. And again, I would urge them to please come back to the side of reality and common sense. Thank you, Mr. Chairman.

Chairman GRAHAM. Senator Merkley.

Senator MERKLEY. Since my colleague isn't here and since you made comments about his presentation, I just want to throw out a little bit more information, which is the Energy and Commerce Committee in the House has basically two accounts. They have Medicaid and they have Medicare. The President said we're not cutting Medicare. That means that instruction basically can only go towards Medicaid and there were many, many conversations that I had with House members saying, well, we think our plan is to cut about 800 billion in Medicaid.

Certainly, some of those conversations were reported. It's simple math in the Committee. You are correct, technically, that the instructions don't say cut Medicaid, but the conversation in the House was that that was the plan. And so, I'd just like to acknowledge you're technically right, but my colleague is also right that the intention of that instruction was cuts to Medicaid. So I just wanted to clarify that.

I also wanted to clarify the dialogue about the border wall that came up earlier. In 2021, Biden announced a pause in border wall construction and that pause was based on following the environmental rules for pre-clearance and GAO looked at it and said, yes, you've got to follow the law on the environmental side. Then by two years later, a Texas court decision said Biden has to start obligating funds. He then began disbursing those funds and he made a comment. And this comment acknowledges that he was going to follow the law. He said the border wall the money was appropriated for the border wall. I tried to get Congress to reappropriate it and to redirect it, but they didn't. And then he proceeded to allocate the funds for the border wall construction, a whole series of projects along the way.

So yes, he didn't like the idea. He resisted it. But when the court said, no, you've got to follow the law, he followed the law and that's the point we're trying to make here is that the law is not a suggestion and a president is not a king. Thank you, Mr. Chairman.

Chairman GRAHAM. Well, we end on a note of commonality. President Biden believed he had the authority to not follow Congress's direction here. The Impoundment Act the contours are yet to be determined by the court. They will one day. The War Powers Act, whether you're a Republican or Democratic president, I believe you have the authority to commit troops and use military force as an inherent authority under Article 2. Congress is trying to limit that. I think it's unconstitutional. But having said that, because we declare war that's all we do.

All these things are nuanced. The court did say, Senator Merkley, that the President does not have unlimited authority to ignore Congress. I agree with that. Where the balance is I think we'll find out soon. As to you, you did a really good job. I appreciate it. I want to thank you for appearing before the Committee. Your full statement will be included in the record. The hearing record will remain open until noon tomorrow for the submission of statements and questions for the record delivered to the Committee Clerk. And if President Trump's team loses in court, I expect them to follow the court. The hearing is adjourned.

[Whereupon, at 11:53 a.m., Wednesday, March 3, 2025, the hearing was adjourned.]

Opening Statement of Ranking Member Merkley
Senate Budget Committee Hearing: “The Nomination of the Honorable Dan Bishop, of
North Carolina, to be Deputy Director of the Office of Management and Budget”
March 5, 2025

Sen. Merkley's remarks, as prepared for delivery follow:

Thank you, Mr. Chairman. And welcome, Mr. Bishop.

Today, we will consider your nomination to be Deputy Director of the Office of Management and Budget.

Since President Trump took office, OMB has been at the center of many consequential decisions to radically change the federal government, including canceling programs, suspending grants, clawing-back money, reorganizing departments, and firing federal employees.

Many of these actions are in direct violation of the law and the Constitution.

The Executive Branch already has several ways to reorganize federal spending that are laid out within existing law.

First, Congress can pass a new law. If the President wants to reorganize a department or agency, then the President can ask Congress to pass a new law.

But, in the meantime, the President must abide by existing law.

Second, the President can request a rescission.

If funding for a particular program is unwanted or unneeded, the Budget and Impoundment Control Act of 1974 allows the President to request that Congress rescind the funding.

Third, the President can powerfully influence budgets and spending for next year. The President has a large bully pulpit to use to advance his priorities.

Finally, the President has the power to veto bills passed by Congress.

If the President disagrees with a spending bill passed by Congress, he can veto it. Still, the power of the purse lies with Congress.

The Supreme Court has reaffirmed that twice in the last 50 years.

But OMB has repeatedly ignored all of these tools and instead made a series of decisions that violate the law and violate the Constitution.

Amidst these serious concerns, you are nominated to a position with immense influence on how these decisions and others will be made going forward.

So, there are many elements of your background we would like to explore today, including the expertise you will bring to this role and your opinion about whether it is appropriate or inappropriate to break the law, to violate the Constitution, particularly related to impoundments, and to freeze federal funds and fire federal workers.

This Committee will learn today if you are willing to be party to these illegal actions or if you will uphold the Constitution and enforce the laws of the land.

In addition, we'll have questions about opinions and positions you have held in the past that may be in conflict with the policies of this administration, including this central issue of impoundments and about actions you have taken in the past that raise concerns about what you may do in the future, for example, when it comes to whistleblowers.

These questions will help us explore whether you are suitable or unsuitable to make the decisions at stake with this powerful position.

I look forward to discussing these and other issues with you, Mr. Bishop.

Thank you, Mr. Chairman.

###

Prepared Statement of the Honorable Dan Bishop

Thank you, Chairman Graham, Ranking Member Merkley, and members of the committee for this hearing.

After 5 years in the House of Representatives, where I had the pleasure of working with several of you, I now find myself facing you on the other side of the dais. If I am confirmed, it would be an honor to work with you once again to serve our nation in a new capacity — to implement President Trump's vision and agenda.

I want to thank Jo, my wife and life partner, and my son Jack who's working hard in law school today, for their endless strength and support over my entire career, including this nomination process.

Thank you also to my dear friend Senator Ted Budd for his kind words of introduction at these hearings. It's a privilege to know and work with him, and the people of North Carolina should know that they have a great champion in him.

Thanks also to my former Congressional office staff, who've come to show their support at these hearings as my dear friends.

And, of course, I want to thank Director Vought. I was thrilled to see Director Vought confirmed by the Senate, and I can assure you that he is the man to get management of the federal government back on track. If confirmed, I look forward to serving as his deputy.

It's a tremendous honor to be nominated by President Trump to serve as the Deputy Director of the Office of Management and Budget. Unknown by name to many, it impacts American households nevertheless, through crafting the President's budget, managing the federal government, reforming regulation, and much more. It's a critical part of ensuring that the government represents the will of our democratically elected President in order to respond to the will of the American people. That's who government is for - not entrenched Washington interests and the political establishment.

Something I always noticed in Congress, when I was out meeting folks in North Carolina, is that the American people are way ahead of us in Washington. They know what's going on. They're smart, resourceful,

resilient, and hardworking. They want accountability, transparency, and an end to the waste and the Washington status quo.

They recognized, in this past election, that our nation was at a crossroads, on the precipice of either renewed greatness or ruin. In that precarious moment, they placed their confidence in President Donald Trump to usher in a new Golden Age for America. I'm here on behalf of that mission, and the trust placed in President Trump by the people.

Our children and grandchildren are being crushed under the massive burden of an out-of-control federal debt. For too long, we've been spending money we don't have on things we don't need. Our government has been self-absorbed, inefficient, unaccountable, and maladministered. The good news is that we can fix all of those things, and, if confirmed, I will be laser-focused on doing so, along with Director Russ Vought and the superb public servants at OMB.

It's finally time for a government accountable to the people. I've fought to deliver that my entire public service career, from county commission, to state legislature, to Congress, and it will continue to be my North Star. Whether elected or appointed, we must never forget the right of the people to decide. I know that I will never forget it.

Thank you for considering my nomination. I look forward to your questions.




United States Senate

COMMITTEE ON THE BUDGET
ROOM SD-624
(202) 224-0642

WASHINGTON, D.C. 20510-6250

**STATEMENT OF BIOGRAPHICAL AND
FINANCIAL INFORMATION REQUESTED OF
PRESIDENTIAL NOMINEES**

A. BIOGRAPHICAL INFORMATION

1. **Name:** (Include any former names used.)
James Daniel "Dan" Bishop
2. **Position to which nominated:**
Deputy Director of OMB
3. **Date of nomination:**
1/20/2025
4. **Address:** (List current place of residence and office addresses, information will not be made available for public inspection.)

5. **Date and place of birth:**
7/1/1964 - Charlotte, NC
6. **Marital status:** (Include name of spouse.)

7. **Names and ages of children:** (Information will not be made available for public inspection)

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

<u>School</u>	<u>Dates attended</u>	<u>Degree</u>	<u>Date of degree</u>
South Mecklenburg HS, Charlotte, NC	8/1979 – 6/1982	High School	6/1982
UNC-CH	8/1982 – 5/1986	BS Business Admin.	5/1986
UNC-CH	8/1987 – 5/1990	JD	5/1990

9. **Employment record:** List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment. (Please use separate attachment, if necessary.)

Title/Description	Employer	Work location	Dates of employment
Senior Advisor	OMB	Washington	1/2025 – present
Congressman	US House	Washington	9/2019 – 1/2025
Representative/Senator	NC General Assy	Raleigh	1/2015 – 9/2019
County Commissioner	Mecklenburg County	Charlotte	12/2004 – 12/2008
Partner	Erwin Bishop Capitano & Moss, PA	Charlotte	1/2000 – 9/2019
Partner	The Bishop Law Firm	Charlotte	2/1996 – 1/2000
Associate Attorney	Robinson, Bradshaw & Hinson, PA	Charlotte	9/1990 – 2/1996
Analyst	Trident Financial	Raleigh/Washington	6/1986 – 8/1987

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with federal, State, or local governments, other than those listed above.

Listed above

11. **Business relationships:** List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

None

12. **Memberships:** List all memberships and offices currently or formerly held in professional, business, fraternal, scholarly, civic, public, charitable and other organizations.

N/A

13. **Political affiliations and activities:**

- (a) List all offices with a political party which you have held or any public office for which you have been a candidate.

Candidate – NC Attorney General, 2024

- (b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years.

See elected offices #9 above

- (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more for the past 5 years.

<u>Name of Recipient</u>	<u>Amount</u>	<u>Year of Contribution</u>
Forsyth County Republican Party	104.10	2023
Mecklenburg County Republican Party	20.00	2020
Mecklenburg County Republican Party	200.00	2020
Bishop for NC	6400.00	2023
Bishop for NC	246.66	2024

14. **Honors and awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

NC Business Magazine Legal Elite, 13 years.
Order of the Coif
North Carolina Law Review
Phi Beta Kappa

15. **Published writings:** List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

<u>Title</u>	<u>Publisher</u>	<u>Date(s) of Publication</u>
How Trump Can Convert a Key Identity Politics Agency Into a Tool for Equality Under the Law, https://thefederalist.com/2024/11/20/how-trump-can-convert-a-key-identity-politics-agency-into-a-tool-for-equality-under-the-law/	The Federalist	Nov. 20, 2024
More Illegals Enter Under Parole Than Legal Immigrants Are Issued Green Cards, https://www.washingtontimes.com/news/2024/apr/11/more-illegals-enter-us-under-parole-than-legal-imm/	Washington Times	Apr. 11, 2024
A Call for Courage, The American Conservative, https://www.theamericanconservative.com/a-call-for-courage/	The American Conservative	Dec. 2, 2022
There Should Be No Critical Race Theory in Foxholes, https://nsjonline.com/article/2022/10/bishop-saying-no-to-reckless-spending/	Fox News Digital	Oct. 31, 2022
Bishop: Saying NO to Reckless Spending, https://nsjonline.com/article/2022/10/bishop-saying-no-to-reckless-spending/	North State Journal	Oct. 4, 2022
We Were Promised Unity. We Got Becerra Instead., https://www.washingtonexaminer.com/opinion/2631540/we-were-promised-unity-we-got-becerra-instead/	Washington Examiner	Mar. 18, 2021
Reopen NC, All Businesses Are Essential, https://www.yourdailyjournal.com/opinion/93820/congressman-dan-bishop-reopen-nc-all-businesses-are-essential	Richmond County Daily Journal	Apr. 21, 2020

Critics of NC Action Against Charlotte Bathroom Ordinance Distort Reality, https://dailycaller.com/2016/03/30/critics-of-nc-action-against-charlotte-bathroom-ordinance-distort-reality/	Daily Caller	Mar. 30, 2016
Transit Tax Isn't About Transit - Mecklenburg Needs Transit, But Not Expensive, Inefficient Light Rail (PDF copy)	Charlotte Observer at 12A	Oct. 1, 2007
Why did bonds lose? It's common sense - a seat for every student matters more than brand new seats for all. (PDF copy)	Charlotte Observer at 13A	Nov. 15, 2005
James D. Bishop, <i>Benefits without Proof: The North Carolina Supreme Court Creates a Presumption of Compensability in Workers' Compensation Death Benefits Actions</i> , Available at: https://scholarship.law.unc.edu/nclr/vol67/iss6/21	67 N.C. L. Rev. 1522	1989

16. **Speeches:** Provide the Committee with five copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

Attached.

17. **Selection:**

- (a) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

Broad range of service in elected office: local, state legislature and Congress. 30-year career as a litigator in private sector handling complex business matters. Finance undergraduate degree.

- (b) Were any conditions, expressed or implied, attached to your nomination? If so, please explain.

No such conditions.

- (c) Have you made any commitments with respect to the policies and principles you will attempt to implement in the position for which you have been nominated? If so, please identify such commitment(s) and all persons to whom such commitment(s) have been made.

No such commitments.

B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

All such connections ended prior to my service in Congress. And, my term in Congress having ended, I am serving at OMB now as Senior Advisor.

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, please explain.

I have committed not to do so in that I have agreed to abide by ethics requirements of the office, and they preclude outside employment.

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization? If so, please explain.
No.
4. Has anybody made a commitment to employ your services in any capacity after you leave government service? If so, please identify such person(s) and commitment(s) and explain.
No.
5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable? If not, please explain.
Yes.

C. POTENTIAL CONFLICTS OF INTEREST

1. If confirmed, are there any issues from which you may have to recuse or disqualify yourself because of a conflict of interest or the appearance of a conflict of interest? If so, please explain.
No.
2. Identify and describe all investments, obligations, liabilities, business relationships, dealings, financial transactions, and other financial relationships which you currently have or 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 a possible conflict of interest in the position to which you have been nominated.
None. I have agreed with OMB to dispose of a healthcare sector ETF even though below the threshold that would require any recusal.
3. 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 and execution of law or public policy other than while in a federal government capacity.
None other than as a member of Congress and before that as a state legislator.
4. Do you agree to have written opinions provided to the Committee the ethics officer of the Office of Management and Budget and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?
Yes. I understand that they have been completed and submitted.
5. Explain how you will resolve potential conflicts of interest, including any disclosed by your responses to the above questions.
In consultation with attorneys at OMB and in compliance with the letter agreement I signed with OMB on January 28, 2025

D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

I have never been disciplined. I was the subject of a single complaint to the NC Bar Grievance Committee during my 29 years of law practice, lodged by Storm Jenkins, a litigant adverse to my then client, on 2/13/2003, for tactical advantage and was dismissed by the Chair of the Grievance Committee without hearing on 5/6/2003. Letter of good standing from the Bar attached.

2. To your knowledge, have you ever been investigated, arrested, charged or convicted (including pleas of guilty or nolo contendere) by any federal, State, or other law enforcement authority for violation of any federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details.

No.

3. Have you or any business of which you are or were an officer, director or owner ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

No as to any business.

I am personally a plaintiff in:

- 1) A civil action filed in Union County Superior Court, NC, in October 2024 alleging defamation and related claims arising out of the 2024 election campaign for Attorney General of NC. The action remains pending as to one original defendant.
- 2) A civil action filed in the Northern District of Texas, in July 2024, joined by seven members of Congress and other plaintiffs challenging Biden Executive order 14019. The action is stayed.

I have been a defendant in civil litigation only once, brought in the Superior Court for California by the same litigant adverse to one of my clients, identified in my response to Question 1 of this section, in roughly the same time frame. It was summarily dismissed by that state court.

4. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

Nothing further to disclose. I am confident that I am well suited in experience, skill sets and ethical disposition to serve in the capacity to which President Trump has nominated me.

E. TESTIFYING BEFORE CONGRESS

1. If confirmed, are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes, subject to the advice of legal counsel.

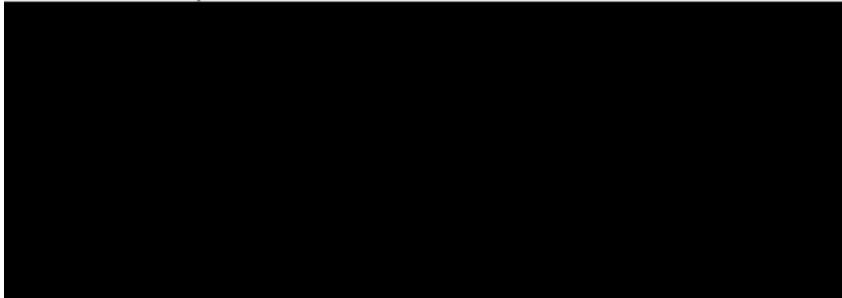
2. If confirmed, are you willing to provide such information as may be requested by any committee of the Congress?

Yes, subject to the advice of legal counsel.

F. 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 may be available for public inspection, with the exception of income tax returns.)

1. Please provide personal financial information not already listed on the SF 278 Financial Disclosure form that identifies and states the value of all:
 - (a) assets of \$10,000 or more held directly or indirectly, including but not limited to bank accounts, securities, commodities futures, real estate, trusts (including the terms of any beneficial or blind trust of which you, your spouse, or any of your dependents may be a beneficiary), investments, and other personal property held in a trade or business or for investment other than household furnishings, personal effects, clothing, and automobiles; and
 - (b) liabilities of \$10,000 or more including but not limited to debts, mortgages, loans, and other financial obligations for which you, your spouse, or your dependents have a direct or indirect liability or which may be guaranteed by you, your spouse, or dependents; and for each such liability indicate the nature of the liability, the amount, the name of the creditor, the terms of the payment, the security or collateral, and the current status of the debt payment. If the aggregate of your consumer debts exceeds \$10,000, please include the total as a liability. Please include additional information, as necessary, to assist the Committee in determining your financial solvency. The Committee reserves the right to request additional information if a solvency determination cannot be made definitively from the information provided.



2. List sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock options, executory contracts and other future benefits which you expect to derive from current or previous business relationships, professional services and firm memberships, employers, clients and customers. If dates or amounts are estimated, please so state. Please only include those items not listed on the SF 278 Financial Disclosure form. [REDACTED]
3. Provide the identity of and a description of the nature of any interest in an option, registered copyright, or patent held during the past 12 months and indicate which, if any, from which you have divested and the date of divestment unless already indicated on the personal financial statement. [REDACTED]
4. Provide a description of any power of attorney which you hold for or on behalf of any other person. [REDACTED]
5. List sources and amounts of all gifts exceeding \$500 in value received by you, your spouse, and your dependents during each of the last three years. Gifts received from members of your immediate family need not be listed. [REDACTED]

6. Have you filed a Federal income tax return for each of the past 10 years? If not, please explain. [REDACTED]
7. Have your taxes always been paid on time including taxes paid on behalf of any employees? If not, please explain. [REDACTED]
8. Were all your taxes, federal, State, and local, current (filed and paid) as of the date of your nomination? If not, please explain. [REDACTED]
9. Has the Internal Revenue Service or any other state or local tax authority ever audited your Federal, state, local, or other tax return? If so, what resulted from the audit? [REDACTED]
10. Have any tax liens, either federal, State, or local, been filed against you or against any real property or personal property which you own either individually, jointly, or in partnership? If so, please give the particulars, including the date(s) and the nature and amount of the lien. State the resolution of the matter. [REDACTED]
11. Provide for the Committee copies of your Federal income tax returns for the past 3 years. These documents will be made available only to Senators and staff persons designated by the Chairman and Ranking Minority Member. They will not be available for public inspection. [REDACTED]
12. Have you ever been late in paying court-ordered child support? If so, provide details. [REDACTED]
13. Have you ever filed for bankruptcy or been a party to any bankruptcy proceeding? If so, provide details. [REDACTED]

AFFIDAVIT

James Daniel Bishop, being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

James Daniel Bishop
James Daniel Bishop

Subscribed and sworn before me this 6th day of February, 2025

Brian E. Pate
Notary Public



District of Columbia
Signed and sworn to (or affirmed) before me
on 2/6/2025 by James Daniel Bishop
Date Name(s) of Individual(s) making Statement
Brian E. Pate
Signature of Notarial Officer
Notary Public
Title of Office
My commission expires: 6/30/2028

Pre-Hearing Questions from Senator Jeff Merkley
for Dan Bishop
Nomination of the Hon. Dan Bishop, of North Carolina,
to be Deputy Director of the Office of Management and Budget
February 20, 2025

I. Current OMB Duties

Question #1

According to your responses to the Committee's biographical and financial questionnaire, you have been serving as a "Senior Advisor" at the Office of Management and Budget since January.

- a) When was your start date?

January 20, 2025

- b) What have been your duties?

Meeting with political appointees and career employees at OMB, in other departments of the EOP, and in several agencies for orientation.

Participating in meetings with OMB Budget Review Division personnel concerning budget review process planning.

Reading topline budget review materials prepared by resource management offices and participating in review sessions with political and career employees.

Completing OMB ethics training. Interacting with OMB ethics counsel for the completion of nomination-related and employment-related ethics disclosures. Completing security clearance-related interviews, background checks and process briefings.

Preparing responses to Senate committee questionnaires and QFRs.

Visiting Senators for discussions of the confirmation process.

Reviewing executive orders issued by the President.

Reviewing OMB circulars and other longstanding policy documents, such as Circulars A-4 and A-11 and Executive Order 12866.

Reviewing and commenting on documents as requested.

Reviewing email correspondence among the OMB senior leadership team.

Fielding meeting requests and inquiries.

Observing and participating in interagency collaboration planning in implementation of executive orders.

Researching publicly available information and issues pertinent to reviews directed by certain executive orders.

Serving as detailee to CFPB and gathering information to inform a general oversight review of its activities.

- c) To whom do you report? If you report to OMB Director Russell Vought, did you report to him prior to his Senate confirmation on February 6, 2025?

I understood that until Director Vought's confirmation, I reported to the Acting Director, and since Director Vought's confirmation, I report to him.

- d) Do any OMB employees or political appointees report directly to you? If yes, how many? Provide the names of any and all political appointees who report to you.

No.

- e) Did you hold or attend any meetings with White House officials, OMB employees, OMB political appointees, or senior staff from other agencies regarding the freezing of federal funds? If yes, provide the dates of the meetings; a description of those in attendance, including the names of any political appointees; and a summary of what was discussed at each meeting.

No.

- f) Describe your role in the formulation and issuance of OMB Memorandum M-25-13.¹

- i. Did you hold or attend any meetings with White House officials, OMB employees, OMB political appointees, or senior staff from other agencies regarding OMB Memorandum M-25-13? If yes, provide the dates of the meetings; a description of those in attendance, including the names of any political appointees; and a summary of what was discussed at each meeting.

No.

- ii. After the memo unleashed a political firestorm, Mr. Vought—though not yet confirmed—reportedly called and led a meeting with OMB's highest ranking political and civil service staff in an attempt to clarify the memo's

¹ Office of Management and Budget, 2025. [Memorandum for Heads of Executive Departments and Agencies](#).

wording within the agency.² Did you attend this meeting or any other similar meeting regarding the backlash to the memo? If yes, provide the dates of the meetings; a description of those in attendance, including the names of any political appointees; and a summary of what was discussed at each meeting.

I have attended multiple internal meetings on various subjects since joining OMB. It would be inappropriate for me to disclose the details of any of those meetings or OMB's internal processes.

- iii. Were you aware of the existence or the formulation of OMB Memorandum M-25-13 before its issuance? If yes, provide the first date you knew of its existence, how you became aware, who made you aware, and the nature of the communications.

No.

- g) Describe the roles of Russell Vought and Elon Musk in the formulation and issuance of OMB Memorandum M-25-13.

- i. Did Elon Musk or DOGE employees or consultants hold or attend any meetings regarding OMB Memorandum M-25-13? If yes, provide the dates of the meetings; a description of those in attendance, including the names of any political appointees; and a summary of what was discussed at each meeting.

I have no awareness of any role of Elon Musk or DOGE employees or consultants regarding Memorandum M-25-13.

- h) Have Elon Musk or DOGE employees or consultants held or attended any meetings regarding the freezing and/or pausing of federal funds? If yes, provide the dates of the meetings; a description of those in attendance, including the names of any political appointees; and a summary of what was discussed at each meeting.

I do not know.

- i) Describe the roles of Russell Vought and Elon Musk in the withdrawal of OMB Memorandum M-25-13.
 - i. Did Elon Musk or DOGE employees or consultants hold or attend any meetings regarding the rescission of OMB Memorandum M-25-13? If yes, provide the dates of the meetings; a description of those in attendance, including the names of any political appointees; and a summary of what was discussed at each meeting.

² Washington Post, 2025. [White House regroup as funding freeze chaos recalls first term's travel ban.](#)

I do not know.

- j) Provide a description of what your specific role and contributions have been to-date in shaping the President's Fiscal Year 2026 Budget Proposal at OMB. Please include key meetings, decisions, or analyses you have participated in.

I have attended multiple internal meetings on various subjects since joining OMB. It would be inappropriate for me to disclose the details of any of those meetings or OMB's internal processes.

Question #2

On February 18, 2025, the White House issued a Memorandum directing "the heads of executive departments and agencies (agencies) to take all appropriate actions to make public ... the complete details of every terminated program, cancelled contract, terminated grant, or any other discontinued obligation of Federal funds."³

- a) What is your role in executing this memo?

None.

- b) What is OMB's role in executing this memo?

I do not know.

- c) Did you hold or attend any meetings with White House officials, OMB employees, OMB political appointees, or senior staff from other agencies regarding the February 18, 2025, memo? If yes, provide the dates of the meetings; a description of those in attendance, including the names of any political appointees; and a summary of what was discussed at each meeting.

No.

II. Impoundments

Question #3

You have held contradictory views on a President's authority to impound Congressionally appropriated funds. In March 2021, you signed onto a letter to then-House Budget Committee Chair John Yarmuth accusing President Biden of violating the Impoundment Control Act for pausing funding for a wall on the Southern border,⁴ an action the Government Accountability Office later found lawful.⁵ However, after the 2024 election, you co-sponsored a bill to repeal

³ The White House, 2025. [Radical Transparency About Wasteful Spending](#).

⁴ U.S. House of Representatives, 2021. [Letter to the Hon. John Yarmuth](#).

⁵ U.S. Government Accountability Office, 2021. [Office of Management and Budget and U.S.](#)

the ICA.⁶ Can you explain the inconsistency?

President Trump ran on restoring impoundment authority, which presidents have utilized effectively for nearly two hundred years to help prevent waste, fraud, and abuse. I support the President's view on that. If confirmed, I will faithfully uphold the Constitution and the laws of the United States. I will follow the advice of legal counsel, and ultimately the President, with respect to this matter.

Question #4

Do you believe Impoundment Control Act is unconstitutional?

President Trump ran on restoring impoundment authority and repealing the Impoundment Control Act. I support the President's view on that.

Question #5

Do you believe the President has the constitutional authority to unilaterally impound Congressionally appropriated funds?

President Trump ran on restoring impoundment authority, which presidents have utilized effectively for nearly two hundred years to help prevent waste, fraud, and abuse. I support the President's view on that. If confirmed, I will faithfully uphold the Constitution and the laws of the United States. I will follow the advice of legal counsel, and ultimately the President, with respect to this matter.

Question #6

Should the President decide to propose a rescission, reservation, or deferral of any Congressionally appropriated funds, will you commit to following the Impoundment Control Act's procedural requirements to timely submit those proposals to Congress?

The President ran on restoring the impoundment authority. I support the President's views.

Question #7

As a member of the Senate Appropriations Committee, it is my view that the funding levels in appropriations bills passed into law are not targets or ceilings; instead, they are amounts the executive branch must spend, unless stated otherwise. Congress could – if it wanted the President to have discretion – write those amounts as ceilings. Do you disagree?

President Trump ran on restoring impoundment authority. I support the President's views.

[Department of Homeland Security—Pause of Border Barrier Construction and Obligations.](#)

⁶ Congress.gov, 2024. [H.R.10414 - To repeal the Impoundment Control Act of 1974.](#)

Question #8

As a member of the Senate Appropriations Committee, I understand how difficult it is to achieve a bipartisan, bicameral agreement over spending bills. A President exercising unilateral impoundment authority would be single-handedly reneging on a carefully negotiated spending deal. As someone who has worked in both the legislative and executive branches, how do you think disregarding such deals would affect bipartisan negotiations over spending bills going forward?

President Trump ran on restoring impoundment authority. I support the President's views.

III. Budget PlansQuestion #9

In his first term, President Trump did not sign any legislation that significantly reduced deficits, as estimated by the Congressional Budget Office. Do you consider President Trump's first term a success at addressing the nation's fiscal challenges?

Reserving objection to the premise, yes.

Question #10

To promote the Republican tax cuts in 2017, then-Treasury Secretary Mnuchin claimed that the tax cuts would pay for themselves.⁷ However, economists across the political spectrum agree that the tax cuts came nowhere close to paying for themselves. Do you think an extension of the 2017 Trump tax cuts would pay for itself?

As Deputy Director, my responsibility will be to help implement the President's policy. I support the President's tax policy and his plan to increase federal revenues through tariffs and economic growth.

Question #11

The non-partisan Committee for a Responsible Federal Budget (CRFB) estimated that President Trump's campaign plans, tax extensions and otherwise, would add \$7.75 trillion to the debt after 10 years. Admitting some uncertainty about what was actually being proposed, CRFB found that the proposals would add at least \$1.65 trillion to debt but potentially as much as \$15.55 trillion.⁸ How do you square the President's plans to increase deficits with your concern about rising deficits?

⁷ Washington Post, 2017. [Trump's treasury secretary: The tax cut 'will pay for itself'](#)

⁸ Committee for a Responsible Federal Budget, 2024. [The Fiscal Impact of the Harris and Trump Campaign Plans](#)

As Deputy Director, my responsibility will be to help implement the President's policy. I support the President's tax policy and his plan to increase federal revenues through tariffs and economic growth.

Question #12

The \$4.6 trillion extension of the 2017 Republican tax bill would do nothing to reduce middle-class taxes below their current level and instead would primarily benefit the very wealthy. If you believe that tax cuts for the middle class are important, why is the Trump administration again pushing for a regressive tax cut rather than one that prioritizes the working and middle classes?

The TCJA greatly benefited the working and middle classes. President Trump also plans to build upon those working- and middle-class benefits with new tax policies in addition to those contained in the TCJA. As Deputy Director, my responsibility will be to help implement the President's policy. I support the President's tax policy.

Question #13

You have been a proponent of imposing undue administrative burdens on Medicaid (and nutrition assistance) beneficiaries by instituting so-called "work requirements" even though most Medicaid beneficiaries do work. In fact, Republicans tried instituting such work requirements in 2023, and estimates showed it would have kicked 21 million people off their health insurance. Meanwhile, CBO stated that those work requirements "would have a negligible effect on employment status," undercutting Republicans' own rationale.⁹ Do you still believe such work requirements are good policy if all they do is kick people off their health insurance without actually employing more people?

As Deputy Director, my responsibility will be to help implement the President's policy. I will support the position the President takes as it relates to work requirements.

Question 14

Describe the role of Elon Musk and DOGE employees and consultants in drafting President Trump's Fiscal Year 2026 budget request.

I'm unaware of any such role.

Question #15

When then-President-elect Trump announced your nomination for Deputy Director of OMB on Truth Social in December 2025,¹⁰ he said that you "will implement [President Trump's]

⁹ Congressional Budget Office, 2023. [Re: CBO's Estimate of the Budgetary Effects of Medicaid Work Requirements Under H.R. 2811, the Limit, Save, Grow Act of 2023](#)

¹⁰ Donald J. Trump, Truth Social (Dec. 10, 2024, 6:18 p.m. EST),

cost-cutting and deregulatory agenda across all Agencies and root out the Weaponized Deep State.” You have made similar references in past tweets, including a tweet from 2022, in which you said, “The administrative state is ripe for reform - and we must be creative and relentless in pursuing it.”¹¹

- a) Explain the meaning of “weaponized deep state” as you understand it.

President Trump has been entirely clear about the issue in his executive orders on weaponization and censorship, and I support them and will implement them faithfully.

- b) What is the “administrative state”? Describe the reforms for which you believe the “administrative state is ripe.”

The body of executive orders that President Trump has issued and the policy videos he posted on his campaign website are the best summary of the apposite issues and reform ideas I have seen. I support them fully.

- c) Do you plan to use your potential appointment as Deputy Director of OMB to “root out the Weaponized Deep State” and “reform” the “administrative state”? Please explain.

I will work faithfully to implement President Trump’s articulated policy objectives on this subject.

- d) Describe your work as senior advisor at OMB in carrying out President Trump’s directive to “cost-cut[] ... across all Agencies.”

- i. What is OMB’s role in “cost-cutting ... across all Agencies”? Please explain.

OMB is the agency that prepares the President’s budget and coordinates and supervises agency spending and oversees agency regulatory activities. Self-evidently, OMB would play a central role in cutting costs across the federal government.

- ii. If you are confirmed as Deputy Director of OMB, what will be your role in “cost-cutting ... across all Agencies”? Please explain.

My role will be to assist the Director in overseeing OMB’s resources to implement the President’s directive to cut costs consistent with law.

<https://truthsocial.com/@realDonaldTrump/posts/113631080729035683>.

¹¹ Rep. Dan Bishop, X (Nov. 16, 2022, 11:55 a.m. EST), <https://x.com/RepDanBishop/status/1592924434196992000>.

IV. Federal Workers

Question #16

On January 20, 2025, President Trump issued a memorandum that instituted “a freeze on the hiring of Federal civilian employees, to be applied throughout the executive branch.”¹² The President further required that, within 90 days, the Director of OMB, “in consultation with the Director of OPM and the Administrator of [DOGE]” to formulate a “plan to reduce the size of the Federal Government’s workforce through efficiency improvements and attrition.” The Memorandum stated that OPM may grant exemptions to the freeze. You have served as a senior advisor at OMB since January 2025.

- a) Describe in detail the work among OMB, OPM, and DOGE in formulating “a plan to reduce the Federal Government’s workforce.”

- i. Which agency is leading the effort?

I have not been involved in this work.

- ii. Provide the names of all OMB political appointees who have been involved in creating a “plan.”

I do not know.

- iii. Describe your role in developing a plan.

None.

- iv. Will your role in developing a plan change if confirmed as Deputy Director of OMB? Please explain.

I do not know.

- v. Describe the roles of Elon Musk and DOGE employees and consultants in formulating a plan and/or reducing the federal workforce.

I do not know.

- vi. Describe what the plan will entail.

I do not know.

- vii. When does OMB expect to release a plan?

¹² The White House, 2025. [Hiring Freeze: Memorandum for the Heads of Executive Departments and Agencies](#).

I do not know.

- viii. What will OMB's role be in executing the plan? Please explain.

I do not know.

- ix. What will DOGE's role be in executing the plan? Please explain.

I do not know.

- x. Who has final approval rights of the plan before President Trump approves it?

I do not know.

- xi. Does DOGE or Elon Musk have any approval rights over the plan?

I do not know.

- b) Did the hiring freeze apply to OMB? If yes, provide the start and end dates of the hiring freeze at OMB.

The presidential memo did not exempt OMB from the hiring freeze. For all covered positions, the freeze took effect at 11:59 AM on January 20, 2025, and will expire upon issuance and implementation of a plan submitted by the Director of OMB, which the PM directed to occur within 90 days of January 20.

- i. Did the hiring freeze apply to political appointees at OMB or other agencies? If no, why not? Please explain.

The PM exempted from its scope "the nomination and appointment of officials to positions requiring Presidential appointment or Senate confirmation, the appointment of officials to non-career positions in the Senior Executive Service or to Schedule A or C positions in the Excepted Service, the appointment of officials through temporary organization hiring authority pursuant to section 3161 of title 5, United States Code, or the appointment of any other non-career employees or officials if approved by agency leadership appointed by the President." As to why, the President decided.

- ii. Has OMB been granted any exemptions from the hiring freeze? Please explain.

I do not know.

- c) How many individuals did OMB employ on January 19, 2025? How many of those were political appointees?

I do not know.

- d) How many individuals does OMB currently employ? How many of those are political appointees?

I do not know.

- e) The Office of Personnel Management stated that approximately 75,000 federal employees have accepted the administration's offer of the deferred resignation program. Were OMB employees eligible for deferred resignation? If yes, how many OMB employees accepted the offer of deferred resignation?

I do not know.

- f) How many OMB employees have been fired or terminated since January 20, 2025?

I do not know.

- i. How many of those terminated were on probationary status?

I do not know.

- ii. Of those terminated and not on probationary status, how many have been provided due process rights?

I do not know.

- g) Does OMB have plans to terminate further OMB employees and political appointees? Why or why not? Please explain.

I do not know.

- h) Does OMB have plans to hire more OMB employees and political appointees? Why or why not? Please explain.

I know that one confidential assistant is to be hired and believe there may be additional employees and political appointees to be hired but do not know details.

- i) What has your role been in the firing or hiring of OMB employees and political appointees? Please explain.

I have discussed with Director Vought several candidates for employment.

- j) What will your role be in the firing and hiring of OMB employees and political appointees if confirmed as Deputy Director of OMB?

I do not know.

- k) Has OMB Director Vought told you what your duties and responsibilities will be if confirmed as Deputy Director? If yes, describe these duties and responsibilities as you have been told.

Not in so many words. We have discussed generally his expectation that I will help him run the agency to accomplish the mission of implementing the President's policies.

Question #17

In your response to the Homeland Security and Governmental Affairs Committee's pre-hearing questions for the record, you wrote: "DOGE has just begun identifying significant amounts of waste, fraud and abuse, and discussions on implementing those savings are ongoing."

- a) Which agencies have been involved in these discussions?

I haven't been involved in discussions and don't know their extent. I meant to communicate my sense that as DOGE has only commenced its work, OMB's role in implementation is yet to be developed. I would refer you to popular media reporting on the matter, the DOGE X account, and statements from the President.

- b) Provide the names of the political appointees at OMB who are or have been involved in these discussions.

As I mentioned, I haven't been involved in discussions.

- c) Are you involved in these discussions? Please explain your role.

No.

Question #18

On February 15, 2025, President Trump posted on X, "He who saves his Country does not violate any Law."¹³

¹³ Donald J. Trump, X (Feb. 19, 2025, 1:32 p.m. EST), <https://x.com/realDonaldTrump/status/1890831570535055759>.

- a) What is your interpretation of this statement by President Trump?

What I think the President means in a given social media post is not germane to the duties of Deputy Director. The job of the Deputy Director is to implement policies to fulfill the President's agenda through a rigorous policy process that takes into account the legality of all proposed actions.

- b) Do you agree with President Trump's statement? Please explain.

My agreement or disagreement is likewise irrelevant.

- c) Do you believe President Trump is above the law? Please explain.

No.

- d) Do you believe President Trump has the authority to define the law? Please explain.

The President takes an oath to the preserve, protect, and defend the Constitution and must take care that the laws are faithfully executed.

- e) Should OMB employees be required to follow all presidential directives, even ones that are unconstitutional or illegal? Please explain.

President Trump and his administration have implemented the highest legal ethical standards. I do not believe the President nor anyone acting on his behalf would ask OMB employees to violate the law. I will follow the advice of legal counsel as to the legality of directives.

- i. Will you follow all directives of President Trump, even ones that are unconstitutional or illegal? Please explain.

President Trump and his administration have implemented the highest legal ethical standards. I do not believe the President nor anyone acting on his behalf would ask OMB employees to violate the law. I will follow the advice of legal counsel as to the legality of directives.

- f) Should OMB employees be required to follow all directives of the OMB director, even ones that are unconstitutional or illegal? Please explain.

President Trump and his administration have implemented the highest ethical standards. I do not believe the OMB director nor anyone acting on his behalf would ask OMB employees to violate the law. I will follow the advice of legal counsel as to the legality of directives.

- i. Will you follow all directives of Russell Vought, Director of OMB,

even directives that are unconstitutional or illegal? Please explain.

I will follow the advice of legal counsel as to any issue of law.

V. DOGE

Question #19

- a) Do DOGE employees or consultants have authority or influence over OMB's budget, spending, or the hiring or firing of OMB employees? Please explain.

Not to my knowledge.

- b) Do DOGE employees or consultants have authority or influence over the budget, spending, or the hiring or firing of employees at any executive branch agency? Please explain.

Not to my knowledge.

- c) Are OMB employees or political appointees required to follow the directives of Elon Musk and DOGE employees or consultants? Please explain.

Not to my knowledge.

- d) Have you ever met Elon Musk in person? If yes, provides the dates and the circumstances of the interaction.

No.

- e) Have you had any communications with Elon Musk regarding the federal government and its operations? Have you had any communications with DOGE employees or consultants regarding the federal government and its operations? If yes, provide the dates and the nature of the communications.

No.

- i. Did you have any communications with Elon Musk regarding the federal government or its operations before you became a senior advisor at OMB? If yes, provide the dates and the nature of the communications.

No, except that he has replied to and reposted isolated X posts of mine when I served in Congress, all of which are publicly viewable at the account @RepDanBishop.

- f) Did you have any communications with Russell Vought regarding freezing and/or pausing federal funding or reducing the federal workforce before you

started your position as senior advisor at OMB? If yes, provide the dates and a summary of the communications.

No.

Question #20

- a) Have any DOGE employees or consultants been given access to OMB data? If yes, which data? When were they given access?

I do not know.

- b) Will OMB give DOGE employees or consultants access to its data in the future or on an ongoing basis?

I do not know.

- c) If DOGE has been or will be given access to OMB data, how is DOGE using or planning to use the data? Please explain.

I do not know.

VI. Federal Grant Recoupment

Question #21

- a) Describe OMB's role in federal grant recoupment and claw back.

I am unaware of it.

- b) Describe OMB's role relating to improper payments as defined in the Payment Integrity Information Act of 2019 (P.L. 116-117).

The law reorganized and revised several existing improper payments statutes, which established requirements for federal agencies to cut down on improper payments made by the federal government. It directed OMB to furnish guidance and oversee agencies' annual improper payments avoidance processes.

- c) Can federal funding be recouped from a recipient for policy reasons? Please explain.

The question asks for a legal conclusion, which is outside my purview as nominee for Deputy Director. As I have said, I will follow advice of counsel, and of Director Vought, as to legal issues.

- d) Describe the process, as mandated by current laws and regulations, that an agency must follow to recoup federal funding already disbursed to a recipient.

The question asks for a legal conclusion, which is outside my purview as nominee for Deputy Director. As I have said, I will follow advice of counsel, and of Director Vought, as to legal issues.

VII. Debt Limit

Question #22

President Trump has expressed his support for abolishing the debt limit. Do you agree with President Trump?

I support the President's position.

VIII. Independent Agencies

Question #23

On February 18, 2025, President Trump issued an Executive Order regarding independent agencies, which stated that “executive branch officials remain subject to the President’s ongoing supervision and control.”¹⁴

- a) As you understand it, what is the basis of the President’s “supervision and control” over agencies created by Congress?

Article II of the Constitution, judicial precedent, and longstanding history and tradition.

- b) Do you think the president should have unilateral authority to fire commissioners of independent agencies created by Congress? If yes, please describe the basis of this authority.

On this and other legal issues, I will follow the advice of legal counsel.

IX. Reproductive Rights / Gender Equality / LGBTQ Rights

Question #24

You were the primary author of North Carolina’s H.R.2, a bill that stopped North Carolina cities from extending non-discrimination protection to gay and transgender people before it was largely repealed after it led to a public backlash and an economic boycott. In emails later made public in accordance with public-records requests, you compared LGBTQ activists to the Taliban and that “the LGBT movement jeopardizes freedom.”¹⁵ Do you recant the use of that rhetoric?

¹⁴ The White House, 2025. [Exec. Order, Ensuring Accountability for All Agencies.](#)

¹⁵ Charlotte Business Journal, 2016. [EXCLUSIVE: Inside HB 2 author's legislative emails on LGBT issues.](#)

I did not make the comparison alleged. I don't recant what I wrote in emails.

Question #25

You have previously said it was “wrong to have an abortion in the case of rape or incest.” Do you still believe this?¹⁶

My views on the matter have no bearing on the role to which I have been nominated.

X. Miscellaneous

Question #26

In your public-facing ethics agreement, you indicate that you will “divest [your] interest in the Health Care Select Sector SPDR Fund (XL V).” A certificate of divestiture shows that you have, in fact, made this divestment.

However, you are not planning to divest from a similar fund, the Technology Select Sector SPDR Fund (XLK), despite the latter's value being perhaps twice as high or more. This fund includes investments in companies such as Apple, Nvidia, Microsoft, and other tech firms that may be awarded government contracts. Can you describe why you are divesting from health care stocks but not technology stocks?

The Office of Government Ethics determined that XLK is in fact a broad-based fund such that I need not divest.

Question #27

Have you ever bought or sold securities, bonds, cryptocurrencies, or other assets while serving in local, state, or federal government? Did you make any of these trades based on information learned while serving in those positions that was not widely known at the time by the general public? If so, list each transaction and the associated amounts.

I experimented with purchasing and selling relatively small amounts, less than \$75,000 in total, of individual stocks when I served in local government. I purchased US government bonds and T-bills while serving in Congress. With those exceptions, I have always been a mutual fund and ETF investor. I've never traded anything on nonpublic information.

Question #28

As a Member of the House of Representatives, you voted against certifying Joe Biden's victory in the 2020 Presidential election. Do you believe the 2020 election was stolen?

I associate myself with President Trump's and Director Vought's views on the 2020

¹⁶ The News & Observer, 2019. [Amid wave of abortion laws, 9th District candidates take very different stands.](#)

election.

Questions for the Record
from Senator Murray
for James Daniel Bishop
Nomination To Be Deputy Director of the Office of Management and Budget
February 20, 2025
Senate Budget Committee

Question #1:

Do you commit to provide documents and information in a thorough and timely matter when requested to:

1. *Me and my staff?*

Yes, subject to advice of counsel and direction from Director Vought.

2. *The Government Accountability Office?*

Yes, subject to advice of counsel and direction from Director Vought.

3. *Appropriations Committee members of both parties?*

Yes, subject to advice of counsel and direction from Director Vought.

Question #2:

How do you justify the Office of Management and Budget's directives to agencies to withhold funding appropriated by Congress that President Trump disagrees with?

I have not authored or issued such directives.

Question #3:

Will you comply with court orders pertaining to impoundment actions taken by the Office of Management and Budget?

I will seek and abide by advice of counsel concerning all court-related matters involving me.

Question #4:

How do you intend to ensure OMB apportions funds consistent with appropriations law?

I anticipate participating in staff training concerning apportionment and will abide by advice of counsel and direction of Director Vought.

Question #5:

Do you see any limits in the President's ability to impound funds? If so, what are they?

I will abide by advice of counsel and direction of Director Vought.

Question #6:

Do you agree that any deal on FY25 appropriations must abide by all bipartisan agreements made during negotiations of the Fiscal Responsibility Act (FRA), including the full amount of NDD resources that were agreed to as part of the FRA?

I will abide by advice of counsel and direction of Director Vought.

Question #7:

At the time of its passage, you strongly criticized the FRA. What is your opinion of it now and would you recommend President Trump support an agreement that adhered to the FRA?

All of my work as Deputy Director, if confirmed, will be predicated on implementing the President's policy decisions, not my own.

Question #8:

Who pays the salaries of people working for DOGE, who do those people report to, and what formal or informal relationship will DOGE employees have with OMB?

I do not know; I have not interacted with or observed interactions between DOGE and OMB.

Question #9:

How will you and OMB staff provide transparency regarding any coordination and meetings with DOGE staff, given it is not a nongovernmental entity?

I cannot speak to that personally. I will abide by any instructions or policies established by Director Vought on the subject.

Questions for the Record
from Senator Lindsey Graham
for Dan Bishop

The Nomination of the Honorable Dan Bishop, of North Carolina, to be Deputy Director of the
Office of Management and Budget

3/6/2025

Senate Budget Committee

Made In America

The Infrastructure Investment and Jobs Act (IIJA) codified the Made in America Office within OMB. The statutory role of this office is to provide greater oversight and transparency of Made in America waivers and ensure relevant agencies properly carryout Buy America policies. Under the Biden Administration, the Made in America Office did not fully carry out its purpose and role. Additionally, in 2021 Congress passed the Make PPE in America Act, which strengthens efforts to onshore production of personal protective equipment (PPE) in the United States by requiring federal agencies to issue long-term contracts for American-made PPE.

My understanding is that DHS, HHS and other agencies are not fully complying with this law and that OMB's Made in America Office is tasked with ensuring compliance and greater domestic production of PPE.

If confirmed, do you commit to assist with greater production of domestic goods, and specifically PPE, when possible?

President Trump has established as a central theme of his presidency the objective of promoting American manufacturing. Director Vought has made clear that, in service of the President's articulated policy priorities, he intends to invigorate OMB's Made in America Office. If confirmed, I look forward to helping to ensure the complete and robust deployment of the Made in America Office and will give attention to the specific issues raised in this question.

Questions for the Record
from Senator Jeff Merkley
for Dan Bishop
Nomination of the Hon. Dan Bishop, of North Carolina
to be Deputy Director of the Office of Management and Budget

March 5, 2025

Question #1

As I said during yesterday's hearing, the budget resolution that Republicans advanced out of the House includes instructions for a reconciliation bill that would cut taxes by \$4.5 trillion and cut spending by about \$2 trillion. The rest of the tax cuts would be deficit-financed.

- Exactly how would a deficit-financed tax cut reduce the deficit?

As Deputy Director, my responsibility will be to help implement the President's policy. I support the President's tax policy and his plan to increase federal revenues through tariffs and economic growth.

Question #2

Per your responses to the Budget Committee's and the Homeland Security and Governmental Affairs Committee's (HSGAC's) questions for the record, you stated that you are a detailee at the Consumer Financial Protection Bureau (CFPB) and that the scope of your work includes "gathering information to inform a general oversight review of the agency's activities."

- Who assigned you to work as a detailee at CFPB?

Acting Director Russ Vought

- Describe your work duties at CFPB.

Gathering information to inform a general oversight review of the agency's activities.

- For whom are you gathering information? What information are you gathering?

For Acting Director Vought. Information about institutional structure, policies, practices, information systems and tools, and examples of supervision, enforcement and regulatory activity as reflected in agency records or disclosed by agency personnel.

- How are you gathering information?

In most instances by reviewing agency records and communications with agency personnel.

- Who do you report to at CFPB?

Acting Director Vought.

- Do you work with Acting Director Vought at CFPB? If yes, describe the nature of your work with him.

I discuss my observations and findings with him as circumstances warrant and respond to his instructions about specific investigative and observational tasks.

- Are you on CFPB's payroll? If yes, when did you start receiving payments?

No. I am a detailee from OMB, meaning that my compensation comes only from OMB (EOP).

- Are you on the payroll of any other agency or the Executive Office of the President? If yes, which entities and when did you join their payrolls?

I am paid only by OMB (EOP).

Question #3

At your nomination hearing before HSGAC, you said, "I don't believe the president can take money out of Social Security benefits."

- Is that correct? You don't believe the president can unilaterally take funds from Social Security benefits?

The President has been clear that he will protect Social Security.

Last week, Social Security Administration (SSA) announced plans to cut Social Security's workforce by 12 percent. There are more than 65 million Americans¹ receiving Social Security benefits—nearly 90 percent of the nation's seniors.² According to SSA, each year the agency signs up over 6 million new customers for retirement, survivor, and Medicare programs.³ From October 1 of last year to date, SSA's 800 number has received approximately 30 million calls,

¹ Social Security Administration. "[Monthly Statistical Snapshot, January 2025](#)." Accessed 5 Mar. 2025.

² Social Security Administration. "[Fact Sheet on Social Security](#)." 13 Feb. 2025.

³ Social Security Administration. "[Processing time for benefits](#)." Accessed 5 Mar. 2025.

but only 47 percent of those were answered by an agent, while customers average wait time on the phone has grown from 11 minutes in September 2024 to 26 minutes in February 2025.⁴

Millions of Americans rely on SSA employees across the country to process their Social Security claims, so that they can receive these essential benefits. With fewer employees at SSA, seniors and those with disabilities will have to wait even longer to receive benefits. The agency's brash decision defies the President's pledge to not touch Social Security.

- How do you square what you said with the recent directives to cut the Social Security Administration's workforce?

I have no involvement in changes to the Social Security Administration's workforce, but I disagree with the implication that rightsizing the workforce is the same thing as cutting benefits.

- Do you believe the SSA workforce is too large? If yes, please explain your reasoning.

I do not have an opinion about the appropriate size of the SSA workforce, as it is not within my area of responsibility either as senior advisor or, if confirmed, as Deputy Director of OMB.

- How would you explain the proposed cuts to SSA's workforce to the millions of Americans—especially our seniors and most vulnerable—who rely on SSA for their livelihood and will be harmed by this potential reduction in workforce?

I support the President's plan to right size the federal workforce in order to make it leaner, more efficient and more responsive to Americans. I have no role in changes to SSA's workforce.

Question #4

Executive Order 11303 of 1962 requires a proposed executive order or proclamation to first be submitted to the Director of OMB for approval. If approved, the proposed executive order is then submitted to the Attorney General for approval as to legality.

- Since OMB Director Vought's confirmation, has this process been followed? Has President Trump been submitting proposed executive orders to OMB for review and approval?

I do not know. The management of the executive order drafting process is outside of my purview as senior advisor.

⁴ Social Security Administration. "[800 number performance](#)." Accessed 5 Mar. 2025.

- If so, has Director Vought then been submitting the proposed executive orders to the Attorney General or the Office of Legal Counsel for review of legality and approval?

I do not know. The management of the executive order drafting process is outside of my purview as senior advisor.

Question #5

President Trump's Executive Order of January 20, 2025, establishing DOGE created a temporary organization within USDS called, "the U.S. DOGE Service Temporary Organization."⁵

- How many individuals are employed by the U.S. DOGE Service Temporary Organization? How many of these are federal employees? How many are not federal employees?

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- How many volunteers are currently associated with the U.S. DOGE Service Temporary Organization?

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- Provide a list of the names, titles, and federal employment status of those employed by the U.S. DOGE Service Temporary Organization.

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- Provide a list of the names, titles, and federal employment status of those serving as consultants, experts, advisors, volunteers, or the like at the U.S. DOGE Service Temporary Organization.

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- Describe the activities carried out by the U.S. DOGE Service Temporary Organization since its creation.

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- Do you believe the U.S. DOGE Service Temporary Organization is subject to any federal disclosure or transparency laws? Why or why not? Please explain.

I do not know. DOGE is outside of my purview as senior advisor at OMB.

⁵ The White House. "[Establishing and Implementing the President's "Department of Government Efficiency."](#)" 20 Jan. 2025.

- Do you think that an agency or organization that has been tasked with implementing and recommending major cuts to the federal workforce and federal spending should be subject to oversight by Congress? Why or why not? Please explain.

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- Do you think the American public deserves transparency into the activities and structure of an agency or organization given such immense power as that described above? Why or why not? Please explain.

I do not know. DOGE is outside of my purview as senior advisor at OMB.

Question #6

There have been several reports of DOGE staffers holding meetings at agencies and directing the actions of federal employees.⁶ Further, President Trump's Executive Order of January 20, 2025, establishing DOGE directed the creation of "DOGE teams" at each agency consisting "of at least four employees, which may include Special Government Employees, hired or assigned within thirty days of the date of this Order" where "Agency Heads shall select the DOGE Team members in consultation with the USDS Administrator" and "[e]ach DOGE Team will typically include one DOGE Team Lead, one engineer, one human resources specialist, and one attorney."⁷

- Have employees, consultants, or those associated with DOGE been holding or attending meetings at OMB and CFPB? If yes, clarify as to if they are holding, attending, or both.
 - If yes, provide the name of the agency and the nature of each meeting to which they have been holding or attending.
 - When did those associated with DOGE begin joining or holding such meetings?

I do not know. DOGE is outside of my purview as senior advisor at OMB. I have not witnessed any such meetings or meeting attendance by DOGE-affiliated persons.

- Have employees, consultants, or those associated with DOGE been holding briefings and/or training sessions with federal employees or political appointees at OMB or CFPB?
 - If yes, provide the name of the agency and the nature of these briefings and/or trainings.

I do not know. DOGE is outside of my purview as senior advisor at OMB. I have not witnessed any such meetings or meeting attendance by DOGE-affiliated persons.

⁶ For example: Hunter Walker, Yahoo. "[Inside the 'Bizarre' Meeting Where DOGE Requested 'Extensive System Access' at IRS.](#)" 14 Feb. 2025.

⁷ The White House. "[Establishing and Implementing the President's 'Department of Government Efficiency.'](#)" 20 Jan. 2025.

- Have employees, consultants, or those associated with DOGE attended training and/or orientation at OMB or CFPB?

I do not know. DOGE is outside of my purview as senior advisor at OMB. I have not witnessed any persons who I understand to be affiliated with DOGE attending training or orientation.

- Have employees, consultants or those associated with DOGE been joining meetings at OMB or CFPB without announcing themselves? If yes, when and what were the nature of those meetings?

Not to my knowledge.

- What directives have you been given regarding your interaction with employees, consultants, or those associated with DOGE?

None.

- Who gave you these directives?

No one.

- Provide the names, titles, and federal employment status of OMB's DOGE team.
 - Who leads OMB's DOGE team?
 - Describe the activities and duties of OMB's DOGE team.
 - Who determined or will determine the members of OMB's DOGE team?

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- Provide the names, titles, and federal employment status of CFPB's DOGE team.
 - Who leads CFPB's DOGE team?
 - Describe the activities and duties of CFPB's DOGE team.
 - Who determined or will determine the members of CFPB's DOGE team?

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- Do you believe the DOGE teams at OMB and CFPB are subject to the disclosure and transparency requirements of the Federal Advisory Committee Act? Why or why not? Please explain.

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- Since the time of our previous question for the record, have employees, consultants or those associated with DOGE accessed or been given access to data and networks at OMB or CFPB?

I do not know. DOGE is outside of my purview as senior advisor at OMB.

- If yes, please provide the name of the agency to which they were given access, the nature of the access, the names, titles, and federal employment status of those given access, a description of the data accessed, how DOGE associates have used the data, and if their access will be ongoing.

I do not know. DOGE is outside of my purview as senior advisor at OMB.

Question #7

Director Vought was previously involved with Project 2025, which advocated for substantial cuts to the federal workforce and federal spending.

- Have any individuals previously or currently associated with Project 2025 been consulted by OMB?

I do not know.

- If yes, provide the names of those consulted, the nature of the consultations, a description of their involvement, and the dates of their involvement.

I do not know.

- Have any individuals previously or currently associated with Project 2025 attended or held meetings at OMB?
 - If yes, specify their type of involvement, provide the names of those holding or attending meetings, and the nature of those meetings held or attended.

I do not know.

Question #8

- If you are confirmed as Deputy Director and Elon Musk told you to cut or reduce the size of the workforce at OMB, would you follow this directive? Why or why not? Please explain.

As Deputy Director, I will answer to Director Vought and the President.

- If confirmed as Deputy Director of OMB, your legal duty would be to act “as the Director when the Director is absent or unable to serve or when the office of Director is vacant.”⁸ If you are confirmed as Deputy Director and a situation arises where you need

⁸ 31 U.S. Code § 502(b)(2).

to act as the Director, would you follow a directive by Elon Musk to cut or reduce the size of the workforce at OMB?

- What if Elon Musk told you to issue an OMB memo to other agencies regarding decreasing the size of the federal workforce, would you follow this directive if you were acting as OMB director?

If after confirmation, a circumstance arose requiring me to act as Director, I would make decisions for OMB as directed by the President.

- On February 20, 2025, you answered this Committee's question for the record regarding your role in the hiring and firing of OMB employees with, "I have discussed with Director Vought several candidates for employment."
 - What has been your role in these discussions?

I decline to furnish details of my confidential advice to the Director.

- Do you know if there are any plans to increase the size of the workforce at OMB? If yes, by how much? If no, why not? Please explain.

I do not know. That has been outside my purview as senior advisor.

- Do you know if there are any plans to decrease the size of the workforce at OMB? If yes, by how much? If no, why not? Please explain.

I do not know. That has been outside my purview as senior advisor.

- Are there any vacancies at OMB? If yes, provide the number of vacancies and describe the nature of the vacancies.

I do not know. That is outside my purview as senior advisor.

Question #9

The Trump Administration, at Elon Musk's behest, has fired over 2,400 employees of the Department of Veterans Affairs (VA) and imposed a hiring freeze. Media reports indicate that the administration is considering firing an additional 80,000 VA employees.⁹

- Do you believe the decision to fire these employees, many of whom are veterans themselves, will worsen VA's already severe staffing shortages and endanger veterans' access to benefits and care?

I have no involvement in changes to the VA's workforce.

⁹ Stephen Groves, Associated Press, "[Trump administration plans to cut 80,000 employees from Veterans Affairs, according to internal memo](#)," 5 March 2025.

- With thousands of VA employees—including those working on disability claims, crisis response lines, and clinical trials—being fired, veterans will face longer wait times for healthcare, disability claims adjudication, and other critical services. What steps will you take to mitigate the impact of staffing cuts on veterans' programs?

I do not anticipate playing any role in changes to the VA's workforce or managing the VA and therefore have no plan relating thereto.

- The VA has canceled nearly 900 contracts vital to patient safety and veteran privacy, while also reducing purchase card limits to \$1, which severely limits medical centers' ability to purchase essential supplies. Do you support these decisions, and what steps will you take to ensure that programs on which veterans rely are held harmless?

I do not anticipate any role in managing procurement for the VA and have no opinion on any changes to its contractual relationships.

- Approximately 6,000 veterans have been fired from federal positions, including many at the VA, despite their dedicated service. As veterans make up a significant portion of the federal workforce, how do you reconcile these mass firings with the federal government's duty to support veterans' employment and welfare?

I have no involvement in changes to the VA's workforce and no opinion on the matter.

- Congress enacted the PACT Act to provide vital support to veterans exposed to toxic substances during their service, expanding eligibility for health care and benefits. However, the mass firings and the administration's freeze on rulemaking will delay progress in implementing key provisions of the PACT Act. How do you plan to ensure that toxic-exposed veterans, many of whom are facing life-threatening conditions, are not harmed by these indiscriminate mass firings and rulemaking freeze?

I have no involvement in changes to the VA's workforce and no opinion on the matter. I disagree with the asserted factual predicate.

Question #10

Do you believe it would be legal for Donald Trump to serve another term as President after his current term?

The Twenty-Second Amendment to the Constitution states that "no person shall be elected to the office of the President more than twice."

Questions for the Record
From Senator Chuck Grassley
The Nomination of the Honorable Dan Bishop, of North Carolina, to be Deputy Director of the
Office of Management and Budget
March 6, 2025

Question 1:

The administration is in the middle of what was described as a 90 day review of foreign aid, to ensure that every project funded is aligned with our foreign policy. I think that kind of review is needed. On January 29, Secretary of State Rubio announced a waiver on the pause to allow life-saving humanitarian assistance to resume. Since then, many projects have been granted waivers, but were still unable to access funds.

Most recently, USAID terminated over 90 percent of current projects, including many that had previously been granted a waiver to continue lifesaving aid.

In addition, the National Endowment for Democracy, which gets most of its funding through a specific line item provided by Congress through an entirely different part of the foreign affairs budget, not foreign aid, has had its funding suspended.

You are currently a Senior Advisor at OMB. In these two cases, does the administration intend to either spend the funds provided by Congress in the manner Congress intended, request Congress rescind the funds, or impound the funds permanently contrary to the Impoundment Control Act?

I am not aware of any determination or action by OMB relating to distribution of funds to USAID or National Endowment for Democracy.

Question 2:

In 1981, former Federal Reserve Chairman Paul Volcker testified before the Senate Banking Committee at a time of growing deficits and elevated inflation. His testimony called on Congress to cut spending while also pursuing pro-growth policies. With respect to taxes he urged Congress to focus on reforms that would incentivize Americans “to invest, to save, and to work.”

In your view, are the prescriptions laid out by Chairman Volcker in 1981 good guiding principles for Congress to follow today?

Yes, Senator, in my personal view. What is disheartening is how constantly and the degree to which Chairman Volcker’s spending restraint prescription has been disregarded by Congress over the ensuing 42 years, and how rare have been adoptions of pro-growth policies such as the 2017 TCJA. If confirmed, I look forward to implementing President Trump’s plans to make groundbreaking progress on reducing waste, fraud, and abuse in

spending, reducing deficits, reducing consumer prices, and growing the economy all at the same time, which I have no doubt can be done.

Question 3:

Improper payments in our major health care programs have totaled 610 billion dollars over the past five years. A keyway to address this unaccounted for spending is by supporting whistleblowers.

What steps will you take as OMB Director to strengthen whistleblower policies and encourage whistleblowers to come forward to report improper payments and fraud, waste, or abuse of taxpayer dollars?

Director Vought has made clear that he recognizes and values the salutary effects of robust whistleblower protection and will preserve and reinforce protections for whistleblowers both internally at OMB and through guidance and support across federal agencies. If confirmed as Deputy Director, I will maintain a unified front with Director Vought in this respect.

Question 4:

I've conducted oversight of Pentagon spending for three decades. Throughout this time, I've seen the same mismanagement of taxpayer dollars repeated over and over. Every year billions are spent without supporting documentation. That's unacceptable and is a prime example of why DOD has never passed an independent audit. The Pentagon needs fully integrated financial management system to track all payments and avoid leaving the door open for fraud, waste, and abuse.

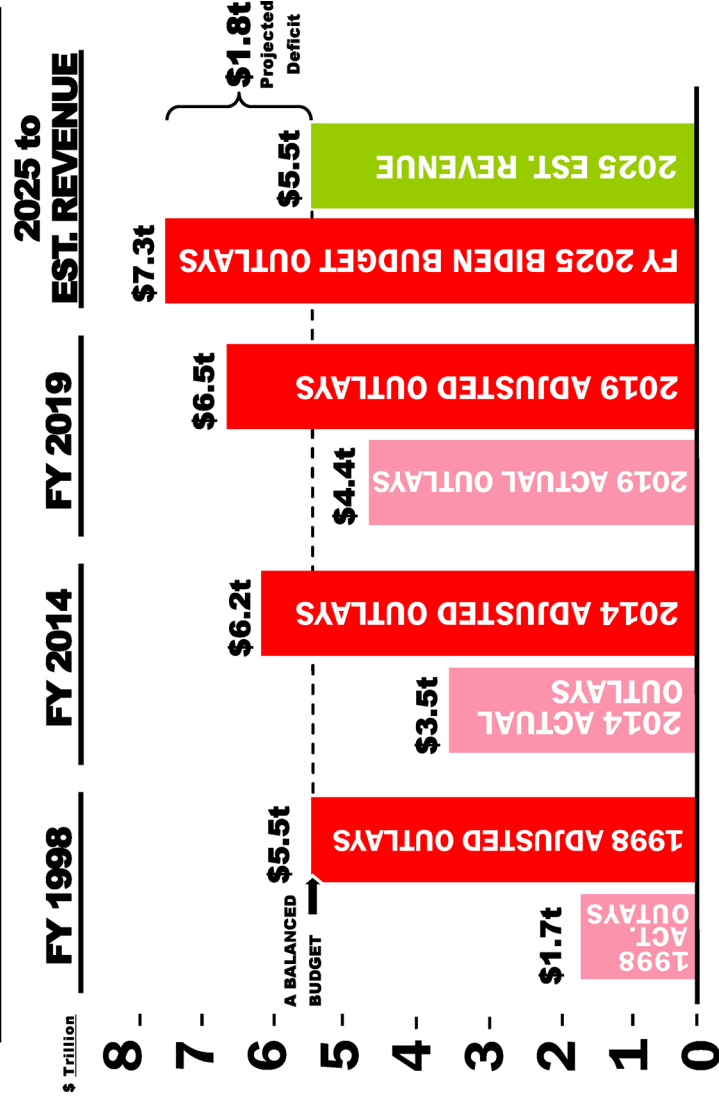
How will you work within OMB to support the Pentagon in getting its fiscal house in order?

Identifying waste, fraud, and abuse in every agency is a goal of the Trump Administration. Director Vought has strong views about working across the government to make improvements in fiscal management and program management. If confirmed as Deputy Director, I look forward to helping him fulfill this mandate.

What do you believe to be the best path forward to ensure the Pentagon is audit ready?

It would be inappropriate for me to form a definitive outlook until after I am confirmed as Deputy Director or to get ahead of the Director. I look forward to working closely with the Director and others at OMB to achieve this priority.

HOW TO BALANCE THE FEDERAL BUDGET



U.S. Bureau of Labor Statistics: CPI Inflation Calculator; U.S. Treasury: Outstanding Debt



SENATE BUDGET COMMITTEE BUSINESS MEETING

WEDNESDAY, MARCH 12, 2025

COMMITTEE ON THE BUDGET,
U.S. SENATE,
Washington, DC.

The hearing was convened, pursuant to notice, at 2:11 p.m., in The Capitol Building, Room S-120, Hon. Lindsey Graham, Chairman of the Committee, presiding.

Present: Senators Graham, Grassley, Crapo, Johnson, Marshall, Cornyn, Lee, Kennedy, Ricketts, Moreno, Scott, and Merkley.

Also present: Republican Staff: Nick Myers, Majority Staff Director; Katherine Nikas, Deputy Staff Director and Chief Counsel; Erich Hartman, Deputy Staff Director; Caitlin Wilson, Senior Counsel; Walker Truluck, Senior Policy Advisor; Nick Wyatt, Professional Staff Member.

Democratic Staff: Ben Ward, Minority Staff Director; Mike Jones, Deputy Staff Director; Jill Harrelson, Deputy Staff Director; Joshua Smith, Budget Policy Director; Melissa Kaplan-Pistiner, General Counsel.

OPENING STATEMENT OF CHAIRMAN GRAHAM

Chairman GRAHAM. The meeting of the Senate Budget Committee will come to order. We're going to vote on the nomination of Dan Bishop to be Executive director of Office of Management Budget. I'm going to give him an opening statement. I think he's a good pick.

OPENING STATEMENT OF SENATOR MERKLEY³

Senator MERKLEY. Well, I'm so delighted you all attended to hear my opening statement. I can see my Democrats really wanted to hear it. Certainly, OMB has been at the center of a lot of major decisions regarding the impounding of funds, the canceling of programs, the firing of employees.

Some of these actions, certainly on my side of the aisle, we believe violate the law and violate the Constitution. So, Senator Kennedy, you asked the question of Mr. Bishop, "you're going to follow the law?" end quote. And he responded, "Absolutely, absolutely." And then Senator Murray asked Mr. Bishop kind of the same question, "Would he follow the law under the Impoundment Control Act?" And he said he would join Director Vought's view that im-

³Prepared statement of Senator Merkley appears in the appendix on page 88.

poundment was in the power of the President. He would not affirm that he would follow the law.

So, I'm troubled. Many of my colleagues are troubled by this viewpoint. And our view is the law is not a suggestion and the president is not a king. That we swear an oath to the Constitution, not to the President, not to Mr. Vought. And for these reasons, all of the Democrats who are now here in the room, have the viewpoint that we should not confirm this nomination.

Chairman GRAHAM. Well said. It was almost persuasive (laughter). We'll now move to the committee vote. We have a quorum. The clerk will call the roll if you want to. Can we do it by—

Senator MERKLEY. Yes, please. No, we can call the roll.

Chairman GRAHAM. Call the roll.

The CLERK. Mr. Grassley.

Senator GRASSLEY. Aye.

The CLERK. Mr. Crapo.

Senator CRAPO. Aye.

The CLERK. Mr. Johnson.

Senator JOHNSON. Aye.

The CLERK. Mr. Marshall.

Senator MARSHALL. Aye.

The CLERK. Mr. Cornyn.

Senator CORNYN. Aye.

The CLERK. Mr. Lee.

Senator LEE. Aye.

The CLERK. Mr. Kennedy.

Senator KENNEDY. Aye.

The CLERK. Mr. Ricketts.

Senator RICKETTS. Aye.

The CLERK. Mr. Moreno.

Senator MORENO. Aye.

The CLERK. Mr. Scott.

Senator SCOTT. Aye.

The CLERK. Mr. Merkley.

Senator MERKLEY. No.

The CLERK. Mrs. Murray.

Senator MERKLEY. By proxy, no.

The CLERK. Mr. Wyden.

Senator MERKLEY. Can I just keep saying no instead by proxy.

Chairman GRAHAM. Just a blanket "no."

Senator MERKLEY. Okay. No.

The CLERK. Mr. Sanders.

Senator MERKLEY. No.

The CLERK. Mr. Whitehouse.

Senator MERKLEY. No.

The CLERK. Mr. Warner.

Senator MERKLEY. No.

The CLERK. Mr. Kaine.

Senator MERKLEY. No.

The CLERK. Mr. Van Hollen.

Senator MERKLEY. No.

The CLERK. Mr. Luján.

Senator MERKLEY. No.

The CLERK. Mr. Padilla.

Senator MERKLEY. No.

The CLERK. Mr. Chairman.

Chairman GRAHAM. Aye.

The CLERK. Mr. Chairman, ayes are 11 and the nays are 10.

Chairman GRAHAM. Reported out favorably. The record must be submitted to the committee—A reminder that statements for the record must be submitted to the committee by 12:00 p.m. tomorrow. The committee stands adjourned.

[Whereupon, at 2:18 p.m., Wednesday, March 12, 2025, The Senate Budget Committee was adjourned.]

**Opening Statement of Ranking Member Merkley
Senate Budget Committee Budget Executive Session
“The Nomination of the Honorable Dan Bishop, of North Carolina, to be Deputy Director
of the Office of Management and Budget”
March 12, 2025**

Sen. Merkley’s remarks, as prepared for delivery follow:

Thank you, Mr. Chairman.

Since President Trump took office, OMB has been at the center of many consequential decisions to radically change the federal government — including: illegally impounding funds, cancelling programs for families, and firing federal employees.

These actions violate the law and violate the Constitution, as the Supreme Court has ruled twice in the past.

So, Senator Kennedy asked Mr. Bishop directly: “You’re going to follow the law?” and Mr. Bishop responded: “Absolutely, absolutely.”

But when Senator Murray asked Mr. Bishop specifically if he would follow the law under the Impoundment Control Act, Mr. Bishop said that he would illegally “join Director Vought’s view” that “impoundment is within the power of the president.”

I’m deeply troubled by these inconsistencies in Mr. Bishop’s views and his willingness to follow whatever the president says.

The law is not a suggestion and the president is not a king.

Government officials swear an oath to the Constitution, not to Donald Trump or Russell Vought.

For these reasons, I urge my colleagues to vote NO on the nomination.

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