



June 7, 2017

# Nominations of Brock Long to be Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security; Russell Vought to be Deputy Director, Office of Management and Budget; and Neomi Rao to be Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget

Committee on Homeland Security and Governmental Affairs, United  
States Senate, One Hundred Fifteenth Congress, First Session

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**Opening Statement of Chairman Ron Johnson**  
**Nomination Hearing to Consider Brock Long to be Administrator, Federal Emergency Management Agency, U.S. Department of Homeland Security; Russell Vought to be Deputy Director, Office of Management and Budget; and Neomi Rao to be Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.**  
**June 7, 2017**

Today the Committee will consider three nominations within its jurisdiction that are integral to the efficient functioning of government and the safety of the American people.

Administrator, Federal Emergency Management Agency (FEMA), Department of Homeland Security (DHS)

The FEMA Administrator serves as the principal advisor to the President and the Secretary of Homeland Security (Secretary) on emergency management. The Administrator's duties include the operation of the National Response Coordination Center; the effective support of all Emergency Support Functions; and, more generally, preparation for, protection against, response to, and recovery from all-hazards incidents. The Administrator is also responsible for management of the core DHS grant programs supporting homeland security, and for providing an annual estimate of the resources needed for developing the capabilities of federal, state, and local governments necessary to respond to a catastrophic incident. FEMA is 22 percent of DHS's overall budget.

Deputy Director, Office of Management and Budget (OMB)

The role of Deputy Director of OMB varies from administration to administration, but is viewed as a general deputy to the Director, assisting the Director in carrying out the President's budget and management agendas across the executive branch. The Deputy Director is primarily responsible for budget development and execution. In addition, the Deputy Director oversees eight OMB offices: General Counsel, Legislative Affairs, Strategic Planning and Communications, Economic Policy, Legislative Reference, Budget Review, and Performance and Personnel Management. The remainder of OMB is overseen by the Deputy Director of Management.

Administrator, Office of Information and Regulatory Affairs (OIRA), OMB

The OIRA was created as part of the 1980 Paperwork Reduction Act, a law intended to curb the amount of and duplication in paperwork requirements imposed by regulatory agencies on the public. The Administrator oversees requests from agencies for any new information collections and paperwork requirements. The Administrator also oversees and coordinates proposed regulations from agencies.

OIRA also conducts a regulatory review of so-called "significant" rules, ensuring the analysis and legal basis used to justify proposed rules is sound and consistent with criteria established in relevant Executive Orders (going back to 1993). This may include ensuring that cost-benefit analysis uses well-established methods, that the agency considered potential non-regulatory alternatives like market mechanisms, and that the agency clearly identified a problem which justifies regulatory action. The Administrator ultimately may decide to either "approve" the rule or "return" it to the agency with recommended changes.

## Brock Long

Brock Long has more than 16 years of experience working in emergency management at the local, state, and federal level. Mr. Long is currently the Vice president at Haggerty Consulting, an emergency management consulting firm in Illinois. Prior to joining Haggerty Consulting, he was the director of Alabama's Emergency Management Agency from 2008 to 2011. While heading Alabama's emergency response, he coordinated 14 disasters and 8 presidentially-declared events. He also helped develop Alabama's response to the H1-N1 influenza, and served as the on-scene State Incident Commander during the Deepwater Horizon oil spill.

Prior to heading Alabama's emergency agency, he spent years as FEMA's Region IV Hurricane Planner and Response Team Leader, and Georgia's statewide Hurricane Program Manager and School Safety Coordinator. Mr. Long received a Bachelor of Science and Masters of Public Affairs from Appalachian State University and an Executive Leaders Certificate from Naval Post Graduate School.

## Russ Vought

Mr. Vought is currently a senior political appointee at OMB. Most recently, he was a Vice President at Heritage Action for America, and prior to that worked as the Policy Director for the House Republican Conference and Executive Director for the Republican Study Committee (RSC). Prior to joining the RSC, he worked as a congressional staffer to several members of Congress, including Rep. Jeb Hensarling, Senator Chuck Hagel, Senator Phil Gramm, and Senator Dan Coats.

Mr. Vought received his J.D. from George Washington University Law School and his Bachelor of Arts from Wheaton College.

## Neomi Rao

Ms. Rao is currently an associate professor of law at George Mason University. She founded the school's Center for the Study of the Administrative State, and is now the Director of the Center. From 2005 to 2006, Ms. Rao served in George W. Bush White House Counsel's office as Associate Counsel and Special Assistant to the President, and prior to that was an associate at Clifford Chance LLP in London. Ms. Rao also spent a year working as a counsel for nominations and constitutional law on the Senate Committee on the Judiciary.

Ms. Rao clerked for the Honorable Justice Clarence Thomas on the United States Supreme Court, and Judge J. Harvie Wilkinson III on the United States Court of Appeals for the Fourth Circuit. She received her J.D. from the University of Chicago Law School and her Bachelor of Arts from Yale University.

I'd like to thank the nominees who have volunteered to serve in these important positions, and I look forward to hearing their testimony.

**Opening Statement**  
**W. Brock Long, Nominee**  
**Administrator, FEMA**  
**United States Senate**  
**Committee on Homeland Security and Governmental Affairs**  
**June 7, 2017, 10:00 a.m., 342 Dirksen Senate Office Building**

**Introduction:**

Good Morning Chairman Johnson, Ranking Member McCaskill, and Members of the Committee. My name is Brock Long, and I'd like to start by thanking Senator Burr for his kind introduction. I'm a North Carolina native, a dedicated husband and father, and a passionate emergency manager that has worked in the field my entire career. I am honored by the President's nomination, Secretary Kelly's support, and thankful for the Committee's time and consideration of me to potentially serve as the Nation's next Administrator of FEMA.

I believe that FEMA's mission is one of the most important within the Federal government, and it is a privilege to be considered to lead this agency ultimately charged with saving and protecting lives, and helping communities recover in times of their greatest need. Americans rightfully have high performance expectations of FEMA, and I desire to help the agency further our Nation's collective levels of readiness and resiliency for future disasters. I realize leading FEMA is not an easy task; however, I do not fear the challenge ahead, but rather welcome the opportunity to work with you and our partners to transform our field and make America safer.

**Background/Experience:**

I'm a diplomatic leader that has dedicated nearly two decades of service to helping communities and organizations prepare for, respond to, and recover from disasters. My career experience in emergency management is unique. Not only have I held leadership positions in both the public and private sector emergency management organizations, I have also served at the State and Federal levels of government within the field. For the past six years I have been working in the private sector helping communities and private organizations across the Nation achieve a variety of emergency management, public health, and Homeland Security, goals and project initiatives. As a result of my evolving experience, I have my fingers on the pulse of local and state emergency management needs and issues.

I began my career helping the Georgia Emergency Management Agency craft one of the Nation's first innovative school safety programs, and assisted local governments across the state with hurricane and emergency operations planning. I supported statewide response efforts in the State Emergency Operations Center during one of the nation's largest evacuation and mass care events as a result of Hurricane Floyd in 1999.

On the morning of 9/11, I interviewed with FEMA, and eventually was selected to serve as the Region IV Hurricane Program Manager in charge of helping states and local governments design life safety evacuation plans and working directly with the National Hurricane Center to help jurisdictions

interpret risk and vulnerabilities when threatened by tropical systems. I was a part of FEMA when it was at its best in 2004, responding to four major hurricanes in six weeks. I was also a part of FEMA during its worst moment in 2005 when the agency learned that it is only as good as its weakest link and its last disaster.

In 2007, I was appointed by Governor Bob Riley to serve as the Cabinet level Director of the Alabama Emergency Management Agency. During my tenure, the agency responded to 14 disasters (8 of these were Presidentially Declared Events). In 2009, Alabama had more Presidentially declared disasters than any other state in the Nation, and the agency successfully responded to an average of one disaster every three months during my tenure. In addition to natural disasters, I also helped lead Alabama's response during the Deepwater Horizon Oil Spill Event of National Significance, and was charged with establishing and maintaining the State's Forward Emergency Operations Center and leading Citizen Individual Assistance disaster claims operations. As Director of the Agency, I also served on the Central United States Earthquake Consortium and as a member of the National Advisory Council's Robert T. Stafford Act Subcommittee. Finally, I was in charge of making sure key state agencies developed Continuity of Operations Plans for pandemic events, and managed logistical movement of vaccines to regional distribution sites during the H1N1 Public Health Emergency.

In 2011, I entered the Private Sector as Executive Vice President of Hagerty Consulting, a nationally recognized emergency management and homeland security firm. My private sector experience has been invaluable. Specifically, I was provided an opportunity to roll up my sleeves and work side by side with local, state, and federal emergency managers and private organizations across the Nation to develop and evaluate concepts and planning solutions for, but not limited to, the following areas: Complex attacks, cyber security, Public Health emergencies, evacuations, mass care, Access and Functional Needs, special events, school safety, disaster recovery, mission ready packaging, and program accreditation. This experience has helped me to witness firsthand the issues challenging emergency managers, and exposed ideas for improving our profession from a Whole Community perspective.

### **Conclusion:**

I understand the complexities and expectations involved with serving as FEMA administrator. I believe that the staff inside FEMA and emergency managers around the country ultimately enter the field as a great form of service to their country. Despite the unfortunate and constant criticisms emergency managers often face, I have witnessed them working diligently to collectively strengthen national preparedness and resilience while organizing capabilities to ultimately save lives and help people in time of their greatest need. If confirmed, I look forward to working closely I hope I'm given the chance to lead this extremely dedicated community and improve our field.

Should I be confirmed, I commit to being the agency's biggest champion and to work with Congress, state, local, and private sector partners to innovatively support our first responders to ensure we work together to build, sustain, and improve the Nation's capability to prepare for, protect against, respond to, recover from, and mitigate all hazards. Thank you for your consideration and I look forward to answering any questions you may have.



Testimony of Russell T. Vought  
To Be Deputy Director, Office of Management and Budget  
June 7, 2017

Thank you, Mr. Chairman. I want to thank you, the Ranking Member, and the Members of this Committee for the honor of appearing before this committee.

I also want to thank and introduce my family who has endured this process with me and the long hours that come with serving one's country in public roles. My wife, Mary, is here, and my daughters Ella and Porter...if you can't see them it's because they are coloring on the floor...I'm also thrilled that my sisters and many friends could be here in support.

It is a joy to "come home" to the United States Senate. I worked the first four years of my career in this distinguished body, mostly for Senator Phil Gramm. I spent hours on the Senate floor, in committee, and at my desk, learning how the Senate works its will with great deliberation. How an institution protects the rights of a Minority to be heard, and how statesmen ought to debate their colleagues to move votes and shape public opinion. And it was here that I developed a love for public policy, seeing how it could be used to help the people of this country live freer and more prosperous lives.

It is an honor to be nominated to serve as the Deputy Director of the Office of Management and Budget. It is a very important job, and I am humbled that President Trump and Director Mulvaney asked me to serve. I know the quality of the men and women who have served previously in this particular role, and I want to join and contribute to that long line of distinguished public service.

My career has readied me for this moment. I spent over 12 years working in the House and Senate, with a specific emphasis in budget policy. I was the Republican Study Committee's Budget Director, writing its budget resolutions. I then served as the Executive Director and the Policy Director of the House Republican Conference under then-chairman Mike Pence. All of these roles afforded me an opportunity to handle a wide range of policy issues and manage policy development processes that ensured a wide variety of viewpoints shaped a final policy proposal. That is very much the job of the Deputy Director of OMB...to build and further a policy process that ensures that the President and his advisors receive the best analysis possible and that everyone is heard so that the best decision can be made.

I also have experience managing a large organization. I spent the last seven years managing many aspects of Heritage Action for America, including staff and 17,000 volunteers across the country. Volunteers are in fact volunteers. They have their own viewpoints and ideas, and you don't get very far working with them if you don't have an appreciation for them as leaders in their own right. That experience has prepared me well for managing the men and women of OMB, who are career experts in their fields and have years of institutional knowledge for this Administration to draw upon.

As for the job to be done, it is immense. Our country faces a \$20 trillion national debt. It will eventually wreck our country if not addressed. That burden will fall on my children and grandchildren if today's policy makers do not change the current trajectory of spending. It will mean a lower standard of living for them and less time for the truly important things in life as more and more of their salary is consumed by government. Their families and communities will be weaker, and they may be the first generation that gets a worse deal than their parents. That is not the American way.

I have spent my entire career caring about taxpayers and their families. I have fought to save them money and ensure that their tax dollars were spent well. I come from a blue collar family. I'm the son of an electrician and a school teacher. I know what they went through to balance their budget and save for the future. My parents worked really long hours to put me through school. But they also worked long hours to pay for the government in their lives, and I often have wondered what they would have been free to build and give without such a high burden. My old boss called them the wagon-pullers in our country. Others have referred to them as the country's forgotten men and women. They have always been my test for federal spending. Did a particular program or spending increase help the nameless wagon pullers across our country, working hard at their job, trying to provide for their family and future, without the luxury of watching CSPAN to know that we might be increasing their burden at that very moment? How would they vote? Yay or nay? I believe that as a country we have too often failed that simple test, and it is the reason that we face a \$20 trillion debt that needs to be dealt with. If the Senate confirms me, I am ready to take up that work again.

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

**United States Senate Homeland Security and Government Affairs Committee  
Hearing on the Nomination of Neomi Rao to be the Administrator of the Office of  
Information and Regulatory Affairs, Office of Management and Budget**

**Statement of Neomi Rao**

**June 7, 2017**

Chairman Johnson, Ranking Member McCaskill, and Members of the Committee, it is an honor to appear before you as the President's nominee to be the Administrator of the Office of Information and Regulatory Affairs. I am grateful to the President and Director Mulvaney for their trust and confidence.

At the outset, I would like to thank the Members of this Committee and their staff for taking the time to meet with me. I appreciate your graciousness and the chance to connect and discuss issues about the regulatory process. For those of you I did not have an opportunity to meet, I hope we might have a chance after the hearing. If confirmed, I look forward to working closely with Members of the Committee on issues relating to regulatory and information policy.

If you will indulge me, I will take a moment to recognize my family. I am here today with my husband, Alan Lefkowitz, and my two children Isabella and Ezra. Alan's unwavering support has made it possible for me to even consider the demands of public service. My father, Dr. Jehangir Rao, is also here, and has believed in me at every stage of my life. I remember also my remarkable and loving mother, Dr. Zerine Rao, who died too young of cancer, and wish she could have been here to share this day. Leaving India in January 1972, my parents arrived in Detroit in the middle of a snowstorm without winter jackets, but with their medical degrees, \$16, and the optimism of the recently married. They always imparted by example the importance of integrity, perseverance, kindness, and a commitment to service.

Let me share some information about my background. For the past ten years, I have been a law professor at the Antonin Scalia Law School at George Mason University, teaching constitutional law and legislation and statutory interpretation. My scholarship has focused on the framework of constitutional accountability for administrative agencies. About two years ago, I founded the Center for the Study of the Administrative State. The Center commissions academic research and hosts public policy conferences, bringing together scholars, practitioners, and government officials to analyze and debate difficult questions of administrative law.

Prior to my academic career, I worked in the Office of the White House Counsel, where I oversaw the legal work of a number of agencies and helped to coordinate interagency discussions about law and policy. I have also served on the Senate Judiciary Committee as counsel for nominations and constitutional law. My other experience includes working for several years at a law firm in London and clerking for Justice

Clarence Thomas of the U.S. Supreme Court and Judge J. Harvie Wilkinson III of the U.S. Court of Appeals for the Fourth Circuit.

My academic background and practical experience in all three branches of the federal government have helped me to understand the regulatory process and the respective roles of Congress, the President, and the courts in administration.

Since Congress established OIRA in the Paperwork Reduction Act of 1980, OIRA has operated with a consistent mission to improve the quality of decisionmaking in administrative agencies through regulatory review and the coordination of information policy. OIRA plays a vital role within the Executive Branch to ensure that administrative agencies follow the law, base their decisions on the best possible economic and technical analysis, and fulfill presidential priorities. Within the requirements set by Congress, OIRA works with an overarching goal of creating the greatest benefits for the American people while minimizing regulatory burdens.

Reading through OIRA's statutory authorities as well as Executive Orders and OMB Guidance, I have been struck by the consistency of the principles guiding the work of the office across administrations. Perhaps this is one reason so many talented professionals work at OIRA and often stay for many years serving presidents of different parties.

I am humbled to be nominated for this role. If confirmed as Administrator, I would work to ensure the continuity of OIRA's principles, updating and refining when necessary, but maintaining the integrity of the process that has developed. I would also look forward to working with Members of this Committee and other Members of Congress on legislation relating to regulatory reform and other issues within OIRA's purview.

Thank you for your consideration. I look forward to answering your questions.