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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

GABRIELLE D'ADAMO SINGER, STAFF DIRECTOR
DAVID M. WEINBERG, MINORITY STAFF DIRECTOR

November 26, 2019

The Honorable Russell Vought
Acting Director
Office of Management and Budget
725 17th Street Northwest
Washington, DC 20503

Dear Acting Director Vought,

As you know, the Senate Committee on Homeland Security and Governmental Affairs is currently considering the President's nomination of Paul J. Ray to be Administrator of the Office of Information and Regulatory Affairs (OIRA), within the Office of Management and Budget (OMB). The Constitution requires that the President's choices for key positions receive the advice and consent of the Senate. To fulfill this constitutional responsibility, we have sought to fully and fairly evaluate Mr. Ray's record and qualifications for this important position.

As you know, OIRA plays the central role in establishing government-wide regulatory policy and information collection policies. As Administrator, Mr. Ray's responsibilities would include overseeing OIRA's review of draft proposed and final regulations, managing the interagency review process, and ensuring agency rules are supported by rigorous, evidence-based cost-benefit analyses.

Mr. Ray has been an employee of OMB since June 2018 and – until last month – he served in top leadership positions at OIRA. He served as the Associate Administrator – OIRA's second-in-command – from June 2018 until March 2019, and as Acting OIRA Administrator from March 2019 until his formal nomination last month.

In the course of this Committee's standard procedures for vetting nominees, we have asked Mr. Ray to provide us with information related to his recent tenure at OIRA. Unfortunately, we have not received adequate responses to many of our requests. In many instances, Mr. Ray has indicated that information and documents the Committee has requested are being withheld at the instruction of OMB's Office of General Counsel. The nominee has cited "the Executive Branch's longstanding interests in protecting the confidentiality in the deliberative process" as the basis for refusing to answer many of our requests. While we understand that there may be circumstances under which withholding or redacting particularized content could be justified, neither the nominee nor OMB has provided a sufficient justification for failing to comply with the Committee's requests.

Given the nominee's recent experience serving in the role to which he has been nominated on an acting basis, information and documents pertaining to his tenure at OIRA are not only directly relevant, but also necessary, for this Committee to thoroughly assess his nomination.

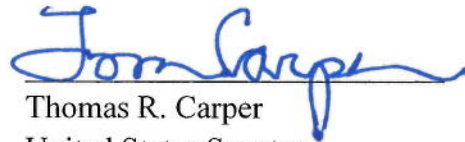
We urge you to direct Mr. Ray – and OMB's Office of General Counsel, as appropriate – to promptly provide us with complete responses to the outstanding requests made to the nominee in the Committee's November 1, 2019 Supplemental Pre-hearing Questionnaire.

We respectfully request full cooperation no later than Monday December 2, 2019 in order to ensure the Committee has the opportunity to review Mr. Ray's responses in advance of the hearing on his nomination.

Sincerely,



Gary C. Peters
Ranking Member



Thomas R. Carper
United States Senator



Kyrsten Sinema
United States Senator



Margaret Wood Hassan
United States Senator



Kamala D. Harris
United States Senator



Jacky Rosen
United States Senator

Cc: Senator Ron Johnson
Chairman
Senate Committee on Homeland Security and Governmental Affairs

Cc: Paul J. Ray
Senior Advisor to the Director for Regulatory Affairs
Office of Management and Budget