

**Nomination Hearing for  
William N. Bryan to be  
Under Secretary, Directorate of Science & Technology  
and  
Peter T. Gaynor to be  
Deputy Administrator, Federal Emergency Management Agency**

**August 22, 2018  
Ranking Member Claire McCaskill**

**Opening Statement**

Thank you, Chairman Johnson.

At today's hearing, we will consider nominees for two very important positions within the Department of Homeland Security.

William Bryan is nominated to head the Science and Technology Directorate at DHS. Welcome, Mr. Bryan. S&T was established to administer the research and development activities at DHS, and to ensure that the men and women defending the homeland have access to the best available technology, and to the tools that fit their needs.

You come to the committee having already spent more than a year working at S&T in an acting capacity, where you have been working closely with the Democratic and Republican staff of this committee on the DHS authorization, and on finding solutions to problems which the Directorate has struggled with since its establishment. Before joining DHS, you had already had a long and distinguished

career in the United States Army and at the Department of Energy, and we appreciate your willingness to reenter public service.

I look forward to hearing from you today about how you plan to reshape S&T to make it a more effective advocate for research and development within DHS. S&T can also be a powerful force ensuring that technology acquisitions at DHS are not wasteful, answer the needs of DHS components, and enhance our security and I hope that you will make S&T a partner in improving the technology acquisition process at DHS.

I will also be interested in hearing from you about the Administration's plans to move the National Bio and Agro-Defense Facility from DHS to the Department of Agriculture. Chairman Johnson and I, along with a bipartisan group of Senators, have requested a GAO review of this transfer, and I will be looking for a clear explanation of how S&T expects to handle the move, and whether the plans for construction of a new facility are staying on target and are adequately funded.

Mr. Gaynor, I'm also glad to see you. We've been waiting for a qualified, capable, and ethical Deputy Administrator nominee at FEMA for 19 months now.

You come to us with over 30 years' experience as a public servant – first in the United States Marine Corps and then with the city of Providence and the state of Rhode Island Emergency Management agencies. From all accounts, you are a leader in the emergency management field and a no-nonsense manager who is able

to get things done. I appreciate your willingness over the course of your career to speak truth to power regardless of who's in charge, and I hope that courage and candor continues if you are confirmed as the next FEMA Deputy Administrator.

You've got a big job ahead of you, and I need to know that you're up to the task.

There are a number of management challenges that you'll face if confirmed – none more important than ensuring that FEMA employees have a workplace that's free from harassment, discrimination, and unfair hiring practices. That appears to have not been the case in the recent past – at least in FEMA's Human Resources Division.

According to the results of an internal investigation, which was recently shared with me and my staff, the former head of HR at FEMA was engaged in improper sexual relationships with subordinates, promised promotions in exchange for continuing these relationships, and improperly hired or assisted in the hiring of personal friends who were unqualified for the positions they received.

According to FEMA and the Department of Homeland Security Office of Inspector General, there had been nearly two dozen complaints about the former HR director dating back to 2013. However, when complaints were referred to FEMA by the Inspector General's office, it's unclear what, if anything, FEMA did about them. This is the exact same thing that the Government Accountability

Office took FEMA to task for in a report issued last year. GAO found that, among other things, FEMA was not investigating and didn't have a good system for tracking misconduct referrals.

I realize, Mr. Gaynor, that you didn't make this mess, but, if confirmed as Deputy Administrator, you're largely going to be responsible for cleaning it up. I'd like to hear from you today on how you plan to go about doing so.

Also on the topic of FEMA personnel, one of the major findings in the agency's 2017 After-Action Report was that FEMA experienced severe staffing shortages while responding to back-to-back-to-back hurricanes, coupled with historic wildfires and other outstanding disaster recoveries in states like Missouri. At one point last year, more than 70% of FEMA's workforce was deployed to disaster-affected areas. The agency had to pull staff from other DHS components and from non-DHS departments. These were folks who aren't typically trained in disaster response and recovery.

While FEMA has made strides in hiring over the past year, the agency is still almost 5,000 employees short of its target staffing goals. And many of the employees that FEMA has on board today don't meet the qualification standards the agency has set for itself. I worry about whether FEMA is ready to respond if, God forbid, we have another year for disasters like 2017. And I want to hear about your plans for hiring, retaining, and training qualified employees.

Lastly, I'd like to briefly touch on one issue that was hardly mentioned in FEMA's After-Action report – and that's disaster contracting. I realize that FEMA isn't built to handle everything in-house. In some cases, contractors are needed. But the very least we can do going forward is to make sure that communities have the contracts and commodities they need in place before a disaster strikes. The worst time to be soliciting bids for goods and services is in the aftermath of a storm. As we've seen time and time again in the response to Hurricanes Harvey, Irma, and Maria, this can lead to cost overruns, contract cancellations, and unnecessary delays, which ultimately impact disaster survivors and American taxpayers alike. I hope that, if you're confirmed, you will take a close look at what FEMA can do to improve pre-event contracting at the federal, state, and local level.

Again, thank you both for being here today, and I look forward to your testimony.