

U.S. Senate Committee on Homeland Security and Governmental Affairs
Nominations of
Emery A. Rounds, III to be Director, Office of Government Ethics
Frederick M. Nutt to be Controller, Office of Federal financial Management,
Office of Management and Budget
Kelly Higashi to be Associate Judge, District of Columbia Superior Court

May 23, 2018

Ranking Member Doug Jones

Opening Statement

Thank you, Mr. Chairman.

Thank you Mr. Rounds, Mr. Nutt, and Ms. Higashi, for being here today and congratulations on your nominations. Each of you has demonstrated a dedication to public service, and we appreciate your willingness to continue to serve in these new roles.

Today we convene to provide advice and consent for the President's nominees to be Director of the Office of Government Ethics, Controller of the Office of Federal Financial Management, and an Associate Judge of the District of Columbia Superior Court.

Ms. Higashi, as an attorney who practiced in federal and state courts for almost forty years, I know just how much litigants depend on having qualified, impartial judges on the bench. I also served as an Assistant U.S. Attorney, and later as the U.S. Attorney in Birmingham, Alabama, and I understand the difficult work

you do. I commend you on your dedication to finding justice for the most vulnerable among us who have been the victims of the most heinous crimes.

Public service requires government employees to place loyalty to the Constitution, the laws, and ethical principles above private gain. The Office of Government Ethics is responsible for providing leadership and oversight of the executive branch ethics program, which is intended to prevent and resolve conflicts of interest involving Administration employees. In other words, the purpose of the OGE is to safeguard the public's trust in government. In the current climate of intense partisanship and suspicion, the importance of this role cannot be overstated.

Created by the 1978 Ethics in Government Act in the wake of the Watergate scandal, the OGE was reviewed and reauthorized by Congress until 2007, when its statutory authorization expired. Although OGE does continue to receive federal appropriations, reauthorization is important and provides an opportunity to consider whether there are improvements that can better enable the OGE to fulfill its mission. I hope that this Congress will see fit to reauthorize OGE before it ends later this year.

There are a number of OGE reform proposals under consideration, some based on suggestions made by former OGE Director Walter Schaub. Having reviewed those proposals and given the climate we currently find ourselves in, I hope that they will be given serious consideration by Congress and to the extent that they can be done internally, by the OGE itself. Mr. Rounds, you have an extensive background in ethics and a deep commitment not just to public service, but to ethical and transparent public service. I am interested to hear how you plan to help the OGE navigate novel conflict of interest circumstances, whether you feel

OGE has had the tools to adequately address the issues that have recently arisen, and how you plan to ensure OGE's independence in doing its job.

The Office of Federal Financial Management also has a role in protecting the public trust in government, specifically with regard to the effective and transparent use of government resources. The OFFM was established in 1990 to lead the Executive Branch toward better financial management and decision-making. Its priorities include transparency and data management, shared services, real property, improper payments, grants management, internal control, federal financial reporting, debt collection and charge cards.

Mr. Nutt, you currently serve as Senior Adviser to the Director and Deputy Director of the Office of Management and Budget. In that role, you have had some opportunity to familiarize yourself with the OFFM since it reports to the Deputy Director, and you have recognized that the federal government continues to waste far too much money on improper payments. I look forward to hearing your thoughts on ways OFFM can effectively reduce this number.

I look forward to hearing from each of these nominees. Thank you, Mr. Chairman.