

Opening Remarks [as prepared]
Ranking Member Rob Portman
Business Meeting
Homeland Security and Governmental Affairs Committee
March 30, 2022

Today, we are considering several critical nominations and pieces of legislation. I want to thank the Chairman and his staff for their willingness to work with us on the legislation pending before the committee today. Among these bills are common sense proposals to improve our resilience to natural disasters, strengthen our border and ports of entry, and ensure fair treatment of retiring Customs and Border Protection officers. While I am supporting most of these nominees and bills, I would like to briefly address a few areas of concern.

I am troubled that we are moving forward with the nominations of Ernest DuBester, to be a member of the Federal Labor Relations Authority, and Kurt Rumsfeld to be General Counsel of the Federal Labor Relations Authority. As all members of this Committee are aware, we received documents produced to a private party under the Freedom of Information Act suggesting that they may have engaged in inappropriate conduct in their current offices. The Republican members of this Committee requested that the FLRA Inspector General look into those allegations, and we had hoped our majority colleagues would join us, given their serious nature. I'd like to enter our letter and the attachments into the record for the markup.

In response to our request, the FLRA Inspector General is now actively investigating these individuals. So it was both a surprise and a disappointment when the majority decided to press forward with the confirmation process despite this fact. It is inappropriate to rush through nominees while those individuals are subject to an IG investigation. We have asked the IG to expedite the investigation, but until that investigation concludes I must vote against advancing these nominees.

We are also considering five nominees to the Federal Retirement Thrift Investment Board, four of whom are well-qualified to serve on the Board, and I will support their nominations. However, I cannot support Javier Saade [*Saw-day*]. He exhibited a serious lack of judgment in a series of partisan social media posts. I am concerned about his ability to serve in this non-partisan role without bias on behalf of all TSP participants, regardless of party, and I oppose his nomination.

Turning to the legislation before us, we have worked in good faith to move these bills in a bipartisan fashion. That said, the *Periodically Listing Updates to Management (PLUM) Act of 2022* raises serious privacy concerns for federal political employees, and I can only support this bill if it is amended to lengthen the reporting period required by the bill.

I am pleased the Committee is considering the *Post-Disaster Mental Health Response Act*, which I introduced with Senator Durbin. That bill will allow FEMA to reimburse states for counseling services rendered during declared emergencies. Mental health is often overlooked in post-disaster recovery operations, and this bill will help survivors access those services.

I look forward to the Committee's consideration of that bill and the other important bills and nominees we are addressing today.