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January 14, 2025

VIA Email

The Honorable Rand Paul
Chair
U.S. Senate Committee on Homeland Security
& Government Affairs
135 Hart Senate Office Building
Washington, DC 20510

The Honorable Gary Peters
Ranking Member
U.S. Senate Committee on Homeland Security
& Government Affairs
711 Hart Senate Office Building
Washington, DC 20510

Re: Nomination of Mr. Russell Vought to be Director of the Office of Management and Budget

Dear Senators Paul and Peters:

On behalf of the National Women's Law Center (the "Center"), an organization that has advocated on behalf of women and girls for over fifty years, we write in strong opposition to the confirmation of Mr. Russell Vought to be the Director of the Office of Management and Budget. As one of the architects of Project 2025, an unpopular agenda that President-elect Trump characterized as "seriously extreme," Mr. Vought has been instrumental in crafting the anti-democratic policy agenda that seeks to concentrate power in the presidency, in contradiction to our constitutional system of checks and balances. Furthermore, Project 2025 seeks to undermine protections for women, LGBTQ people, and working families as part of its broader efforts to perpetuate and enforce narrowly defined gender roles and racial hierarchies. Mr. Vought's extremist views and anti-democratic, unconstitutional vision for the federal government cast doubts on his ability to fulfill this critical leadership role.

The Office of Management and Budget (OMB) serves an important role in the government because it affects every other department and the functioning of the federal government itself. OMB helps set the president's budget, determines regulatory priorities and funding, and coordinates executive orders. From this position, the Director of OMB has the power to make significant policy changes that impact federal spending on programs, federal employees, the budget process, and the rulemaking processes, as well as the substance of federal rules. The Director has a strong influence on the priorities and direction of the presidency as well as programs and agencies that are vital to the lives and wellbeing of women, LGBTQ people, and working families.

Mr. Vought has repeatedly and consistently demonstrated hostility to reproductive rights and LGBTQ people through public statements and as an architect of the extremist Project 2025 policy agenda. He has publicly called on Congress to outlaw medication abortion nationwide, despite the decades of evidence demonstrating it is safe and effective health care.¹ Project 2025 further calls for the abusive and lawless enforcement of the Comstock Act,² an outdated 1873 anti-vice law long understood to be a dead letter, to criminalize doctors and pharmacies for the mailing of legal, FDA-approved medications that are commonly used for medication abortion.³ As OMB Director, Mr. Vought would be in a position to push forward this unlawful agenda. In multiple speeches, Mr. Vought has also called for discrimination against transgender people in the workplace and in health care, while attacking the very concept of gender affirming care.⁴ Consequently, Project 2025 seeks to eliminate both transgender health care from Medicare and Medicaid and federal anti-discrimination rules based on gender identity and sexual orientation for federally funded and operated health care programs.⁵ Mr. Vought's well-documented antagonism toward the civil rights, health care, and wellbeing of women and LGBTQ people, makes him a dangerous choice for the Director of OMB.

Further, Mr. Vought has taken alarming positions on racial equity and immigration, all of which perpetuate the discriminatory ideologies echoed in Project 2025. When he led OMB during the first Trump administration, Mr. Vought sent a letter to the heads of the federal executive departments and agencies that disparaged the use of federal funding for diversity and equity trainings.⁶ Following Mr. Vought's letter, President Trump signed Executive Order 13950, since rescinded, which condemned and barred funding for diversity and equity trainings.⁷ This executive order also warned federal contractors against even mentioning racial equity to employees,⁸ not only undermining the federal government's duty to enforce

¹ Russ Vought (@russvought), "Congress should not rely on the courts to outlaw chemical abortion at the federal level...", X, April 20, 2023, 4:15 PM, <https://x.com/russvought/status/1649144215631196184>.

² 18 U.S. Code §§ 1461 and 1462.

³ The National Women's Law Center, "Project 2025: What It Means for Women, Families, and Gender Justice," pg. 4, September 2024, <https://nwlc.org/wp-content/uploads/2024/09/Project-2025-Full-Report.pdf>.

⁴ Molly Redden and Andy Kroll, ProPublica, and Nick Surgey, "Put Them in Trauma": Inside a Key MAGA Leader's Plans for a New Trump Agenda," *Pro Publica*, October 28, 2024, <https://www.propublica.org/article/video-donald-trump-russ-vought-center-renewing-america-maga>.

⁵ The National Women's Law Center, "Project 2025: What It Means for Women, Families, and Gender Justice," pg. 8, September 2024, <https://nwlc.org/wp-content/uploads/2024/09/Project-2025-Full-Report.pdf>.

⁶ Office of the President, Office of Budget Management, "MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES," September 4, 2020, <https://www.whitehouse.gov/wp-content/uploads/2020/09/M-20-34.pdf>.

⁷ The Trump Whitehouse, "Executive Order on Combating Race and Sex Stereotyping," September 22, 2020, <https://trumpwhitehouse.archives.gov/presidential-actions/executive-order-combating-race-sex-stereotyping/>.

⁸ *Id.*

civil rights protections, but also upending longstanding free speech protections.⁹ Project 2025 reaffirms and expands these attacks on racial and gender equity by seeking the extraordinary measure of eliminating nearly every civil rights office in the federal government.¹⁰

Additionally, Mr. Vought has revealed that he has already been preparing anti-immigration policy for Donald Trump's second administration.¹¹ While he has not detailed these policies, his Project 2025 calls for dismantling the immigration system put in place by Congress and instituting mass deportation.¹² This would devastate immigrant children and families as well as the national economy.

Mr. Vought's record raises additional concerns about his intention to strip funding from public assistance and social benefits programs, both critical to women and working families. In 2022, Mr. Vought's former organization Center for Renewing America composed a budget blueprint that sought to cut every single entitlement and discretionary program. For example, in Mr. Vought's budget blueprint, the U.S. Department of Housing and Urban Development and the U.S. Department of Labor would receive at least a 40% cut under this plan, while U.S. Department of Health and Human Services would receive a 20% cut.¹³ Mr. Vought's budget blueprint also specifically targets offices that are, in his words, "infused with critical race theory and gender theory."¹⁴ He has also proposed deep cuts to food stamps, student loans and Pell grants, Medicaid, ACA subsidies, disability insurance, and dozens of other programs that support low-income families.¹⁵ Further, Mr. Vought has already demonstrated his willingness to illegally withhold federal funds specifically appropriated by Congress when it suits him.¹⁶

⁹ See *National Urban League v. Trump*, Complaint, Case. No. 1:20-cv-3121 (D.D.C. Jan. 11, 2021). Executive Order 13950 was revoked by President Biden before this case could be resolved. Executive Office of the President, "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government," Executive Order 13985, 86 Fed. Reg. 7009, January 20, 2021. Similar "positively dystopian" policies have been found to violate the First Amendment. See, e.g., *Pernell v. Fla. Bd. of Governors of the State Univ.*, Order, Case. No. 4:22-cv-00346- Doc. 63 (N.D. Fla. Aug. 18, 2022) (enjoining Florida's STOP WOKE Act as applied to colleges and universities).

¹⁰ The National Women's Law Center, "Project 2025: What It Means for Women, Families, and Gender Justice," pg. 2, September 2024, <https://nwlc.org/wp-content/uploads/2024/09/Project-2025-Full-Report.pdf>.

¹¹ Curt Devine, Casey Tolan, Audrey Ash, and Kyung Lah, "Hidden-camera video shows Project 2025 co-author discussing his secret work preparing for a second Trump term," *CNN Politics*, August 15, 2024, <https://www.cnn.com/2024/08/15/politics/russ-vought-project-2025-trump-secret-recording-invs/index.html>.

¹² The National Women's Law Center, "Project 2025: What It Means for Women, Families, and Gender Justice," pg. 3, September 2024, <https://nwlc.org/wp-content/uploads/2024/09/Project-2025-Full-Report.pdf>; Democracy Forward, "FACT SHEET: Exposing Project 2025's Day One Plans to Target Immigrants, Expand Executive Power," <https://democracyforward.org/wp-content/uploads/2024/10/FINAL-PRESS-Project-2025-Fact-Sheet-on-Immigration.pdf>.

¹³ Center for Renewing America, "A Commitment to End Woke and Weaponized Government, 2023 budget proposal," pg. 21, 31, & 60, <https://americarenewing.com/wp-content/uploads/2024/03/Budget-Center-for-Renewing-America-FY23.pdf>.

¹⁴ *Id.* at 23.

¹⁵ *Id.*

¹⁶ U.S. Government Accountability Office, Matter of: Office of Management and Budget—Withholding of Ukraine Security Assistance, File B-331564, January 16, 2020, <https://www.gao.gov/assets/b-331564.pdf>.

Additionally, Mr. Vought supports anti-democratic and what he calls “post-Constitutional” views about consolidating and aggrandizing presidential power, eliminating career agency staff and experts, and using impoundment to subvert Congressional funding authority.¹⁷ He seeks to expand presidential powers in part by debilitating and undercutting independent federal agencies that have been put in place and granted authority by acts of Congress.¹⁸ A key part of that plan is to make it easier to fire career civil servants, making it difficult for the federal government to carry out key obligations under the law.¹⁹ Mr. Vought was instrumental in the creation of “Schedule F” during Donald Trump's first administration, which allowed the replacement of career civil servants and experts with partisan loyalists.²⁰ Mr. Vought has stated: “there certainly is going to be mass layoffs and firings, particularly at some of the agencies that we don’t even think should exist.” Specifically, in order to demonize civil servants and “put them in trauma,” Mr. Vought has vowed to paint them as villains and slash funding so that they cannot effectively perform their duties.²¹ This is the last individual who should have anything to do with setting governmental priorities, budgets, and workplace policies, let alone leading such efforts.

Lastly, Mr. Vought seeks to defy Congressional funding decisions and arrogate such power to the Executive.²² Mr. Vought proposed using impoundment to block agencies from spending money that Congress has specifically allocated, potentially even clawing back funding of previously passed appropriations and repurposing appropriated funds for uses not authorized by Congress.²³ Congress prohibited impoundment through the 1974 Impoundment Control Act, making Mr. Vought's support for the practice all the more lawless.²⁴ Mr. Vought has demonstrated support for anti-democratic policies that threaten our government’s systems of checks and balances, showing that he is clearly unfit for the important role of Director of OMB. The Founders did not establish a monarchy, and Congress should not put Mr. Vought in a position to achieve his “post-Constitutional” vision for America.

¹⁷ Beth Reinhard, “Trump loyalist pushes ‘post-Constitutional’ vision for second term,” *The Washington Post*, June 8, 2024, <https://www.washingtonpost.com/politics/2024/06/08/russ-vought-trump-second-term-radical-constitutional/>.

¹⁸ *Id.*

¹⁹ Tucker Carlson “Tucker Carlson and Russ Vought Break Down DOGE and All of Trump's Cabinet Picks So Far,” YouTube Video, by Tucker Carlson, November 18, 2024, <https://www.youtube.com/watch?v=vvdAb4RR1iI>.

²⁰ Isabela Dias, “The Bureaucrat Who Could Make Trump’s Authoritarian Dreams Real,” *Mother Jones*, November + December 2024 edition, <https://www.motherjones.com/politics/2024/09/russ-vought-profile-project-2025-trump-architect/>.

²¹ Molly Redden and Andy Krull, ProPublica, and Nick Surgey, “‘Put Them in Trauma’: Inside a Key MAGA Leader’s Plans for a New Trump Agenda,” *Pro Publica*, October 28, 2024, <https://www.propublica.org/article/video-donald-trump-russ-vought-center-renewing-america-maga>.

²² Paul M. Krawzak, “Trump win would spark constitutional fight over spending power,” *CQ Roll Call*, July 31, 2024, <https://rollcall.com/2024/07/31/trump-win-would-spark-constitutional-fight-over-spending-power/>.

²³ *Id.*

²⁴ Congress.gov, “H.R.7130 - 93rd Congress (1973-1974): Congressional Budget and Impoundment Control Act of 1974,” July 12, 1974, <https://www.congress.gov/bill/93rd-congress/house-bill/7130/text>.

In conclusion, Mr. Vought's hostile record towards women, LGBTQ people, immigrants, and working families and his openly anti-democratic and unconstitutional views on expanding presidential power and running roughshod over checks and balances demonstrate that he is unfit for the position of Director of the Office of Management and Budget. The National Women's Law Center strongly opposes the confirmation of Mr. Russell Vought and urges the U.S. Senate Committee on Homeland Security & Government Affairs to reject his nomination. If you have any questions about the Center's opposition to Mr. Vought's nomination, please contact me or Alison Gill, Director of Nominations & Democracy, at agill@nwlc.org.

Sincerely,



Fatima Goss Graves
President and CEO