



AUGUST 2, 2017 **BACKGROUND**

Mick Mulvaney, Director of the Office of Management and Budget

INTRODUCTION

Former Republican Congressman Mick Mulvaney, Director of the Office of Management and Budget (OMB), is best known for being a fiscal hawk during his time in the U.S. House of Representatives. He was first elected during the Tea Party Republican wave in 2010 and is a founding member of the conservative House Freedom Caucus (HFC). He was confirmed by the Senate on February 16, 2017, by a vote of 51-49. This memorandum provides an overview of his career, expressed public opinions on relevant topics, and the response to his nomination from Congress and other stakeholders.

NOMINATED POSITION

Director of the OMB

NOMINEE

John Michael "Mick" Mulvaney

EDUCATION

B.S. from Georgetown University, J.D. from University of North Carolina, Chapel Hill, Owner/President Management Program at Harvard Business School

AGE

49

PROFESSION

U.S. Representative, Attorney, Restaurateur

- U.S. Representative (R-SC-05), U.S. House of Representatives (2011-2017)
- State Senator, South Carolina Senate (2009-2011)
- State Representative, South Carolina House of Representatives (2007-2009)
- Board Member and Restaurant Owner and Operator, Salsarita's Fresh Cantina, Inc. and The Mulvaney Co. (2009-2011)
- Vice President, Graver Homes, Inc. (2008-2009)
- President, Mulvaney Properties and The Mulvaney Group, Ltd. (2001-2008)
- Owner and Managing Partner, Mulvaney & Fisher, PA (1997-2000)
- Senior Associate, James McElroy & Diehl, P.A. (1992-1997)

FAMILY

Wife, Pam Mulvaney; three children (triplets)

SUMMARY OF KEY ISSUE POSITIONS

- Federal Government Budget, Spending and Taxes
 - Debt Ceiling
 - » Opposed multiple proposals and votes to raise the debt ceiling starting in the summer of 2011. ([The State](#))
 - “ Voted against the October 2013 deal (H.R. 2775) to temporarily fund the government and raise the debt ceiling. ([Press Release](#))
- Defense spending
 - Supports a full audit of the Department of Defense
 - » Cosponsored the [Audit the Pentagon Act](#)
 - » Sponsored amendments to defense spending bills to target waste, frequently with Democratic cosponsors, and often garnering the ire of defense hawks like Sen. John McCain. ([Politico](#))
- Supported the Budget Control Act and urged House Republican leadership to maintain its spending caps in October 2015. ([Daily Signal](#))
- Supports a Balanced Budget Amendment to the Constitution. ([The Hill](#))
- Fiscal Year 2018 Budget
 - Proposed the “America First” budget on March 15, 2017, which increased defense spending by \$54 billion and decreased discretionary spending by the same amount, particularly for foreign aid, environmental programs, and social-welfare and other domestic programs. ([White House](#))
 - “I’ll tell how I wrote it. And then you can decide for yourself. We looked at the speeches to try and figure out where he [Trump] wanted to spend more money. And then we also had instructions not to add to the deficit. I laid to him the options that Mick Mulvaney would put on a piece of paper. And he looked at one and said, ‘What is that?’ And I said, ‘Well, that’s a change to part of Social Security.’ He said, ‘No. No.’ He said, ‘I told people I wouldn’t change that when I ran. And I’m not going to change that. Take that off the list.’ So I get a chance to be Mick Mulvaney. I get a chance to have those same principles. And I give ‘em to the president, and he makes the final decisions.” ([Mulvaney interview with CNBC](#))
 - “The New Foundation for American Greatness” budget released on May 23, 2017, does not cut Social Security or Medicare benefits, but does contain large cuts to Medicaid, nutritional assistance, student loan programs and disability benefits, and calls for increases in military and border control spending. ([White House](#))
 - “We’re no longer going to measure compassion by the number of programs or the number of people on those programs, but by the number of people we help get off of those programs” and “we’re not going to measure compassion by the amount of money that we spend, but by the number of people that we help.” ([White House](#))
- Health Care Programs
 - Medical Research
 - » Opposed the 21st Century Cures Act, but said he would have supported it “if it had been paid for” and not by creating a new mandatory spending program. ([Facebook post](#))
 - » Supports government funding for medical research on orphan diseases. ([Facebook post](#))
 - Women’s Health
 - » Opposed reauthorizing the Violence Against Women Act and voted against a commemorative coin to raise funds for the Susan G. Komen Foundation. ([The Atlantic](#))
 - Access to Care
 - » During the debate surrounding the American Health Care Act (AHCA), he argued that removing federal control over some aspects of health care would not be as detrimental as some imagine because many states already require certain protections and services. When pressed as to what people should do if

they don't live in a state that requires insurers to cover certain services, Mulvaney said "figure out a way to change the state" that they live in. ([The Atlantic](#))

- » Does not believe in the premise of universal care, saying "the only way to get truly universal care is to throw people in jail if they don't have it and we are not going to do that." ([The Huffington Post](#))

- **Data and Transparency**

- Supports the goals of the Digital Accountability and Transparency Act (DATA) ([P.L. 113-101](#)) ([ECW](#)), which was enacted in 2014 and requires all federal agencies to report spending data in a standardized way. (As of December 2016, 14 of 24 agencies "continue to face challenges" implementing the law, according to a [Government Accountability Office report](#).)
 - » In response to a confirmation hearing question about discrepancies across budgets put out by the president, the agencies and Congress, he said: "It's almost as if the computer systems in the agencies are set up to not even allow the men and women working there to understand how the money is getting spent. So you're right, there could be a lot of structural reforms that we could put in place that OMB could drive in order to make it easier to understand how the government works. We're living in an age of big data, and then here we are as the federal government and we probably have some of the best big data available anywhere, but we can't use it because no one can share it or read it." ([FedScoop](#))
 - » In response to a hearing question about getting "real numbers" from OMB, he said: "Well the first step is obviously to get them myself, which is why the DATA Act is so important. It's behind schedule as I understand, as we try to figure out a way to get data that we can actually all use. One of the keys is to try to figure out a way to fix the system so that the data that we all have access to is the best possible number. And then simply be honest about those numbers with the president." ([FedScoop](#))

- **Regulatory Reform and Evaluations**

- Supports intensive federal program evaluations and possibly a rating system like the Bush administration's Program Assessment Rating (PART) program. ([Government Executive](#))
- Believes that cuts to discretionary spending, such as those to Meals on Wheels and public housing, are "compassionate" when they result in great efficiency in the federal government or savings for the taxpayer. ([Politico](#))

PERSONAL STATEMENT ON HIS NOMINATION

"It is a great honor to be appointed Director of the Office of Management and Budget," said Congressman Mulvaney. "The Trump administration will restore budgetary and fiscal sanity back in Washington after eight years of an out-of-control, tax and spend financial agenda, and will work with Congress to create policies that will be friendly to American workers and businesses. Each day, families across our nation make disciplined choices about how to spend their hard earned money, and the federal government should exercise the same discretion that hardworking Americans do every day." ([Press Release](#))

RESPONSE TO NOMINATION

Democrats were united in their opposition to Mulvaney's nomination and even some Republicans voiced concern ([NPR](#)). For Democrats, Mulvaney's anti-government rhetoric and disdain for many discretionary programs that they deem vital functions of government leads them to passionate opposition of his new role ([CNBC](#)). Republicans have had largely positive reactions, especially deficit hawks who are reassured by Mulvaney's ascension to the House of Representatives during the 2010 Tea Party wave and his assistance in founding the hardline House Freedom Caucus. He has drawn the ire of defense hawks, however, due to his support for auditing Pentagon spending and even cutting back on military waste ([USA Today](#)).

ELECTED AND OTHER GOVERNMENT OFFICIALS

- **President Donald Trump:** "We are going to do great things for the American people with Mick Mulvaney leading the Office of Management and Budget. Right now we are nearly \$20 trillion in debt, but Mick is a very high-energy leader with deep convictions for how to responsibly manage our nation's finances and save our country from drowning in red ink. With Mick at the head of OMB, my administration is going to make smart choices about America's budget, bring new accountability to our federal government, and renew the American taxpayer's trust in how their money is spent." ([Press Release](#))
- **Sen. Mike Enzi (R-WY), Chairman, Senate Budget Committee:** "As our nation faces a staggering \$20 trillion in debt, I am pleased to see President-elect Trump nominate a fiscal conservative who will help put our nation on a more responsible budgetary path. As a member of Congress, Rep. Mulvaney understands better than most that America's budget and spending process is broken, and one of our top priorities should be to provide our nation with a responsible fiscal blueprint that will help guide our spending decisions now and into the future." ([Press Release](#)) "He is a proven budget hawk that's been vocal about our need to rein in government spending and debt." ([Reuters](#))
- **Sen. Bernie Sanders (I-VT), Ranking Member, Senate Budget Committee:** "We have a nominee whose ideology is in direct contrast to what President Trump ran on. President Trump told working people and seniors he would not cut Social Security, Medicare and Medicaid. Yet you have a nominee who prides himself, who is a deficit hawk, who has said over and over again that he will do exactly the opposite of what President Trump campaigned on." ([Washington Examiner](#))
- **Sen. Mitch McConnell (R-KY), Senate Majority Leader:** "After the last eight years of tax and spend policies coming out of the White House, it's time to get our nation's fiscal house in order. I look forward to working with Mick to bring regulatory and budget sanity to our nation and our economy." ([Press Release](#))
- **Sen. Chuck Schumer (D-NY), Senate Minority Leader:** "When other previous Cabinet nominees failed to pay their fair share in taxes, Senate Republicans forced those nominees to withdraw from consideration. If failure to pay taxes was disqualifying for Democratic nominees, then the same should be true for Republican nominees." ([Fox News](#)) He called for Mulvaney's nomination to be withdrawn.
- **Rep. Nita Lowey (D-NY-17), Ranking Member, House Appropriations Committee:** "President-elect Trump has proposed an incoherent economic and fiscal policy of deficit-exploding tax breaks along with huge increases in defense and infrastructure spending, and faces a looming need to raise the federal debt limit. To enact this agenda, Mr. Trump has chosen one of the foremost proponents of an extreme austerity that would kill jobs and break faith with hard-working American families. The Office of Management and Budget needs leadership that understands the critical role of federal investments in our schools, healthcare system, roads and bridges, senior citizens, and the safety and security of our communities. The extreme Freedom Caucus agenda stands for blindly slashing such investments without regard for the havoc it would wreak on families and neighborhoods." ([Press Release](#))
- **Rep. John Yarmuth (D-KY-03), Ranking Member, House Budget Committee:** "The one problem I would have with him is I know that when we shut the government down a few years ago, he was one who said that it's OK to shut the government down. I'd like to hear him in confirmation hearings say one of the directives of a budget director is to avoid shutting the government down, and avoid defaulting on the national debt." ([Slate](#))
- **Rep. Kevin McCarthy (R-CA-23), House Majority Leader:** "Mick is whip-smart and has been deeply involved in the budget process from day one to establish a more effective and accountable government through fiscal restraint and responsibility. What Mick also understands as well as anyone is the weight of the regulatory burden that has been put on American businesses and citizens over the past eight years. In leading the Office of Management and Budget he is prepared to reform our regulatory process to empower Congress and ultimately the American people. He is a terrific selection to begin reforming the way our government works." ([Press Release](#))
- **Rep. Nancy Pelosi (D-CA-12), House Minority Leader:** "For the Director of OMB, President-elect Trump has picked the ringleader of Republicans' efforts to hold the full faith and credit of the United States hostage. That same toxic irresponsibility was on display when Congressman Mulvaney voted against ending the Republican Government Shutdown in 2013, and voted to try to shut down the government again last year. We cannot have an OMB director who sees inflicting pain on working families as leverage for his radical agenda." ([Press Release](#))

Advocacy, Think Tank and Other Stakeholder Organizations

- **Grover Norquist, President, Americans for Tax Reform:** “The federal budget is on an unsustainable trajectory that must be addressed. In coming decades, spending and debt are projected to rapidly increase to historically high levels. The Director of OMB will play an integral part in reining in the out-of-control federal government and Rep. Mulvaney has proven he is willing to make the tough choices that will undoubtedly be required to reverse the looming fiscal crisis.” ([Letter to Chairman Enzi and Ranking Member Sanders](#))
- **Andrew Rosenberg, Director of the Center for Science and Democracy, Union of Concerned Scientists:** “The White House Office of Management and Budget is central to good government—including its role overseeing science-based public health, safety and environmental protections. Rep. Mulvaney has a long record of supporting legislation that would roll back and undermine those protections. He has backed legislation to change the regulatory process in ways that would give an even stronger influence to industry, increase political interference and undermine science-based decision-making. This is directly contrary to public health and safety, and the public interest generally. Real people’s lives will be at stake in the decisions Mulvaney will make at OMB.” ([Press Release](#))
- **Carmel Martin, Executive Vice President for Policy, Center for American Progress:** “Given Rep. Mulvaney’s outrageous support for shutting down the government, putting the nation in default and wrecking our good credit, it is hard to imagine a more unprecedented and outrageous choice for OMB director than Rep. Mulvaney—further evidence that Trump’s promises to help the middle class are nothing more than empty words.” ([Press Release](#))

About the District Policy Group

The bipartisan District Policy Group at Drinker Biddle is comprised of 15 lobbyists, public policy specialists, grassroots coordinators and other experienced government relations professionals—including former Congressman Dr. Phil Gingrey (R-GA).

Our team’s extensive experience comes from working on Capitol Hill, within trade associations and advocacy organizations, and in the private sector. We have a long record of success in delivering insightful political and policy analyses, developing meaningful policymaker relationships, and advancing and achieving our clients’ federal public policy goals.

For each representation we undertake, we carefully assemble a team of professionals with the specific experience, knowledge and relationships needed to meet the client’s unique needs. We are nationally recognized for our lobbying work in health care, and also represent clients in other industries, such as agriculture, trade, environment, transportation and manufacturing.

Primary Contacts



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Ilisa Halpern Paul leads the District Policy Group and has more than 25 years of experience in government relations, advocacy, and policymaking in non-profit, academic, federally-funded, and government settings. Ilisa’s practice centers on advising clients with respect to advancing their federal legislative, regulatory and programmatic policy agendas. Her work has earned her the recognition as one of The Hill’s Top Lobbyists of 2015 and 2016, as well as a feature story in *The Hill* regarding her rise to success.



The Honorable J. Phillip Gingrey, M.D., Senior Advisor

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Phil Gingrey is a senior advisor in the District Policy Group at Drinker Biddle. Dr. Gingrey is a former U.S. Congressman who served Georgia's 11th congressional district from 2003 to 2015. Throughout his 12 years in Congress, Dr. Gingrey served on numerous influential committees, including the House Committee on Energy & Commerce, which focused on issues such as energy, health care, telecommunications, environment and interstate commerce. As such, he is uniquely positioned to provide public policy and government relations counsel to clients on issues related to health care, energy and environment, education, communications, and life sciences. Also during his Congressional tenure, Dr. Gingrey served on the Committee on Education and the Workforce and the Committee on Armed Services.



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Jodie Curtis focuses on federal policy, appropriations, and regulatory issues. She has more than 20 years of experience in government, Congressional affairs and representing the legislative and regulatory interests of for-profit, non-profit, and global organizations. Prior to joining the firm, Jodie served as an assistant director with a large national non-profit health care advocacy organization, deputy chief of staff for U.S. Representative Thomas M. Barrett (D-WI), executive assistant for U.S. Representatives Lynn Rivers (D-MI) and Peter Barca (D-WI), and district director/legislative assistant for Wisconsin State Senator Barbara Ulichny.



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Laura H. Phillips has been a leader in the telecommunications market for more than 25 years. She counsels wireless and wired technology entrepreneurs on issues related to the development of new technologies, including the development of spectrum auctions, network interconnection, access, universal service and Voice over Internet Protocol (VoIP). She also represents clients in regulatory matters stemming from communications service convergence, the growth of wireless services and the Internet. Laura is chair of the firm's Government and Regulatory Affairs Practice Group.