

Crapo Statement at Executive Session to Vote on Nominations

March 3, 2021

WASHINGTON – U.S. Senator Mike Crapo (R-Idaho), Ranking Member of the U.S. Senate Finance Committee, delivered the following remarks at a hearing to vote on the nominations of Adewale Adeyemo, to serve as the Deputy Secretary of the Treasury; Katherine Tai, to be the United States Trade Representative; and Xavier Becerra, to be Secretary of Health and Human Services.

The text of Ranking Member Crapo's remarks, as prepared, is below.

“Before talking about the three nominees, I am going to take a moment to discuss my disappointment with the response letter Senator Grassley and I received from IRS Commissioner Rettig to specific questions regarding the current proposal to impose significant structural changes to the administration of the child tax credit.

“The Commissioner shared more detail at a recent House hearing, which suggests that the internal review process for the letter approval made the letter less responsive.

“Senators expect real and timely answers to questions, especially when they involve significant policy changes.

“As the National Taxpayer Advocate, Erin Collins, recently stated regarding this proposal being pushed through reconciliation, ‘It is morphing the IRS into this dual mission of both tax administration and administering of social programs. The challenge is the IRS was not set up for that purpose and their IT is not structured for that.’

“I expect real answers to the follow-up letter Senator Grassley and I just sent, and a timely response.

“Likewise, I am concerned that several of the nominees’ responses to Senators’ questions for the record were also lacking.

“In the case of the USTR nominee, Senators submitted 220 questions on Friday night. We received responses to all of them by Sunday morning.

“I was somewhat disappointed by the less-than fully responsive nature of many of the responses.

“That is a shame because they provided an opportunity to correct misperceptions about trade policy—and engender bipartisan support.

“For example, a Member of this Committee raised with Ms. Tai that Congress should know what is in a trade agreement before they vote on it.

“I agree. That is why one of my questions pointed to the exact provision in the U.S. Code that requires Congress to have access to all ‘pertinent documents relating to the negotiations, including classified materials.’

“Rather than confirming her understanding that USTR must provide negotiating proposals per the statute, Ms. Tai’s response noted she will ‘consult with the Committee on trade negotiations’ and on information flow.

“That is not good enough. It is a statutory imperative for the USTR to follow. Chairman Wyden, you and I are on the same page on this issue in particular. I hope this is something we can work together on to get the nominee to provide the appropriate assurances.

“Senators expect nominees to provide actual answers to the questions – not a non-answer. To the larger point though, nominees cannot pledge to be responsive while, at the same time, not be responsive.

“Turning to the nominations of Mr. Adeyemo and Ms. Tai.

“Over the last year, Congress has come together five times to pass massive, bipartisan bills totaling roughly \$4 trillion of dollars in relief measures to help American families and businesses weather the pandemic.

“It is disappointing that as one of the first acts of this Congress, the White House and Senate Democratic Leadership have charted a partisan course with the proposed \$1.9 trillion COVID relief legislation.

“However, it is my hope that we can find opportunities to work together and build bipartisan support for future legislative initiatives.

“Former Deputy Secretary Justin Muzinich played a large role in facilitating the bipartisan beneficial ownership and BSA/AML reform legislation, among other complicated issues, and I hope to work with Mr. Adeyemo in a similar capacity.

“Mr. Adeyemo is known for his bipartisan approach, working with members on both sides of the aisle during the Obama Administration on issues such as currency manipulation, and I expect that approach to carry over into his new role at Treasury.

“At her nomination hearing, Ms. Tai demonstrated that she has the training, background, experience and capabilities to fulfill the duties of the USTR, and to do that job well.

“I identified several priorities during last week’s hearing, which she has shown that she shares, and we all look forward to working with her to make sure that our shared objectives are achieved.

“Whether it is our efficient farmers or our cutting edge technology companies, we share an interest on both sides of the aisle in making sure they get access to all the customers they can.

“Moreover, I agree with the Chairman noting that one theme from Ms. Tai’s hearing was ‘enforcement, enforcement, enforcement.’ That’s of major concern to every Member of this Committee—and one of the main areas I think you will see strong cooperation.

“Trade is not only a bipartisan issue in Congress, but one where we can build a very strong, unified approach with the Administration and move forward to significantly expand opportunities for the American workers and businesses in this country.

“As I mentioned before, I am disappointed in many of the responses to questions asked of the nominees, including Mr. Becerra.

“Some responses were seemingly made to avoid discussion of important and sometimes controversial issues.

“Avoidance of issues is not something that would help Americans confront health care challenges or recovery from the pandemic.

“The Secretary of Health and Human Services will have substantial power in interpreting and implementing the law through regulation.

“Significant concerns have been raised about Attorney General Becerra's challenges to HHS’s authority to provide a conscience exemption from the Obamacare contraception coverage mandate, and enforcement of the state’s restrictive actions, including the ban on indoor religious services that was rejected by the Supreme Court.

“Although I will not be voting in favor of Mr. Becerra’s nomination today, this process has demonstrated that we do share areas of common interest and concern.

“If he is confirmed, I will work with Mr. Becerra to permanently expand telehealth in a fiscally responsible way; to update payment systems based on lessons learned from COVID-19 flexibilities; and to find bipartisan solutions to shore up Medicare's finances.”

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