

# United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

December 14, 2020

The Honorable Chuck Grassley  
Chairman  
Senate Finance Committee  
135 Hart Senate Office Building  
Washington, D.C. 20510

Dear Chairman Grassley:

Now that the states' Presidential Electors have been certified and cast their ballots, giving Joe Biden a clear victory, I write to renew my request, made previously through staff, that the Finance Committee promptly review the key nominations President-Elect Biden has announced that are within the jurisdiction of the Finance Committee, particularly the anticipated nominations of Janet Yellen to be Secretary of the Treasury and Xavier Becerra to be Secretary of Health and Human Services (HHS).

Prompt consideration of these anticipated nominations is critical, because it is in the interest of all Americans that key members of the president's team be in place immediately after he enters office. As you have said, "The President must be allowed to put his cabinet in place to do the job he was duly elected to perform."<sup>1</sup> That is particularly true now. We face the worst economic crisis in our lifetimes, with the economic recovery stalling and more than 800,000 jobless claims filed last week, and Americans worry that we are on the brink of a deep recession. Further, COVID-19 deaths have risen to more than 3,000 a day; we face the unprecedented challenge of undertaking a massive vaccination program, and Americans demand swift action to end the pandemic. A failure to promptly consider nominees to the positions principally responsible for our economy and health care system would constitute legislative malpractice that jeopardizes lives and jobs.

Prompt consideration of these anticipated nominations also is consistent with the longstanding practice of the Finance Committee. When there has been a transition to a new President, the Committee customarily has held hearings on the anticipated Treasury and HHS nominees prior to the President's January 20 inauguration. For example, in 1993, in the case of the incoming Clinton Administration, the Committee held hearings on the anticipated nominations of Lloyd Bentsen (Treasury) and Donna Shalala (HHS) on January 12 and 14, respectively; in 2001, in the case of the incoming George W. Bush Administration, we held hearings on the nominations of Paul O'Neill (Treasury) and Tommy Thompson (HHS) on January 17 and 18, respectively. In 2017, in the case of the incoming Trump Administration we held our hearing on the nomination of Steven Mnuchin (Treasury) on January 19. [1]

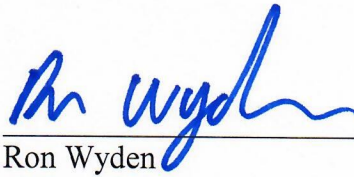
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<sup>1</sup> Statement at Executive Session of February 2, 2017.

As you know, holding these hearings on an expedited schedule requires extensive preliminary work, which must begin well before a hearing is scheduled. For example, the Committee sent the nomination questionnaire to the Trump Administration by November 28, 2016, and the Committee received Mr. Mnuchin's completed questionnaire and tax returns by December 19 and HHS nominee Tom Price's completed questionnaire and tax returns by December 21. I have not checked the records for the other cases, but I expect, given when the hearings were held, that the staff work was well underway by mid-December. In contrast, as I understand it, the Committee has not yet undertaken any bipartisan work to review the anticipated Yellen and Becerra nominations.

While I strongly disagree with it, I have respected your apparent decision to delay the consideration of President-Elect Biden's anticipated nominees until the Presidential Electors have been certified and cast their ballots. Now that's happened. Any further delay would be unprecedented and dangerous. Accordingly, I urge that you direct the bipartisan Committee staff to immediately undertake the work necessary to facilitate the expeditious consideration of the anticipated nominations of Chair Yellen and Attorney General Becerra, with the goal of holding hearings in mid-January and having the nominations ready for Senate consideration on or soon after January 20<sup>th</sup>, and also to undertake the work necessary to facilitate the expeditious consideration of other anticipated nominations.

Sincerely,



Ron Wyden  
United States Senator

Cc: Senator Crapo

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[1] With respect to other cases, in 2009, in the case of the incoming Obama Administration, there was a slight delay in the consideration of the nomination of Tim Geithner (Treasury) because of questions relating to taxes, and the nomination hearing was held on January 21, and there was a substantial delay in the consideration of an HHS nominee because the original nominee, Tom Daschle, withdrew; in 2017, in the case of the incoming Trump Administration, there was a slight delay in the consideration of the nomination of Tom Price (HHS) because of issues relating to potential conflicts-of-interest and other matters, and the nomination hearing was held on January 24.