

1 OPEN EXECUTIVE SESSION TO CONSIDER FAVORABLY REPORTING  
2 THE NOMINATIONS OF ROBERT MICHAEL GORDON, TO BE  
3 ASSISTANT SECRETARY FOR FINANCIAL RESOURCES, DEPARTMENT  
4 OF HEALTH AND HUMAN SERVICES; JANUARY CONTRERAS, TO BE  
5 ASSISTANT SECRETARY FOR CHILDREN AND FAMILIES,  
6 DEPARTMENT OF HEALTH AND HUMAN SERVICES; AND REBECCA E.  
7 JONES GASTON, TO BE COMMISSIONER, ADMINISTRATION ON  
8 CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND  
9 HUMAN SERVICES

10 TUESDAY, MARCH 1, 2022

11 U.S. Senate,  
12 Committee on Finance,  
13 Washington, DC

14

15 The hearing was convened, pursuant to notice, at  
16 10:06 a.m., in the Dirksen Senate Office Building, Hon.  
17 Ron Wyden (chairman of the committee) presiding.

18 Present: Senators Casey and Crapo.

19 Also present: Democratic staff: Michael Evans,  
20 Deputy Staff Director and Chief Counsel; Ian Nicholson,  
21 Investigator and Nominations Advisor; and Joshua  
22 Sheinkman, Staff Director. Republican staff: Lincoln  
23 Foran, Policy Advisor; Kellie McConnell, Health Policy  
24 Director; Gregg Richard, Staff Director; and Jeffrey  
25 Wrase, Deputy Staff Director and Chief Economist.

26

1           OPENING STATEMENT OF HON. RON WYDEN, A U.S. SENATOR FROM  
2           OREGON, CHAIRMAN, COMMITTEE ON FINANCE

3

4           The Chairman. The Finance Committee will come to  
5           order. Today we meet to consider three pending HHS  
6           nominations before the committee: Robert Gordon, January  
7           Contreras, and Rebecca Jones Gaston. This is a busy  
8           morning with many committees conducting business. Ours  
9           is no exception.

10          After consultation with Ranking Member Crapo, here  
11          is how we are going to proceed. We will use the time  
12          now to make statements about the nominees, and welcome  
13          colleagues who wish to do that. I am going to make a  
14          statement, and our friend Senator Crapo then, then  
15          followed by any other Finance members who wish to make  
16          statements. And at that point we will recess until the  
17          next roll call on the Senate Floor, when the committee  
18          will reconvene in the President's Room off the Floor to  
19          have the vote.

20          My understanding is that is acceptable to the  
21          Minority, so I will make my opening statement and then  
22          Senator Crapo will make his statement.

23          Today we consider three nominations for the  
24          Department of Health and Human Services. First up,  
25          January Contreras is the President's nominee to serve as

1 Health and Human Services Assistant Secretary for  
2 Children and Families. Over decades in public service,  
3 Ms. Contreras has been a champion for vulnerable  
4 families, women, and kids. That makes her, in my view,  
5 a very good choice for this role.

6 Similarly, Rebecca Jones Gaston is nominated to  
7 serve as Commissioner on Children, Youth, and Families  
8 and brings decades of experience in roles were all about  
9 looking after vulnerable kids. She currently serves as  
10 Child Welfare Director for Oregon's Department of Human  
11 Services.

12 One of the key challenges for both these nominees  
13 will be continuing the implementation of the Family  
14 First Prevention Services Act. In my view, this is a  
15 landmark law, and every member of the Senate Finance  
16 Committee should know that then-Chairman Hatch, working  
17 very closely with me and with other colleagues, and  
18 there were members on both sides of the dais who worked  
19 very hard to advance the proposition -- a very  
20 straightforward proposition -- that a country ought to  
21 help kids stay with their families whenever it is safe  
22 and possible. And that ought to be the policy of the  
23 land, rather than in effect breaking up families by  
24 default. Implementing Families First is a big challenge  
25 that brings together the Federal Government, states, and

1 organizations all over the country. It is a big, big  
2 job. And fortunately, in my view, these two nominees  
3 are up for the challenge.

4 Ms. Jones Gaston has even been in charge of  
5 implementing the law in my home State of Oregon. So, I  
6 look forward to working with both of them when they are  
7 confirmed.

8 Finally, Robert Gordon is President Biden's nominee  
9 to serve as HHS Assistant Secretary for Financial  
10 Resources. Mr. Gordon has a wealth of experience  
11 managing big agencies with big budgets. He directed  
12 Michigan's Department of Health and Human Services. He  
13 has held top role at the Department of Education and the  
14 Office of Management and Budget. He clerked at the  
15 Supreme Court, and also worked here on Capitol Hill.  
16 All of this experience will help him succeed in the key  
17 challenge he is going to face when confirmed, upholding  
18 the guaranty of Medicare and Medicaid and the Children's  
19 Health Insurance Program, and protecting these critical  
20 programs for future generations.

21 I intend to support all three nominees when the  
22 committee votes, and I would urge my colleagues to do  
23 the same.

24 Now I will turn to Senator Crapo, and any other  
25 Senator who wishes to speak. Senator Crapo?

26

1       OPENING STATEMENT OF HON. MIKE CRAPO, A U.S. SENATOR  
2       FROM IDAHO

3  
4           Senator Crapo. Thank you, Mr. Chairman. Today the  
5       Finance Committee will vote on three nominees to serve  
6       in vital roles at the Department of Health and Human  
7       Services. As Assistant Secretary for Financial  
8       Resources, Mr. Gordon would act as the chief financial  
9       officer for HHS. With 11 operating divisions, HHS is an  
10      expansive department. Scrutinizing its use of resources  
11      would far exceed the abilities of any one individual, or  
12      even office. Partnership with Congress is vital to  
13      ensuring that HHS effectively, appropriately, and  
14      lawfully leverages and oversees the trillions of dollars  
15      of taxpayer money in its budget.

16           As we look to returning to normalcy in the wake of  
17      the pandemic, Congress will need clear and consistent  
18      communication from the agency on the duration of the  
19      COVID-19 public health emergency, as well as the  
20      department's plans for ensuring certainty, stability,  
21      and predictability for health care providers and  
22      patients across the Nation.

23           Good stewardship of taxpayer resources will also  
24      necessitate a thorough and comprehensive accounting of  
25      how funds and authorities tied to the emergency have

1       been used. A fair accounting along these lines will  
2       require assessing the tremendous costs imposed by  
3       pandemic restrictions and mandates, as well as the  
4       provision of grants and loans.

5             I appreciate Mr. Gordon's commitment to respond to  
6       all relevant inquiries from Members of Congress, which  
7       he may both during this hearing and in response to  
8       questions, submit in for the record.

9             Regarding the other nominations before us today, Ms.  
10       Contreras and Ms. Jones Gaston would, if confirmed,  
11       oversee critical programs that protect and support  
12       families and children.

13            I appreciate the outreach and commitments both  
14       nominees have made in the hearing to staff and in  
15       response to questions for the record to ensure foster  
16       youth have all appropriate and safe options available to  
17       them, including faith-based placements.

18            In a number of states, faith-based providers play a  
19       leading role in providing these services and ensuring  
20       adequate capacity. Last month we held a hearing on  
21       mental health, focusing on the health of children and  
22       youth. The hearing demonstrated interest that both  
23       Republicans and Democrats have in promoting health and  
24       wellbeing of the most vulnerable.

25            I confirmed, I look forward to working with the

1 nominees to improve health care outcomes and provide an  
2 effective safety net for vulnerable children and at-risk  
3 youth.

4 Thank you, Mr. Chairman.

5 The Chairman. Thank you, Senator Crapo. And I know  
6 we are going to work together on these issues. I think  
7 we all remember Chairman Hatch's passion for these kids  
8 in need and these families.

9 This is exactly what the country needs, ideas that  
10 bring people together. And I was very grateful that  
11 Chairman Hatch led us on this issue, and happy to be  
12 very supportive as well.

13 When a vote is scheduled on the Senate Floor, what  
14 Senator Crapo and I will do is notify members of the  
15 resumption of our meeting. It is not yet clear what  
16 time that will be, but when we learn it we will notify  
17 members and look forward to resuming the meeting.

18 And with that, the Committee stands in recess.

19 [Whereupon, at 10:14 a.m., the committee was  
20 recessed.]

21

22 The open executive session was reconvened, pursuant  
23 to notice, on Wednesday, March 2, 2021, at 2:30 p.m., in  
24 Room S-216, The President's Room, U.S. Capitol, Hon. Ron  
25 Wyden (chairman of the committee) presiding.

1           The Chairman. We will now continue the open  
2 executive session from yesterday to consider pending  
3 nominations.

4           The first nomination is Robert Michael Gordon to be  
5 an Assistant Secretary of Health and Human Services. I  
6 would entertain a motion to favorably report the  
7 nomination of Mr. Gordon.

8           Senator Crapo. So moved.

9           The Chairman. The clerk will call the roll.

10          The Clerk. Ms. Stabenow?

11          Senator Stabenow. Aye.

12          The Clerk. Ms. Cantwell?

13          Senator Cantwell. Aye.

14          The Clerk. Mr. Menendez?

15          Senator Menendez. Aye.

16          The Clerk. Mr. Carper?

17          Senator Carper. Aye.

18          The Clerk. Mr. Cardin?

19          Senator Cardin. Aye.

20          The Clerk. Mr. Brown?

21          Senator Brown. Aye.

22          The Clerk. Mr. Bennet?

23          Senator Bennet. Aye.

24          The Clerk. Mr. Casey?

25          Senator Casey. Aye.



1           The Clerk.    Mr. Warner?  
2           The Chairman.   Aye by proxy.  
3           The Clerk.    Mr. Whitehouse?  
4           Senator Whitehouse.   Aye.  
5           The Clerk.    Ms. Hassan?  
6           Senator Hassan.    Aye.  
7           The Clerk.    Ms. Cortez Masto?  
8           Senator Cortez Masto.   Aye.  
9           The Clerk.    Ms. Warren?  
10          Senator Warren.    Aye.  
11          The Clerk.    Mr. Crapo?  
12          Senator Crapo.    Aye.  
13          The Clerk.    Mr. Grassley?  
14          Senator Grassley.   Aye.  
15          The Clerk.    Mr. Cornyn?  
16          Senator Crapo.    No by proxy.  
17          The Clerk.    Mr. Thune?  
18          Senator Thune.    No.  
19          The Clerk.    Mr. Burr?  
20          Senator Crapo.    Aye by proxy.  
21          The Clerk.    Mr. Portman?  
22          Senator Portman.   Aye.  
23          The Clerk.    Mr. Toomey?  
24          Senator Toomey.   No.  
25          The Clerk.    Mr. Scott?

1 Senator Crapo. No by proxy.

2 The Clerk. Mr. Cassidy?

3 Senator Cassidy. Aye.

4 The Clerk. Mr. Lankford?

5 Senator Crapo. No by proxy.

6 The Clerk. Mr. Daines?

7 Senator Daines. No.

8 The Clerk. Mr. Young?

9 Senator Young. Aye.

10 The Clerk. Mr. Sasse?

11 Senator Sasse. Aye.

12 The Clerk. Mr. Barrasso?

13 Senator Crapo. No by proxy.

14 The Clerk. Mr. Chairman?

15 The Chairman. Aye.

16 The clerk will announce the vote.

17 The Clerk. Mr. Chairman, the final tally is 21  
18 ayes, 7 nays.

19 The Chairman. The "ayes" have it. The nomination  
20 is ordered favorably reported.

21 The next nomination to be considered is January  
22 Contreras to be Assistant Secretary for Family Support.  
23 Is there a motion?

24 Senator Stabenow. So moved.

25 The Chairman. The Clerk will call the roll.

1           The Clerk.   Ms. Stabenow?  
2           Senator Stabenow.   Aye.  
3           The Clerk.   Ms. Cantwell?  
4           Senator Cantwell.   Aye.  
5           The Clerk.   Mr. Menendez?  
6           Senator Menendez.   Aye.  
7           The Clerk.   Mr. Carper?  
8           Senator Carper.   Aye.  
9           The Clerk.   Mr. Cardin?  
10          Senator Cardin.   Aye.  
11          The Clerk.   Mr. Brown?  
12          Senator Brown.   Aye.  
13          The Clerk.   Mr. Bennet?  
14          Senator Bennet.   Aye.  
15          The Clerk.   Mr. Casey?  
16          Senator Casey.   Aye.  
17          The Clerk.   Mr. Warner?  
18          The Chairman.   Aye by proxy.  
19          The Clerk.   Mr. Whitehouse?  
20          Senator Whitehouse.   Aye.  
21          The Clerk.   Ms. Hassan?  
22          Senator Hassan.   Aye.  
23          The Clerk.   Ms. Cortez Masto?  
24          Senator Cortez Masto.   Aye.  
25          The Clerk.   Ms. Warren?

1 Senator Warren. Aye.  
2 The Clerk. Mr. Crapo?  
3 Senator Crapo. No.  
4 The Clerk. Mr. Grassley?  
5 Senator Grassley. Aye.  
6 The Clerk. Mr. Cornyn?  
7 Senator Crapo. No by proxy.  
8 The Clerk. Mr. Thune?  
9 Senator Thune. No.  
10 The Clerk. Mr. Burr?  
11 Senator Crapo. Aye by proxy.  
12 The Clerk. Mr. Portman?  
13 Senator Portman. No.  
14 The Clerk. Mr. Toomey?  
15 Senator Toomey. No.  
16 The Clerk. Mr. Scott?  
17 Senator Crapo. No by proxy.  
18 The Clerk. Mr. Cassidy?  
19 Senator Cassidy. No.  
20 The Clerk. Mr. Lankford?  
21 Senator Crapo. No by proxy.  
22 The Clerk. Mr. Daines?  
23 Senator Daines. No.  
24 The Clerk. Mr. Young?  
25 Senator Young. No.

1 The Clerk. Mr. Sasse?

2 Senator Sasse. No.

3 The Clerk. Mr. Barrasso?

4 Senator Crapo. No by proxy.

5 The Clerk. Mr. Chairman?

6 The Chairman. Aye.

7 The clerk will announce the vote.

8 The Clerk. Mr. Chairman, the final tally is 16  
9 ayes, 12 nays.

10 The Chairman. The "ayes" have it. The nomination  
11 is ordered favorably reported.

12 The final nomination we'll be considering is  
13 Rebecca E. Jones Gaston to be Commissioner on Children,  
14 Youth, and Families.

15 Is there a motion?

16 Senator Stabenow. So moved.

17 The Chairman. The Clerk will call the roll.

18 The Clerk. Ms. Stabenow?

19 Senator Stabenow. Aye.

20 The Clerk. Ms. Cantwell?

21 Senator Cantwell. Aye.

22 The Clerk. Mr. Menendez?

23 Senator Menendez. Aye.

24 The Clerk. Mr. Carper?

25 Senator Carper. Aye.

1           The Clerk.   Mr. Cardin?  
2           Senator Cardin.   Aye.  
3           The Clerk.   Mr. Brown?  
4           Senator Brown.   Aye.  
5           The Clerk.   Mr. Bennet?  
6           Senator Bennet.   Aye.  
7           The Clerk.   Mr. Casey?  
8           Senator Casey.   Aye.  
9           The Clerk.   Mr. Warner?  
10          The Chairman.   Aye by proxy.  
11          The Clerk.   Mr. Whitehouse?  
12          Senator Whitehouse.   Aye.  
13          The Clerk.   Ms. Hassan?  
14          Senator Hassan.   Aye.  
15          The Clerk.   Ms. Cortez Masto?  
16          Senator Cortez Masto.   Aye.  
17          The Clerk.   Ms. Warren?  
18          Senator Warren.   Aye.  
19          The Clerk.   Mr. Crapo?  
20          Senator Crapo.   No.  
21          The Clerk.   Mr. Grassley?  
22          Senator Grassley.   Aye.  
23          The Clerk.   Mr. Cornyn?  
24          Senator Crapo.   No by proxy.  
25          The Clerk.   Mr. Thune?

1 Senator Thune. No.

2 The Clerk. Mr. Burr?

3 Senator Crapo. Aye by proxy.

4 The Clerk. Mr. Portman?

5 Senator Portman. No.

6 The Clerk. Mr. Toomey?

7 Senator Toomey. No.

8 The Clerk. Mr. Scott?

9 Senator Crapo. No by proxy.

10 The Clerk. Mr. Cassidy?

11 Senator Cassidy. No.

12 The Clerk. Mr. Lankford?

13 Senator Crapo. No by proxy.

14 The Clerk. Mr. Daines?

15 Senator Daines. No.

16 The Clerk. Mr. Young?

17 Senator Young. No.

18 The Clerk. Mr. Sasse?

19 Senator Sasse. No.

20 The Clerk. Mr. Barrasso?

21 Senator Crapo. No by proxy.

22 The Clerk. Mr. Chairman?

23 The Chairman. Aye.

24 The clerk will announce the vote.

25 The Clerk. Mr. Chairman, the final tally is 16

1 ayes, 12 nays.

2 The Chairman. The "ayes" have it. The nomination  
3 is ordered favorably reported. I thank my colleagues  
4 and with that the markup is concluded.

5 [Whereupon, at 2:56 p.m., the meeting was  
6 concluded.]



	STATEMENT OF:	PAGE
1		
2	Hon. Ron Wyden,	2
3	a U.S. Senator from Oregon,	
4	chairman, Committee on Finance	
5		
6	Hon. Mike Crapo,	5
7	a U.S. Senator from Idaho	