

1 OPEN EXECUTIVE SESSION TO CONSIDER FAVORABLY REPORTING
2 THE NOMINATION OF STEVEN MNUCHIN, OF CALIFORNIA, TO BE
3 SECRETARY OF THE TREASURY; FAVORABLY REPORTING THE
4 NOMINATION OF THOMAS PRICE, OF GEORGIA, TO BE SECRETARY
5 OF HEALTH AND HUMAN SERVICES; TO AUTHORIZE COMMITTEE
6 RULES FOR THE 115TH CONGRESS; TO AUTHORIZE COMMITTEE
7 FUNDING FOR THE 115TH CONGRESS; DESIGNATION OF
8 SUBCOMMITTEES FOR THE 115TH CONGRESS; TO OPEN EXECUTIVE
9 SESSION TRANSCRIPTS FROM 1985 TO 2007; DESIGNATION OF
10 MEMBERS TO SERVE ON THE JOINT COMMITTEE ON TAXATION; AND
11 DESIGNATION OF MEMBERS TO SERVE AS CONGRESSIONAL TRADE
12 ADVISORS ON TRADE POLICY AND NEGOTIATIONS
13 TUESDAY, JANUARY 31, 2017

14 U.S. Senate,
15 Committee on Finance,
16 Washington, DC.

17 The meeting was convened, pursuant to notice, at
18 10:14 a.m., in room 215, Dirksen Senate Office Building,
19 Hon. Orrin G. Hatch (chairman of the committee)
20 presiding.

21 Present: Senators Crapo, Roberts, Enzi, Thune,
22 Toomey, and Cassidy.

23 Also present: Republican Staff: Chris Campbell,
24 Staff Director; Nicholas Wyatt, Tax and Nominations
25 Professional Staff Member; Jay Khosla, Chief Health
26 Counsel and Policy Director; Mark Prater, Deputy Staff

1 Director and Chief Tax Counsel; and Jeff Wrase, Chief
2 Economist.
3

1 OPENING STATEMENT OF HON. ORRIN G. HATCH, A U.S. SENATOR
2 FROM UTAH, CHAIRMAN, COMMITTEE ON FINANCE

3

4 The Chairman. I am really disappointed that my
5 friends on the other side, our Democrats on the other
6 side, are deliberating boycotting this markup. Why that
7 is an important thing for them I will never understand
8 because these two nominees are going to go through
9 regardless. And they did not lay a glove on them, as far
10 I was concerned, during the hearings.

11 They had a chance to ask every question that they
12 wanted to ask. They were treated fairly, which I always
13 intend to do. I cannot understand why Senators, who know
14 that we are going to have these two people go through,
15 cannot support the committee in a markup of these two
16 people.

17 I do not remember us treating their nominees this
18 way, at least I cannot remember ever doing that. And I
19 am really disappointed at their boycotting this
20 consideration of Steven Mnuchin to be the secretary of
21 treasury and Representative Tom Price, one of them
22 members of our Congress, to be Secretary of Health and
23 Human Services. We ought to be proud of him and we ought
24 to be willing to support a man of integrity, which he is.

25 Now, assuming that they cannot support these two,

1 then they can vote against them, and that is what,
2 really, an honest approach to this matter would be.

3 Now, I am hopeful that when we schedule this again
4 that they will be here. But we are going to do this
5 again throughout the day and see if they will come and do
6 the job that they have been elected and sworn to do.

7 And I am very disappointed in this type of crap. I
8 mean, my gosh, there is no excuse for it. And I love
9 everybody on that side. There is not one person that I
10 do not care for on the Democrat side. And I think I have
11 more than shown that over the years. I have been fair to
12 them. I have given them time and done everything
13 according to the book; in fact, have bent over backwards
14 beyond the book.

15 And it is tremendously disappointing to me to have
16 them not show up for a markup when we have had plenty of
17 time to look at these nominees. They know Congressman
18 Price very well. And I think they have recognized that
19 Steven Mnuchin is really a terrific candidate for
20 treasurer of the United States, one of the best we have
21 ever had come before this committee.

22 Let us not treat people like this. I think, you
23 know, I think some of this is because they just do not
24 like the president. Well, they have a right not to like
25 the president. I happen to like the president very, very

1 much. And frankly, they have a right not to like the
2 president. But they really should not treat dignified
3 people who are willing to sacrifice to serve in the
4 government this way.

5 I said to Mr. Mnuchin, I said, you know, you are
6 going to lose a lot of money by all the things you are
7 going to have to do to take this position. And he said I
8 do not care; he said it is an opportunity to serve my
9 government. I was pretty impressed with that and I think
10 anybody would be impressed with something like that.

11 I would like to recognize my colleagues for their
12 comments that they have right now. Let us just go down
13 this line here. We will start with Senator Crapo. We
14 are both in the Judiciary markup as well for the attorney
15 general and where Jeff Sessions is not treated much
16 better than these fellows are.

17 Senator Crapo. No, Mr. Chairman, I have nothing
18 further to say than to agree with you. I hope that we
19 will be able to reschedule this markup as quickly as
20 possible and proceed.

21 The Chairman. We will. Thank you.

22 Senator Enzi?

23 Senator Enzi. Thank you, Mr. Chairman. I
24 appreciate you scheduling this meeting. I know you have
25 already delayed part of it once from last night.

1 The Chairman. Oh, yeah.

2 Senator Enzi. And I think this is unconscionable.
3 Now, there are a number of us that are also on the HELP
4 Committee, the Health, Education, Labor and Pensions
5 Committee, and the markup is simultaneous there on the
6 secretary of education, so I will be leaving shortly to
7 go to that one to see if it is the same result.

8 A president has always been allowed to have his
9 Cabinet approved. It takes a little while, usually not
10 much longer than this, but it looks like it is going to
11 be considerably longer.

12 I do have a statement on Secretary Mnuchin and one
13 on Congressman Price, which I will wait until there is an
14 audience for, I guess, or there will be an appropriate
15 time to put it in the record.

16 But I am just as disappointed over Secretary-nominee
17 Price who I have worked with for the last two years. And
18 a lot of what we have had to work with has been on the
19 health care areas, the areas that he would be in charge
20 of, and he knows them because he is a doctor. That might
21 be why some people fear him. He has a good knowledge of
22 all of the medical field.

23 He will be working for President Trump. And one of
24 the Trump speeches that I heard said we could just let
25 Obamacare crash under its own weight. Over the next two

1 years that will happen, perhaps over the next year that
2 would happen, and the Democrats would be screaming to
3 have some fixes made.

4 But we do not treat the American people that way, so
5 we are going to take some risk and fix it. And Chairman
6 Price is the correct person to do that, so I hope that we
7 can get him confirmed.

8 People have been asking me when they are going to
9 get to see the president's plan, and the president has
10 said one week after Secretary Price is in office. Nobody
11 knows when that will be yet. But if you are curious
12 about what the replacement will be, that would be a good
13 thing to get done so that you can get a look at it.

14 Secretary of the treasury has tremendous
15 responsibilities; part of it is for the IRS. And there
16 are a lot of things that we would like to see corrected
17 there. And there is some tax simplification that needs
18 to be done this year and I appreciate the chairman's
19 willingness to do that and some of his ideas that he has
20 propounded that would make a significant difference.

21 So, yes, I will comment later and I am terribly
22 disappointed in the Democrats. And I will go join these
23 Republicans that are also on the HELP Committee.

24 The Chairman. So am I.

25 [Laughter.]

1 The Chairman. And I thank you, Senator.

2 Senator Enzi. Yes.

3 The Chairman. Let us turn to Senator Toomey.

4 Senator Toomey. Thank you, Mr. Chairman.

5 I have to say I share your dismay and disgust,
6 frankly, that our colleagues on the other side are now
7 devolving to an unprecedented level of rank partisan
8 obstructionism that is completely inappropriate.

9 We have now already reached the longest period of
10 time that the American people have not had a treasury
11 secretary, I think, in the history of the republic, which
12 is a huge problem.

13 We did not inflict this kind of obstructionism on
14 President Obama. I believe that the day he was
15 inaugurated he had eight of his Cabinet secretaries
16 already confirmed because Republicans chose not to
17 obstruct the process, recognizing that a president ought
18 to have a lot of discretion in assembling his aides, his
19 Cabinet, his team.

20 The Secretary of Treasury is an incredibly important
21 post, as Senator Enzi has pointed out. This is the
22 personal, after all, that manages the country's finances;
23 among other things, is responsible for many important
24 national security issues, including the application of
25 financial sanctions, which are absolutely essential.

1 And, look, I suspect that many of us, myself
2 included, we are not thinking that we were going to be in
3 agreement with Jack Lew when he was nominated to be
4 President Obama's secretary of the treasury, but I voted
5 to confirm Jack Lew because I felt that the president
6 ought to be able to have his team.

7 The fact that our colleagues will not even have the
8 decency to come here and have the debate, come here and
9 tell us why they think that Steve Mnuchin is not
10 qualified for this job, despite the extraordinary career
11 he has had and the impeccable credentials and the very
12 impressive performance he did at the committee, that is
13 just unbelievable to me.

14 And as Senator Enzi observed, Obamacare is in a
15 freefall. It is in a death spiral. It is collapsing
16 because of the bad flaws of its design. And our
17 colleagues apparently want us to continue without a
18 secretary of health and human services who has enormous
19 discretion over what to do about this unfolding disaster.

20 We want to get to work and we need to do that
21 jointly in the form of legislation and regulation. And
22 it is very hard to do that if the president's Cabinet is
23 not in place, especially with respect to the HHS
24 secretary.

25 Now, again, I knew that I was not going to agree

1 with all the policies of Secretary Burwell when she was
2 nominated to be President Obama's secretary of health and
3 human services, but I voted for her and I showed up at
4 the committee hearing and I showed up at the markup
5 because I think a president ought to be able to assemble
6 his team.

7 This is really amazing that we are witnessing -- I
8 think this is a completely unprecedented level of
9 obstruction. And this is not what the American people
10 expect of the United States Senate.

11 So, Mr. Chairman, I am really shocked and extremely
12 disappointed that we find ourselves in these
13 circumstances. But I will continue to work with you to
14 find a way to resolve this.

15 One way or another, President Trump needs to have
16 his Cabinet put in place. That is a function that the
17 Senate has provided for every other president, and it is
18 going to happen for this president as well.

19 The Chairman. Well, thank you, Senator. You know,
20 this has never happened before that we have had this kind
21 of treatment of Cabinet officials, at least not to my
22 knowledge. And frankly, it is abysmal. And I just do
23 not understand my colleagues.

24 They are good guys, I care for them, but to just --
25 we have just been presented, just a few minutes ago, with

1 a list of demands by the Democrats. Did not have the
2 courtesy to tell us a week ago when they could have
3 easily done that, although that was too late, too,
4 because we have had these hearings, we have had all these
5 meetings, we have worked together, and I was led to
6 believe that they were ready to vote today.

7 I have never seen anything quite like this. The
8 lack of the desire to fulfill their constitutional
9 responsibilities. My gosh, if the media does not
10 criticize them for this then, my gosh, you will know what
11 this country is going to go through in the future because
12 you will never get the truth at all.

13 I mean, this is the most pathetic thing I have seen
14 in my whole time in the United States Senate. And, you
15 know, we have had hearings. We have had these people
16 appear. They have gone to their offices, they have
17 talked with them there. We kept the hearings going as
18 long as they wanted them to go.

19 And then on the day of markup when everybody knows,
20 after the stunt that was pulled last night, you would
21 think they would be embarrassed not to come. You would
22 think they would be embarrassed not to come. They ought
23 to be embarrassed.

24 It is the most pathetic treatment I have seen in my
25 40 years in the United States Senate. We can have our

1 disagreements. We can really dislike some of the
2 appointments by Democrat presidents and Republican
3 presidents. But the presidents ought to have their
4 choice of Cabinet officials to work with. And even if we
5 disagree with that, vote no and express yourselves here.

6 But to just boycott a markup? I have never heard of
7 that before, to be honest with you. Now, maybe it has
8 happened before, but not in my 40 years of service here.

9 And I am disappointed because there is not a bad
10 person on the other side. They are good people. And I
11 will bet you, boy, if this was reversed and their
12 president was trying to get his Cabinet filled and we
13 tried to pull a stunt like this, there would be no end of
14 screaming and shouting and irritation all over Capitol
15 Hill.

16 The Senator from Louisiana, I appreciate you being
17 here.

18 Senator Cassidy. Thank you, Mr. Chairman.

19 As I was reflecting on Senator Toomey's remarks that
20 when President Obama took office for the first time that
21 eight of his Cabinet secretaries were sworn in by the
22 time he was inaugurated, I think it was because there was
23 a sense of crisis. We understood there were problems and
24 the president needed his team right away.

25 I can only imagine that our colleagues on the other

1 side of the aisle are boycotting this to delay these
2 appointments because they do not have a sense of crisis.

3 I will say the American people have a sense of crisis.

4 The middle class over the last eight years has
5 suffered. Their jobs have remained flat. Their premiums
6 and deductibles for their insurance have gone up. The
7 quality of their job has declined.

8 When I speak to Mr. Mnuchin, he is all about that
9 which should be common ground. We need better jobs with
10 better benefits for working families. We recognize the
11 working family is the one who has been left off in the
12 meager recovery we have had over the last eight years.
13 And although it is business and labor which brings us our
14 prosperity, government can get in the way or government
15 can make it better. And Mr. Mnuchin wants to make
16 government make it better.

17 That should be common ground. If our colleagues
18 have the same sense of crisis now, as we all had eight
19 years ago, I think they would be there.

20 They can vote "no," as you said, but delaying for a
21 day or two or three or four delays the beginning of the
22 process of bringing back that which should be common
23 ground, the better jobs, better benefits for the American
24 people.

25 Similarly, Congressman Price. Donald Trump has said

1 he wants everybody to be insured, to care for those with
2 preexisting conditions, that there not be mandates and
3 that we lower cost. That should be common ground.

4 And the fact that folks would boycott the approval
5 for someone who seeks those goals does not work in the
6 interests of the American people. The American people
7 are tired of our partisanship and they wish to see
8 cooperation. Give the man a break, if you will, a chance
9 to see if he can achieve those goals that are there.

10 So, Mr. Chairman, I agree with your disappointment,
11 not because I am personally offended, but because that
12 the work of the American people is delayed that much
13 longer. And that work, in particular, is to replace
14 Obamacare with something that works for all Americans.

15 I have a plan, the Patient Freedom Act, which is
16 specifically designed so that Democrats and Republicans
17 can find common ground. Price may find that favorable,
18 in which case we could begin to work that.

19 And then Mnuchin's goal is to bring better jobs,
20 better benefits for families who just really have not
21 prospered as we all wish they had over the last eight
22 years.

23 So, Mr. Chairman, I share your disappointment. I
24 hope next meeting our colleagues will show up. I hope
25 that our Cabinet appointees can begin to work for the

1 American people.

2 I yield back.

3 The Chairman. Well, thank you Senator.

4 Now, look, this is one of the most alarming things
5 that I have seen in my whole 40 years in the United
6 States Senate.

7 There is not a fellow on the other side or woman on
8 the other side that I do not care for. I care for every
9 one of them. And normally, they are very honorable and
10 decent people. That is why it is so shocking to me that
11 they are not here when we have given them every
12 opportunity to be here, and then they file a list of
13 demands just this morning. Now, that is not only
14 ridiculous, it is offensive.

15 We have given them every chance. We have given them
16 all the chance to participate in the hearings. You know,
17 it is a sad time when this bipartisan committee has
18 become a prop and a partisan sideshow. And that is what
19 they have done here this morning.

20 We already know the Democrats and how they are going
21 to vote. They are going to vote against both of these
22 candidates. We know that, which I think in and of itself
23 is reprehensible.

24 A fellow member of Congress and they are going to
25 vote him down? Now, they have the right to do it. I

1 would be the first to uphold that right. But it is
2 unbelievable. You know, they are going to vote no. They
3 have made that very clear in their multiple press
4 releases and press conferences, so I think they ought to
5 stop posturing and acting like idiots. Stop holding news
6 conferences and come here and express yourself here and
7 then vote one way or the other.

8 I would like to see somebody with courage on that
9 other side. All these people are being voted no by all
10 the Democrats. What is the matter with the other party?

11 Are they that bitter about Donald Trump? The answer has
12 to be yes, I guess, but these are people that by any
13 measure are really good people and would really help this
14 country. Even if you disagree with that comment, you
15 still have to admit they are sincerely decent and
16 honorable people. Here is their chance to come and make
17 their case and get this over with.

18 Let me just say that I have been here a long time
19 and I have never seen anything like this before. And I
20 am really disappointed in my colleagues.

21 I hope that the cameras that are in this room focus
22 on these empty chairs over here, people unwilling to do
23 their duty, to stand up. We know they are going to vote
24 no, which I think in and of itself is reprehensible,
25 especially against a fellow member of Congress, but

1 against Mr. Mnuchin, too, because they have not touched
2 one thing that would be really effective or good
3 criticism against him. So why not vote, is all I can
4 say.

5 So I hope the media focus on these empty chairs.
6 Instead of being in here and doing their jobs, the
7 Democrats are out there holding news conferences in the
8 hallway.

9 So let me make this really clear. I do not want to
10 hear from any of them again about doing our jobs. We are
11 here; they are not. I can get every Republican on this
12 committee here; they are not here.

13 So when I hear about doing their jobs, which they
14 preach about all the time, where are they to do their
15 jobs? And there are very few jobs that are as important
16 as this power in the Constitution to vote on the
17 president's nominees for these Cabinet positions.

18 And there is hardly any Cabinet position outside of
19 secretary of state maybe that is as important as
20 treasurer of the United States. And I happen to believe
21 that the position that our fellow colleague from the
22 House has been nominated for is absolutely critical to
23 our country.

24 Now, to differ, that is one thing. I can live with
25 that. I have differed myself from time to time, but I

1 have always shown up, always been willing to talk and
2 express my viewpoint. And we have given plenty of time
3 for them to be here and to show up and to express their
4 viewpoints and then vote one way or the other, knowing
5 that they are all going to vote no, which is ridiculous
6 in and of itself. But I will not criticize that, they
7 have a right to do it.

8 But, my gosh, to not be here and participate, that
9 is a total abdication of their duties as Senators. And I
10 think it is pathetic.

11 The Senator from Georgia.

12 Senator Isakson. Well, thank you, Mr. Chairman, for
13 your leadership. And thank you for the role model you
14 are for all of us as how to be in the United States
15 Senate because you are here and working, which is where
16 all of us should be.

17 I know I had hoped we would be voting soon. I know
18 we are not voting. I know we are not voting because the
19 Democrats are boycotting the meeting, and that is a
20 shame.

21 But I will take the opportunity to say this. We
22 have two nominees for the Cabinet who are great
23 individuals, who deserve the up-or-down vote by each
24 member of the committee. You can vote yes or you can
25 vote no, but no-voting is not good.

1 We see what has happened to our country when we do
2 not have somebody in place as attorney general. We have
3 seen what happens in our country when we do not have
4 people in important places. So confirmation is an
5 important process. It is our responsibility as members
6 of the Senate.

7 In terms of the Finance Committee, Secretary Price,
8 proposed secretary for HHS, is a critical appointment to
9 me. As all the members of the committee know and the
10 press knows, I have handled the introduction of
11 Representative Price both to the Senate HELP Committee
12 and the Senate Finance Committee.

13 I have spent extensive time talking about the assets
14 that he brings to the job. And I think he will be a
15 great secretary of health and human services.

16 Interestingly enough, by accident this morning I had
17 Marilyn Tavenner in my office talking about health care
18 issues. She did such a great job. Sylvia Burwell has
19 done a great job at Labor-HHS. I was proud to vote for
20 her, both Democrat appointees.

21 And now that we have a Republican appointee, it is a
22 shame that because of partisan politics, which I guess is
23 the reason, that we are not allowed to have a vote on a
24 man who has an outstanding record as a physician, an
25 outstanding record as a member of Congress, an

1 outstanding record as a private citizen of the United
2 States of America, who is an outstanding family man and a
3 great individual.

4 Tom Price is the right man at the right time for the
5 right job. And when people complain about us not getting
6 to Obamacare yet, one of the reasons we are not is we do
7 not have a secretary of HHS. And the longer we have
8 boycotts and meetings, the longer that is protracted, the
9 longer it is going to be before we can get the
10 replacement for Obamacare done.

11 So, Mr. Chairman, I appreciate your leadership.
12 Appreciate you giving me the chance to say something. I
13 am here. I am read to vote. And I hope the Democrats
14 will come to the table soon and do the same thing.

15 The Chairman. Well, thank you, Senator. I am here
16 and I am ready to vote. And it is astounding to me. I
17 mean, I am still nonplussed here that they will not even
18 show up for a vote, knowing that they are all going to
19 vote no.

20 You know, do we hate people so badly in this country
21 because we differ with them that we cannot even do our
22 jobs? I think that is pretty pathetic. And, you know, I
23 understand that they are very upset at Donald Trump and
24 his administration. But to cripple the administration
25 right out of the box is certainly not the way to do

1 things. And it is beneath the dignity of this body. It
2 is beneath the dignity of this committee. And I am very
3 disappointed that some of them are not here. They do not
4 all have to be here, but we need at least one in order to
5 proceed.

6 Now, maybe we have got to change the rules so that
7 we do not need them to accommodate a situation like this
8 where people who are unwilling to do their duty,
9 unwilling to even show up, unwilling to even vote no
10 against candidates that they do not like.

11 And I challenge them to tell me why they do not like
12 these two candidates, far more than just the ideological
13 differences. These are two really fine men. And they
14 have fine reputations. And both of them are sacrificing,
15 financially and otherwise, to serve their country. And
16 it is hard for me to understand this.

17 But we will just keep trying to get them to do their
18 jobs and hopefully they will come and do them. But this
19 is without precedent as far as I am concerned. And I
20 just do not see it, I just do not understand this at all.

21 In fact, I am nonplussed by it.

22 This is one of the most disappointing days in my 40
23 years in the United States Senate. And it is not just
24 happening in this committee, it is happening elsewhere as
25 well.

1 So at least the Judiciary Committee, they hate the
2 fact that Jeff Sessions is going to be attorney general
3 of the United States, but at least they showed up. I was
4 there and I am going to go back, I guess. At least they
5 showed up. And they are going to give their statements
6 and I will respect them for that. And they are all going
7 to vote no against a colleague.

8 And they are going to vote no against a colleague
9 from the House in this committee, but at least they ought
10 to vote. And all I can say is that I have about had it.

11 Well, let me just say that I fully intend this vote
12 to occur. I think my colleagues, once they really think
13 it through, may very well say, yeah, that was stupid of
14 us, because it really is stupid, amazingly stupid. But I
15 hope they will get their heads on right.

16 And we will continue with this and we will call
17 another markup at my convenience and hopefully the
18 convenience of everybody on the committee.

19 I understand Senator Roberts is here. He would like
20 to say a few words.

21 Senator Roberts. Mr. Chairman, even though I
22 obviously have a cold, I want you to know that I am
23 reporting for duty and ready to vote.

24 I note with interest that all we see is empty chairs
25 over there. I certainly wish that we could -- it says

1 right here, we have an agenda for a business meeting.
2 And I guess our friends across the aisle are more
3 interested in holding a press conference and just simply
4 being obstructionists. I hope that changes. Sooner or
5 later we are going to have to get this done. And I guess
6 it is what it is.

7 And I think it is most unfortunate and does not
8 represent what we expect with regards to this committee
9 under your chairmanship and, for that matter, when the
10 minority was in the majority.

11 I do not know, I cannot remember a time that I have
12 been on this committee where people just did not show up.

13 So it is with deep regret that I find this circumstance.

14 And we will just have to do some convincing, maybe a
15 little arm-twisting to see if we cannot get our
16 colleagues to get back and let us get this business done.

17 I think the people of our great nation expect us to
18 do our work. That was probably one of the biggest things
19 that I know I heard for several elections back, that we
20 just did not get anything accomplished. And we are ready
21 to do business to get things accomplished or to have
22 these people nominated and take charge of their various
23 duties, whether it be Tom Price or Steven Mnuchin or
24 anybody else.

25 In the HELP Committee, I suppose this is going on at

1 the same time, too. I find it very regrettable.

2 You know, there is a -- I have always thought of it
3 as blanket of comity that surrounds us all in the Senate.

4 And you do not want to lose that. And I think there is
5 a lot of string-pulling going on right now that could
6 really harm the relationship between both of our parties.

7 This does not really do any good except to pull on those
8 strings and then it affects everything else.

9 So I am extremely sorry that they have chosen not to
10 be here. I am ready to vote. I wish they were.

11 Thank you, sir.

12 The Chairman. Thank you, Senator. Thank you,
13 Senator.

14 Senator Thune, you have just arrived.

15 Senator Thune. Thank you, Mr. Chairman.

16 I have heard a number of my colleagues, yourself
17 included, Mr. Chairman, talk about the failure of our
18 colleagues on the other side to carry out their
19 constitutional responsibility and that is really what
20 this is. We have a job to do here. We need to discharge
21 these nominees and report them out to the floor where
22 they can be considered. There would be time, obviously,
23 to debate their qualifications at that time.

24 But the very fact that members on the Democrat side
25 of this committee have opted not to show up at all I

1 think suggests that they are not taking the serious
2 responsibility that we have as Senators and carrying out
3 those duties that the American people entrust us to carry
4 out.

5 So I would say, as has already been pointed out,
6 that many of us came to this committee during different
7 administrations. I have been here now through multiple
8 administrations, both Republican and Democrat, where
9 there have been nominees that have come in front of this
10 committee that I have not agreed with on much of
11 anything. But I also understand that the government has
12 to function and the Department of Treasury and the
13 Department of Health and Human Services are critical to
14 this country's, this government's, ability to function.

15 The Treasury Department obviously has a tremendous
16 role to play in our economy. The Department of Health
17 and Human Services, especially with the discussion that
18 we are having about how to better serve the American
19 people when it comes to health care coverage, and that
20 secretary, Mr. Price, are going to play a very important
21 and prominent role in leading that conversation and
22 hopefully getting us to a solution.

23 And so, the fact that these two people are bottled
24 up and are being held here is really disgraceful, as the
25 chairman has pointed out. And you, Mr. Chairman, have

1 been here longer than some of the others, like the
2 Senator from Kansas. The Senator from Georgia and I came
3 here about the same time. So we have had our share, we
4 have seen a number of nominees come through here.

5 But in your experience, to hear you talk about the
6 way in which the Democrats are conducting themselves with
7 respect to these two nominees is, I think, very telling
8 about the level to which the dialogue here has sunk.

9 So I hope they will come to their senses and realize
10 that even if they disagree with the nominees, even if
11 they want to vote against them, and that is their
12 prerogative as has been pointed out multiple times here,
13 they will get that opportunity to weigh in. They have
14 had that chance. There has been plenty of due process
15 here in this committee.

16 I attended the confirmation hearings that have been
17 held for both of these nominees. They have gone on many
18 hours, and members on both sides have had opportunities
19 to ask questions in multiple rounds.

20 Mr. Chairman, you have always run this committee in
21 a very evenhanded and fair manner. Members on both sides
22 had an opportunity, not only to ask questions here at the
23 hearing, but also subsequently for the record. And those
24 questions and responses are available for members to look
25 at and inspect as well.

1 This is just purely obstructionism and delay,
2 nothing more, nothing less, nothing else. And it is
3 unfortunate for this committee, but, more importantly,
4 for the people of this country who have a reasonable
5 expectation, whether or not they agree with the current
6 administration, that that administration ought to be able
7 to have members of its team in place to conduct the
8 important business that happens on a daily basis here in
9 the nation's capital.

10 So I hope that that will change and that we will
11 have the opportunity to at least report these nominees
12 out and consider them on the floor of the Senate where
13 they can get that up-and-down vote and where members on
14 both sides will have an opportunity to register their
15 support or their opposition.

16 But simply obstructing this process from even
17 proceeding is a level of obstructionism that I have not
18 seen in my time here, and it certainly does not sound
19 like the chairman has seen it in his time here either. I
20 hope that changes and that we will get on and about the
21 important business that the American people sent us here
22 to conduct.

23 Thank you, Mr. Chairman.

24 The Chairman. Well, thank you.

25 This is extremely disappointing to me. I have to

1 say I fully intended and always have to treat our
2 colleagues on the other side, who differ with us or even
3 colleagues on our own side who differ, with great respect
4 and dignity so that they have every opportunity to
5 express themselves.

6 But, you know, to not even come and express
7 themselves? I mean, it is a dereliction of duty,
8 especially since we have given them plenty of notice and
9 we have worked very closely with them. They indicated
10 they would come and all of a sudden we have this? I do
11 not get it personally. I mean, I just plain do not get
12 it. Like I say, it is a dereliction of duty.

13 Now, we will keep the record open. We will recess
14 at the will of the chairman and come back as soon as we
15 can get our colleagues to come and vote one way or the
16 other. And they have every right to express themselves
17 through orally or written or through their vote. And I
18 do not think anybody doubts that we are going to treat
19 them fairly.

20 So with that, I think what we will do is we will
21 just recess until further notice.

22 [Whereupon, at 10:55 a.m., the meeting was
23 adjourned.]