

United States Senate Committee on Finance
July 31, 2025

Hearing to Consider the Nominations Bryan Switzer, of Virginia, to be a Deputy United States Trade Representative (Asia, Textiles, Investment, Services, and Intellectual Property), with the rank of Ambassador, vice Sarah Bianchi; Gustav Chiarello III, of Virginia, to be an Assistant Secretary of Health and Human Services, vice Robert Michael Gordon; The Honorable Michael Stuart, of West Virginia, to be General Counsel of the Department of Health and Human Services, vice Samuel R. Bagenstos, resigned; and Derek Theurer, of Virginia, to be a Deputy Under Secretary of the Treasury, vice Jonathan Davidson.

Question for the Record submitted to Gustav Chiarello from Senator Chuck Grassley.

Question 1: I am the author of major and more recent updates to the False Claims Act. Since the enactment of these reforms, the federal government has recovered more than \$78 billion lost to fraud and saved billions more by deterring would-be fraudsters. In 2024, there was more than \$2.9 billion in False Claims Act settlements and judgments, with \$1.7 billion of it involving the health care industry. Whistleblowers were responsible for helping to recover nearly all of this. The Justice Department and HHS need to more aggressively go after health care waste, fraud, and abuse and empower whistleblowers. Do you have any bias against the False Claims Act that would affect your advice to HHS in cooperation with the Inspector General, the Department of Justice, and generally on efforts to combat fraud against government health-care programs?

Response: I do not have any bias against the False Claims Act that would affect my advice to HHS in cooperation with the Inspector General.

Questions for the Record submitted to Gustav Chiarello from Senator Tim Scott.

Question 1:

- The Centers for Disease Control and Prevention (CDC) Prevention Research Centers (PRC) have worked with local communities to develop, test, and evaluate public health solutions for those communities, including in my home state of South Carolina. The University of South Carolina receives money through this grant for their Prevention Research Center, which has been promoting health and preventing disease in rural communities through partnerships with local communities.

- As the Assistant Secretary for Finance Resources, will you work with my office on making sure these funds can continue to help grantees like the University of South Carolina?

Response: I look forward to working with you to ensure grantees in your state receive grants that result in a high rate of return for the American people.

Question 2:

- HRSA's Sickle Cell Disease Newborn Screening Follow-up Program facilitated access to quality sickle cell disease (SCD) care by: 1) conducting outreach and working with individuals and families with SCD from the time a newborn screen identifies a child with possible SCD, through diagnosis, treatment and follow-up; 2) providing education to families and providers; 3) disseminating resources; 4) collaborating with state newborn screening programs; and 5) linking individuals and families to community resources.
 - With the proposed elimination of the NBS program, will you commit to working with my office to make sure this vital program will continue to get funding?

Response: I look forward to working with you and the OpDivs at HHS to ensure they have the appropriate resources to combat sickle cell disease.

Question 3:

- CDC has worked on maternal health activities, including the Pregnancy Risk Assessment Monitoring System (PRAMS) and the Maternal and Child Health Epidemiology Program, among others. Throughout my time in the Senate, I have been committed to helping every mom and child thrive.
 - Can you please share how you will work to make sure that maternal health data gathering and sharing functions will still get funding throughout this reorganization?

Response: Thank you for bringing this topic to my attention. I look forward to working with you and the CDC to ensure they have appropriate resources to help children and mothers flourish—including through the collection of quality data.

Questions for the Record submitted to Gustav Chiarello III from Ranking Member Wyden.

Question 1: You have no prior experience overseeing a budget remotely close in size or complexity to HHS's \$1.7 trillion annual budget. What specific technical qualifications or experiences do you possess that prepare you to manage financial strategy, oversight, and compliance across the Department?

- Please provide specific examples of your familiarity with HHS budget formulation, Congressional justification, or grants management systems.

Response: I have spent my career at the FTC to, among other things, promote competition in healthcare, because doing so better ensures that consumers receive highest quality of care at the lowest costs; that is, ensuring healthcare dollars are going to their intended targets: The patients. Doing so requires in-depth analysis of all aspects of health care spending, including the roles of federal and state governments. As Assistant Secretary for Financial Resources, I look forward to taking that relevant experience and working with OpDivs to do the same thing.

Question 2: As Senior Counsel to Rep. Jim Jordan, you were involved with Committee reports that attacked vaccine science and falsely characterized federal regulatory actions as censorship. How do you reconcile this work with your obligation to maintain fiscal neutrality and support scientific evidence-based budgeting as ASFR?

Response: If confirmed, I will work with OpDivs to ensure they have the resources to fulfill their missions.

Question 3: Do you believe HHS has the authority to unilaterally withhold funds appropriated by Congress based on ideological or political concerns? If so, what is your legal rationale?

Response: If confirmed, I will follow the law.

Question 4: The GAO recently found HHS violated the Impoundment Control Act by withholding \$825 million in Head Start funding. Were you involved in any aspect of that decision? If confirmed, what procedures would you implement to ensure all appropriated funds are distributed timely and lawfully?

Response: I am not involved in current funding decisions at HHS. If confirmed, I will follow the law.

Question 5: The “Defend the Spend” initiative has been used to stall or cancel hundreds of grant disbursements. Do you support these administrative actions? What evidence exists to justify the burdens placed on grantees, and how does this align with your responsibility to facilitate, not obstruct, lawful disbursement of funds?

Response: If confirmed, I look forward to learning more about this initiative. Further, if confirmed, I will follow the law.

Question 6: Do you support the new “forward funding” mechanism that gives entire grant awards upfront, despite wide consensus that it will reduce the number of new grants awarded in critical research areas like cancer and Alzheimer’s disease?

Response: If confirmed, I look forward to learning more about this initiative. Further, if confirmed, I will follow the law.

Question 7: The Republican reconciliation bill includes \$1 billion in CMS implementation funds and a \$50 billion rural health fund. Do you agree that political considerations should not influence which states or providers receive these funds? How will you ensure funds are distributed equitably and lawfully?

Question 8: Reports indicate that CMS Administrator Oz has made pre-award promises of rural transformation funding to certain Republican states. Will you commit to auditing any such informal commitments and reporting findings to Congress?

Question 9: Will you commit to publishing criteria and timelines for disbursing reconciliation implementation funds and funding from the rural health transformation program, including opportunities for public input?

Response (7-9): If confirmed, I will work closely with CMS to ensure implementation of the One Big Beautiful Bill (OB BB) consistent with Congressional intent. I hope to assist in implementation of measures to protect and strengthen the health system for the most vulnerable.

Question 10: HHS has cut NIH and CDC budgets by 37% and 45% respectively in the FY 2026 budget proposal. Do you believe these proposed cuts reflect a sound fiscal strategy for advancing science and protecting public health? What metrics support this approach?

Response: I support the Trump administration's efforts to spend taxpayer dollars more efficiently to improve health outcomes for American consumers. I have spent my career at the FTC ensuring healthcare dollars are spent to benefit their intended targets: the patients. As Assistant Secretary for Financial Resources, I look forward to taking that relevant experience and working with OpDivs to do the same thing.

Question 11: Have you been involved in or provided advice regarding the cancellation of peer-review panels, scientific meetings, or removal of public health data from CDC platforms? If so, please describe your role and the rationale for these cancellations.

Response: I have not been involved in these decisions.

Question 12: How will you ensure that the Office of Financial Resources supports evidence-based funding for areas like maternal mortality, infectious disease surveillance, and behavioral health, particularly for marginalized communities?

Response: If confirmed, I will work with OpDivs to make sure they have the resources to fulfill their missions.

Question 13: Under your tenure, entire FOIA teams have been disbanded and over 3,000 CDC public health web pages and 175 datasets removed. Were you involved in or consulted on these decisions? If confirmed, will you commit to restoring transparency and timely Congressional and public access to program data?

Response: I have not been involved in these decisions. If confirmed, I will follow the Secretary's promise to practice radical transparency.

Question 14: What procedures will you implement to ensure Congressional inquiries are answered fully, truthfully, and on time, including on sensitive topics such as employee terminations and program restructuring?

Response: If confirmed, I will work with the Assistant Secretary for Legislation to provide prompt responses to Congressional inquiries.

Question 15: You helped draft a report titled "Politics, Private Interests, and the Biden Administration's Deviation from Agency Regulations in the COVID-19 Pandemic," which criticized COVID-19 vaccine guidance. Given your involvement, how can stakeholders trust you to fairly manage vaccine and public health funding?

Response: If confirmed, I will follow Secretary Kennedy's promise not to do anything that makes it difficult or discourages people accessing vaccines, but instead seek transparency in these products.

Question 16: You have deep ties to the antitrust world but little experience with health care financing. How will you translate that experience into managing Medicaid, Medicare, and public health infrastructure funding without deferring entirely to political appointees?

Response: I have spent my career at the FTC promoting competition policies in healthcare delivery that best ensure that healthcare dollars reach their intended targets: the patients. As Assistant Secretary for Financial Resources, I look forward to taking that relevant experience and working with OpDivs to do the same thing.

Question 17: Will you commit to preserving HHS grant eligibility and funding for research institutions and nonprofits focused on improving health equity and lowering barriers for underserved communities, reproductive health, or LGBTQIA+ populations, regardless of political pressure from the Administration?

Response: If confirmed, I will follow the law

Question 18: How do you justify eliminating thousands of full-time staff in the name of fiscal responsibility, when payroll costs account for less than 1% of the Department's budget and the staffing cuts undermine core agency operations?

Response: I support the Trump administration's elimination of redundancies and streamlining of operations within the federal workforce.

Question 19: Under the Republican reconciliation bill, Medicaid work requirements are projected to cause 4.8 million people to lose coverage. What role will you play in financing and implementing this policy, and do you believe the administrative cost of enforcing work requirements is fiscally responsible?

Response: If confirmed, I will work closely with CMS to ensure implementation of the OBBB consistent with Congressional intent. I hope to assist in implementation of measures to protect and strengthen the health system for the most vulnerable.

Question 20: What safeguards will you put in place to ensure that state Medicaid programs, particularly in rural or underserved areas, are not destabilized by provider tax elimination or new eligibility requirements introduced by the reconciliation bill?

Response: If confirmed, I will work closely with CMS to ensure implementation of the OBBB consistent with Congressional intent. I hope to assist in implementation of measures to protect and strengthen the health system for the most vulnerable.

Question 21: You served as Senior Counsel to a Congressional committee that promoted disinformation about COVID-19 vaccines and criticized the FDA's emergency use authorizations. Given this history, how can you be trusted to fairly oversee funding for vaccine infrastructure?

Response: If confirmed, I will follow Secretary Kennedy's promise not to do anything that makes it difficult or discourages people from accessing and taking vaccines, but instead seek transparency in these products.

Question 22: As Deputy Assistant Secretary for Legislation, you have failed to ensure timely and complete responses to dozens of Congressional inquiries. If confirmed, how will you improve HHS responsiveness to Congressional oversight across all divisions of the Department that interact with the HHS Office of Financial Resources?

Response: If confirmed, I will work with the Assistant Secretary for Legislation to provide prompt responses to Congressional inquiries.

Question 23: The FY26 HHS budget proposes deep cuts to programs supporting older adults and individuals with disabilities. Given ASFR's responsibility to tie budget proposals to outcomes and manage program performance, how will you track and mitigate the harm these cuts are likely to inflict on marginalized populations, especially considering the budget proposal to eliminate the Administration for Community Living (ACL) and the RIF that cut the number of ACL employees by 50 percent?

Response: If confirmed, I will work with OpDivs to make sure they have the resources to fulfill their missions.

Question 24: Medicaid provider tax cuts will significantly hamper states' abilities to finance their Medicaid programs. CBO estimates 1.1 million people will lose coverage because of the provider tax policy included in the Republican reconciliation bill. What financial guardrails, if any, would you advocate for to ensure this change does not destabilize rural hospitals and safety net providers in your role as HHS's top financial officer?

Response: If confirmed, I will work closely with CMS to ensure implementation of the OBBB consistent with Congressional intent. I hope to assist in implementation of measures to protect and strengthen the health system for the most vulnerable.

Question 25: The HHS Office of Financial Resources plays a critical role in executing Kennedy's policy agenda. How will you preserve the financial integrity of the department while ensuring that unscientific or harmful directives, such as eliminating DEI or family planning grants, are not prioritized?

Response: If confirmed, I will work with OpDivs to make sure they have the resources to fulfill their missions.

Question 26: Measles was declared eliminated from the United States in 2000. The US has maintained measles elimination status for over 20 years due to a highly effective vaccination program in the US. Do you believe Kennedy is doing a good job managing the worst measles outbreak in three decades?

Response: Yes.

Question 27: Mr. Chiarello, you worked under Judiciary Chair Jim Jordan during a period when the Committee attacked vaccine mandates and the public health response to COVID-19. Do you personally agree with the HHS Secretary's removal of the COVID-19 vaccine from the childhood schedule and for pregnant people?

Response: Yes.

Question 28: The Administration is currently utilizing a portion of FY 2025 funds to fully pay out balances on select grants, which reduces the number of new grants the National Institutes of

Health (NIH) can approve. This approach is under consideration for FY 2026 as well. An alternative strategy would involve maximizing the number of grants awarded and disbursing payments using funds appropriated in subsequent fiscal years, consistent with traditional practices. Do you concur that reducing the number of grants by approximately 80 percent would significantly constrain research opportunities? In your assessment, which stakeholders would be adversely affected by this funding strategy?

Response: If confirmed, I will look into this issue.

Question for the Record submitted to Gustav Chiarello from Senator Whitehouse.

Question 1: As we have discussed, hospitals in Rhode Island are reimbursed significantly less per Medicare patient than hospitals in neighboring states like Massachusetts and Connecticut, despite serving similar populations with comparable health care needs. These disparities can undermine hospital finances and patient access to care.

Will you work to identify the causes of unjustified geographic disparities in Medicare reimbursements and report on steps HHS can take to ensure equitable reimbursement across states, particularly for those like Rhode Island that are part of a multi-state, regional health care market?

Response: If confirmed, I will look into this important issue.

Questions for the Record submitted to Gustav Chiarello from Senator Cortez Masto.

Question 1: Under the HHS reorganization, which will consolidate SAMHSA into a new agency called the Administration for a Healthy America, if you need to redirect mental health dollars during the transition, will you commit to consulting the Office of General Counsel and the Appropriations Committees before acting?

Response: I will seek to emulate Secretary Kennedy in his desire to ensure radical transparency.

Question 2: If you find that mental health dollars are no longer flowing through HHS as Congress intended, will you act immediately to correct it?

Response: I will follow federal law.

Question 3: If the Administration told you to delay mental health funding or add conditions Congress did not authorize, would you comply?

Response: I will follow federal law.

Questions for the Record submitted to Gustav Chiarello from Senator Warren.

Question 1: As Assistant Secretary of Financial Resources (ASFR), your job is to provide advice and guidance to Department of Health and Human Services (HHS) Secretary Robert F. Kennedy Jr. on all aspects of the budget, financial management, grants and acquisition management, and to provide for the direction and implementation of these activities across the Department. Secretary Kennedy, in collaboration with the Department of Government Efficiency (DOGE), has slashed budgets and staff at HHS, which has disrupted the agency's grantmaking, leading to a [billion-dollar backlog of delayed grants](#).

- a. Do you agree that the budget and staff cuts at HHS have disrupted grant programs?
- b. Do you believe that a billion-dollar backlog of delayed grants inhibits ASFR's ability to effectively execute its mission?
- c. Do you believe that HHS should restore its budget and staff to address the backlog in grants?
- d. If confirmed, what steps will you take to address these disruptions?

Response: I will follow the law. I will also seek to ensure the Department's functions are executed seamlessly.

Question 2: If confirmed, you will oversee the Office of Budget (OB), which leads the analysis of Congressional budget actions and appropriations legislation at HHS, and maintains active communication with the Office of Management and Budget (OMB) and Congress to this end. The OB leads analysis of Congressional budget actions and appropriations legislation at HHS. Russell Vought, the Director of OMB, has been at the forefront of many of the Trump Administration's efforts to slash agency budgets. Now, Director Vought is pushing Congress to pass partisan rescission packages and calling for future appropriations to be "less bipartisan."

- a. Do you support Director Vought's efforts to permanently embed DOGE officials in government agencies, including HHS?
 - i. What effect do you believe DOGE has had on OB's abilities to carry out its functions?
- b. If your analysis of HHS's budgets ever contradicts Director Vought's views, do you commit to accurately communicating your findings to OMB and HHS leaders, pushing back on his attempts to undermine fact, and not compromising your work for the sake of his agenda?
- c. Do you commit to transparently releasing budget and appropriations analyses so that policymakers and the public can understand the agency's decisions and assess its performance?

Response: I support the Trump administration's efforts to spend taxpayer dollars more efficiently to improve health outcomes for American consumers. I will seek to emulate Secretary Kennedy in his desire to ensure radical transparency.

Question 3: The OB leads HHS's annual budget formulation processes—including submitting HHS's budget justifications, legislative proposal developments, and budget scorekeeping. The OB also coordinates department-wide reporting and analysis of budgetary issues and provides expertise in budget execution and appropriations law. If confirmed, you will oversee and provide leadership on these essential processes.

- a. Do you commit to ensuring that HHS's annual budget formulation processes take into account and accurately reflect the needs of all of HHS's offices and agencies, allocating each entity a budget that enables them to be adequately staffed and carry out their basic functions?
- b. How do you plan on measuring whether a sub-agency or office has the appropriate budget and staff to accomplish its goals and fulfill its responsibilities?
- c. Will you advocate for increasing the budget for any sub-agency that appears to lack the capacity to fulfill its responsibilities as a result of cuts to staff and funding?
- d. Will you ensure that the budget expertise that the OB provides, as well as its department-wide reporting and analysis of budgetary issues, remains impartial and objective, and free of outside influence?

Response: I will seek to ensure the Department's functions are executed seamlessly, and I will work with the OpDivs to ensure they have the resources to succeed. I will also follow all ethics and conflict of interest laws.

Grant Cancellations and the Impoundment Control Act

Question 4: If confirmed, you will oversee HHS's Office of Grants, which provides Department-wide leadership on grant-making at HHS through policy development, oversight, and shared service operations and training.

- a. If confirmed, do you commit to restoring grants that have been withheld or terminated unlawfully?
- b. Do you commit to ensuring that all paused grants are resumed, no further current grants are cancelled, and that new grants continue to be reviewed and approved?

Response: I will follow the law.

Question 5: HHS has withdrawn over \$1 billion of grants and funding from researchers, public health agencies, and other grantees under Secretary Kennedy's leadership. However, the *Impoundment Control Act* requires government agencies to spend the money appropriated to them as directed by Congress. What is your understanding of the *Impoundment Control Act*?

Question 6: Do you believe the Secretary of Health and Human Services has the legal authority to block the disbursement of funds appropriated by Congress?

Question 7: If confirmed, do you commit to complying with the *Impoundment Control Act* and ensuring that HHS follows the law and disburses all congressionally appropriated grant funding, as required by the Constitution and the *Impoundment Control Act*?

Responses 5-7: I will follow the law.

Question 8: Do you commit to notifying the Senate Finance Committee, including the majority and minority, if you are asked not to comply with the *Impoundment Control Act* or not to expend the money that Congress appropriates or authorizes?

Response: I will be as transparent as possible with the committee.

Question 9: The Constitution's Spending Clause (Art. I, § 8, cl. 1) and Appropriations Clause (Art. I, § 9, cl. 7) give Congress, not the Executive, power of the purse. The Supreme Court has unanimously upheld this power. Do you believe that impoundments are constitutional?

Question 10: What is your understanding of the requirements for HHS to obligate funding that Congress authorizes and appropriates, in accordance with the time period that Congress deems it to do so?

Question 11: Do you commit to expending the money that Congress appropriates and authorizes?

Question 12: If you became aware of a potential violation of the *Antideficiency Act*, *Impoundment Control Act*, or other appropriations laws, what steps would you take?

Response 9-12: I will follow the law.

Question 13: If confirmed, do you commit to fully complying with court orders and instructing staff on how to comply with orders directing your office to restore cancelled grant funding or release withheld grants?

Response: I respect decisions made by the judicial branch.

Question 14: Recent [reporting](#) reveals that the GAO found the Trump Administration illegally withheld funding from Head Start, a program that HHS's Administration of Children and Families (ACF) oversees. While this disruption was resolved in June, the GAO reports that the Administration's actions still may have financially strained child care services relying on Head Start who struggled to receive their funding for around three months. At the same time, Head Start grantees—and the families these grantees serve—are facing [snowballing problems](#) due to unexpected regional ACF office closures. Office closures mean delays in funding for grantees, putting Head Start programs at grave risk of closure and families at risk of losing child care.

- a. How do you intend to work with and advise ACF leaders to ensure that Head Start grantees receive the funds they are owed, in a timely fashion, to keep their programs open?
- b. How do you intend to conduct grant oversight on whether HHS is delivering on its funding promises to Head Start recipients given reporting that funding has been disrupted?

Question 15: In the first three months of this year alone, HHS cut \$2.7 billion in National Institutes of Health (NIH) funding for research.

- a. Do you commit to helping to fully resolve the funding freeze at NIH in compliance with relevant court orders, including by ensuring that all paused grants are resumed, no further current grants are cancelled, and that new grants continue to be reviewed and approved?

Responses 14-15: I will follow the law.

Question 16: On February 7, the NIH announced that all new and existing awards would have their indirect cost rate, which has averaged between 27% and 28% over time, capped at 15% beginning February 10, 2025. Since Fiscal Year 2018, Congress has explicitly prohibited changes to NIH indirect cost policies and rates in appropriations laws. What impact do you believe that an indirect cost cap would have on grantees' abilities to carry out a grant's purported purpose?

- a. Do you commit to ensure that research institutions are not restricted by the Administration's attempts to cap indirect costs?

Response: I will follow the law and work with NIH to ensure critical research continues.

Question 17: Have any unauthorized individuals or DOGE employees accessed HHS's grant systems?

- a. If confirmed, do you commit to ensuring that HHS's grant systems and grantee information are not accessed by unauthorized individuals or DOGE?

Response: I do not work with DOGE in my current capacity at the department, so I do not know. If confirmed, I will follow all privacy laws and regulations.

Question 18: Has HHS implemented any artificial intelligence (AI) programs in its grant systems that make determinations regarding grant applications?

- a. Do you support using AI programs to target grants supporting programs or certain areas of research including vaccine hesitancy, gender-affirming care, and the health effects of climate change?

Response: In my current role, I do not work on grant-making, so I cannot answer this question.

Ethics

Question 19: If you are confirmed, what steps will you take to ensure that your decisions as ASFR are and appear to be independent and are not and do not appear to be conflicted with your personal interests or those of the Secretary?

Question 20: What steps will you take to divest from any financial interests or recuse from any issues that you have a personal interest in?

Responses 19-20: I will consult with OGC's Ethics team and follow all ethics and conflict of interest laws.

Question 21: Has a member of your family currently or ever been a member, founder, or investor of the "Executive Branch" social club? If so, please provide their name and role related to the club.

Response: No.

Question 22: Has a member of your family ever visited the "Executive Branch" social club or attended an event at the club? If so, please provide the date, circumstances of the visit, and the event.

Response: Not to my knowledge.

Question 23: Have you had any meetings at the "Executive Branch" social club? If so, what were these meetings about and with whom?

Response: No.

Question 24: Has a member of your family had any meetings at the "Executive Branch" social club? If so, which family member(s), what were these meetings about, and with whom were these meetings?

Response: Not to my knowledge.

Question 25: Have you encouraged anyone to join the club or promote the club in any other way? If so, in what ways did you promote the club?

Response: No.

Question 26: Has a member of your family encouraged anyone to join the club or promote the club in any other way? If so, which family member(s) and in what ways did they promote the club?

Response: Not to my knowledge.

Question 27: Will you receive any advisor fees, consulting fees, bonuses, or other payments after the date of your confirmation?

Question 28: If confirmed, will you commit to not seeking employment or board membership with, or another form of compensation from, a company that you regulated or otherwise interacted with while in government, for at least four years after leaving office?

Question 29: If confirmed, will you commit to not lobby HHS for at least four years after leaving office?

Responses 27-29: I will follow all ethics and conflict of interest laws.

Congressional Oversight and Transparency

Question 30: Do you commit to always providing the Secretary with accurate, fact-based advice even if it goes against his or President Trump's agenda?

Response: I will always provide accurate information.

Question 31: What is your understanding of the role of the Department of Health and Human Services Inspector General?

Response: The HHS Inspector General seeks to uncover waste, fraud, and abuse at HHS.

Question 32: Will you ensure your staff complies with any Inspector General deadlines established for requested communications, documents, and witnesses, and that staff will be protected from reprisal for their testimony?

Response: I will seek to provide timely responses to the HHS Inspector General's office.

Question 33: If you are not able to comply with any Inspector General requests and deadlines, will you notify the Republican and Democratic members of this committee regarding the basis for any good faith delay or denial?

Response: I will seek to be as transparent as possible with this committee.

Question 34: If you are confirmed, will you commit to refusing to follow illegal orders from any individual, including the President?

Question 35: What actions would you take if you were given an illegal order from any individual, including the President?

Responses 34-35: The president would not ask me to do anything illegal. I will follow the law.

Question 36: Will you commit to providing information or documents to Congress voluntarily when requested to do so through oversight letters or Congressional investigations?

Response: I will seek to be as transparent as possible with Congress.

Question 37: Will you commit to providing information or documents to Congress if you are issued a subpoena to do so?

Question 38: Will you commit to voluntarily provide a deposition if you are requested by Congress to provide one?

Question 39: Will you commit to voluntarily testify in front of Congress if you are requested by Congress to do so?

Question 40: Will you commit to testify or provide a deposition in front of Congress if you are issued a subpoena to do so?

Question 41: Will you commit to following current precedent for responding to information requests, briefings, and other inquiries from Congress, including the Senate Finance Committee and its minority members?

Responses 37-41: I will seek to emulate Secretary Kennedy in his desire to ensure radical transparency.

Question 42: Will you commit to providing comprehensive, accurate, and timely responses to inquiries from the GAO?

Response: I will seek to provide accurate responses to GAO as timely as possible.

Question 43: Will you commit to facilitating the testimony of HHS officials before Congress when requested to do so?

Response: I will encourage HHS officials to be as transparent as possible with Congress.

Retaliation and Protecting Whistleblowers

Question 44: Do you believe that HHS personnel should be protected from any form of retaliation for coming forward about an illegal order, sexual assault or harassment, negligence, misconduct, or any other concern that they wish to raise?

Response: I will follow all laws and regulations that relate to whistleblower protections.

Question 45: Have you ever retaliated against any individual for coming forward about an illegal order, sexual assault or harassment, negligence, misconduct, or any other concern that they wish to raise?

Response: No.

Question 46: If you are confirmed, will you commit to protecting whistleblowers? If so, please specify how you will do so.

Response: Yes, I will follow all laws and regulations that relate to whistleblower protections.

Question 47: If you are confirmed, will you commit to preventing retaliation against any individual for coming forward about an illegal order, sexual assault or harassment, negligence, misconduct, or any other concern that they wish to raise?

Response: I will follow all laws and regulations that relate to whistleblower protections.

Question 48: Will you ensure your staff complies with any Inspector General or GAO deadlines established for requested communications, documents, and witnesses, and that staff will be protected from reprisal for their testimony?

Response: I will seek to emulate Secretary Kennedy in his desire to ensure radical transparency.

Competition

Question 49: The health care industry is historically consolidated following decades of mergers and acquisitions between health care firms. Consolidation and the resulting lack of competition

has been proven to lead to higher prices for patients and taxpayers and decreased innovation. Consolidation may have especially negative impacts on rural communities.

- a. Do you agree that HHS should work to make health care more affordable and accessible to Americans in order to make them healthier?

Response: Yes.

Question 50: If confirmed, what actions will you take to facilitate cooperation with the Department of Justice and the Federal Trade Commission to stand up to mergers, acquisitions, and roll-up strategies that would raise prices for Americans and make health care less accessible, including through the [tri-agency collaboration](#) effort announced in December 2023?

Question 51: What offices under your jurisdiction do you believe have the ability to promote competition in the health sector?

- a. In what ways will you ensure that those offices will work to make health care more accessible and affordable through increased competition?

Responses 50-51: I look forward to working to promote competition in the health sector and working to ensure that health sector mergers and acquisitions are in the best interest of the American people.