OPEN EXECUTIVE SESSION TO CONSIDER THE NOMINATIONS OF
LILY LAWRENCE BATCHELDER, TO BE ASSISTANT SECRETARY FOR
TAX POLICY, DEPARTMENT OF THE TREASURY; BENJAMIN HARRIS,
TO BE ASSISTANT SECRETARY FOR ECONOMIC POLICY,
DEPARTMENT OF THE TREASURY; J. NELLIE LIANG, TO BE UNDER
SECRETARY FOR DOMESTIC FINANCE, DEPARTMENT OF THE
TREASURY; AND JONATHAN DAVIDSON, TO BE DEPUTY UNDER
SECRETARY FOR LEGISLATIVE AFFAIRS, DEPARTMENT OF THE
TREASURY

WEDNESDAY, JUNE 9 AND THURSDAY, JUNE 10, 2021

U.S. Senate,
Committee on Finance,
Washington, DC.

The meeting was convened, pursuant to notice, at
10:08 a.m., Wednesday, June 9, 2021, via WebEx, in the
Dirksen Senate Office Building, Hon. Ron Wyden (chairman
of the committee) presiding.

Present: Senators Cardin, Brown, Casey, Whitehouse,
Hassan, Crapo, Grassley, Thune, Lankford, Daines, and
Young.

Also present: Democratic staff: Ursula Clausing,
Assistant to the Staff Director; Michael Evans,
Assistant to the Staff Director; and Joshua Sheinkman,
Staff Director. Republican staff: Gregg Richard, Staff
Director; and Jeffrey Wrase, Deputy Staff Director and Chief Economist.
The Chairman. The Finance Committee will come to order. I thank all my colleagues for being so punctual. What we will do now is we will have some statements with respect to the candidates, and then as soon as we have a quorum, which we hope will be at 10:15, we will move to vote. And I will keep mine very brief.

Lily Batchelder has been nominated to be Assistant Secretary for Tax Policy. Jon Davidson is nominated to be Deputy Under Secretary for Legislative Affairs. Ben Harris is nominated to serve as Assistant Secretary for Economic Policy. And Nellie Liang is nominated to serve as Under Secretary for Domestic Finance.

Professor Batchelder is a well-known face around the Finance Committee. For four years she served as Chief Tax Counsel to former Chairman Max Baucus. Later she became the Deputy Director of the National Economic Council under President Obama. She is also the Robert C. Koppel Family Professor of Taxation at NYU School of Law. She is one of the leading experts when it comes to crafting tax policies to give everybody in America a chance to get ahead, and not just those at the top.

And I would just like to say, on a personal note,
when I was putting together the second comprehensive bipartisan tax reform bill in this committee with Senator Dan Coats, who sat at the time where our friend from Oklahoma is sitting today. Lily Batchelder, when I picked up the phone and said, Ms. Batchelder, what do we need to do to get a bipartisan bill? She was always there, and was very helpful in counsel. She gave me one Senator Coats and I put together, a bipartisan bill.

Jon Davidson is a friend of the committee, having served as Chief of Staff to Senator Bennet for a decade, and in other roles in Congress. Mr. Davidson helped to lead one of the most innovative policy efforts around when it came to helping working families and the middle class. He played a key role in helping the Biden Administration hit the ground running.

Dr. Harris has been a key member of the Biden economic team for quite some time in the face of the worst economic crash in a century. He helped craft an agenda based on bold, fresh ideas.

And Dr. Liang would be the first Senate-confirmed Under Secretary for Domestic Finance since 2014. This role is all about protecting our economy from downturns, and maintaining stability. She has just the right experience, having served at the Federal Reserve for three decades, including as the first-ever Director of
the Division of Financial Stability when the position was created after the Great Recession.

Colleagues, I will just tell you -- and then I am going to yield to Senator Crapo and other colleagues as we await a quorum -- I believe all four of these nominees are very qualified. And my view is, they round out an all-star economic leadership team at the Treasury Department under Secretary Yellen and Deputy Secretary Adeyemo.

We had a good hearing, really an excellent hearing, with all four of them. I would urge colleagues, from my perspective, to support all four. I look forward to our discussion.

Senator Crapo?
OPENING STATEMENT OF HON. MIKE CRAPO, A U.S. SENATOR
FROM IDAHO

Senator Crapo. Thank you very much, Senator Wyden. We are meeting today to consider four nominations to important positions at the Treasury Department.

As I stated at the nomination hearing on May 25th, Treasury has been given ever-widening authorities and responsibilities over time. And with the increased responsibility comes the need for transparency, accountability, and responsiveness.

The Treasury Department is engaged in activities which can have enormous impacts on the American economy, on workers, on businesses, and even people’s personal checking and savings accounts.

These are proposals -- there are proposals and negotiations to cede U.S. taxing rights to other countries, premised partly on political rhetoric about races to the bottom and taxing big corporations.

There are proposals and activities to create stifling new reporting and regulatory requirements on businesses under the guise of as-yet unknown and unmeasured climate risks. There are proposals to massively increase the size and reach of the IRS, including looking into checking and savings accounts of
almost every individual and business in this country. With all of that in the works, we need assurance that those in charge of Treasury will be responsive to members of the Congress from both sides of the aisle.

I made it quite clear in the hearing with the four Treasury nominees that transparency is important, and that I expect detailed responses to questions that we ask them. I intend to vote yes on the nomination of Mr. Davidson who has responded adequately to questions that I have asked him, and who seems to have a desire for Treasury to be transparent.

I intend to vote “yes” on the nomination of Mr. Harris, whose responses to my questions indicate that he is willing to entertain and debate positions that may differ from his own.

I also intend to vote “yes” on Ms. Batchelder and Ms. Liang, but I have asked that they work with me to improve their level of responsiveness to the questions I have asked them, and responsiveness of the Treasury more generally. And I have received firm assurances that they will.

There are policy questions and views held by many with different political positions at the Treasury Department with which I disagree. Reasonable people can disagree, but should always be willing to fully debate
and defend their views with data and reason. Evading responsiveness does not help us to arrive at good outcomes.

Most importantly, there is a need as often as possible to arrive at bipartisan compromises and policies that will stand the test of time.

Thank you for holding this hearing.

The Chairman. I thank my colleague for the way he is concentrated on evaluating these nominees, and particularly that point at the end. We recognize that there are significant differences of opinion with respect to policy, but there are certain things that we expect -- and that is responsiveness to questions, and our ability to really evaluate these issues. And it always helps to try to find some common ground. So, I appreciate my colleague’s comments.

Let’s go back and forth now, while we await a quorum. Do any of my Democratic colleagues wish to speak? We will just go back and forth. Senator Brown?

No? Any Democratic colleagues want to speak about the nominees?

[No response.]

The Chairman. All right, any Republican colleagues that want to speak? Senator Warren, let the record note that senators are notorious for being shy.
[Laughter.]
The Chairman. All right, then, if we could, let’s see if we can have a brief recess. And I am talking about --

Senator Whitehouse. Well, a minute, if we are stalling for time --

The Chairman. We are, indeed. Just that.

Senator Whitehouse. May I just flag something that we accomplished in bipartisan fashion with great leadership from the Chairman and from Senator Crapo, who is Chairman of Banking and made it happen. And that was to get the beneficial ownership provisions to shine a little bit of a spotlight into shell corporations in the United States passed as part of the National Defense Authorization Act. There are a lot of our colleagues who worked on that, and I want to thank them. Senator Brown in his leading role on Banking was essential to this, as well. And Senator Grassley and Senator Graham were leaders in the Judiciary Committee where it began.

So I think we had a really important victory there, and I think it is really important that these Treasury nominees see to it that the implementation of that statute, the regulations that are developed, are well coordinated with DOJ, well-coordinated in IRS, and maximize the opportunity that passing that legislation
provides us to fight back against a world of kleptocracy and criminality that too often finds refuge in our own country behind shell corporations and with a small but nasty industry of people who cater to those evil dollars, if you don’t mind my using --

The Chairman. My colleague did not mention himself, by the way, and we want to thank you, Senator Whitehouse, for your leadership too.

And Senator Crapo, and then Senator Brown.

Senator Crapo. I would just like to follow up on that and acknowledge -- there are so many to thank this effort. Senator Brown, Senator Whitehouse, and so many others who were so engaged on this critical legislation. And as they will all attest, this was a long haul. And it did not come easily. But these beneficial ownership provisions are critical to our ability to deal with so many threats to our country right now, both domestic and globally.

And I agree with Senator Whitehouse’s comments that we need to make sure that the Treasury Department follows through on implementing this legislation effectively and quickly.

The Chairman. Senator Brown?

Senator Brown. I thank you. I do not score -- we do too much of this, but this is a case where it is
really earned, and I appreciate Senator Whitehouse’s work, and Senator Crapo saying this a number of times when it did not look so good in the House. And there were a couple of interest groups that pushed him hard on the way he and I thought, and he really helped to rescue it, as you did. And particularly a number of people on this committee were on Banking and Housing last year, and thanks for the work that they did.

And I would add that it is important that any of us reach out to Treasury. And it meets, we think, the first year of the numbers -- I do not have them in front of me -- $70 million, in succeeding years $30 million, to carry this out. And it is important we all talk to people, both here and other people we know at Treasury, to do the simplification rights. So I thank you for raising that. It is helpful.

The Chairman. Senator Brown, thank you. And maybe we can have something perhaps led by you and Senator Crapo, and I would be glad to join, something that would put as many of us on record as possible saying that that money, and getting it immediately, is urgent business.

Senator Brown. We will follow up.

The Chairman. I think we are waiting for two more, three. Are there others who wish to speak?

[No response.]
The Chairman. All right, why don’t we take a recess for five minutes.

Senator Whitehouse. Five minutes? Or five Senate minutes?

The Chairman. Colleagues, we will make this five real minutes, not Senate minutes. And if we do not get this done in five real minutes, we will vote off the floor during votes. Thank you all.

[Brief recess.]

The Chairman. Colleagues, we are one short, and it does not look like the one we need is going to be able to come, so we are going to do this set of votes on the floor on the opportunity, and thank you all for being so thoughtful, and that is how we will proceed.

[Whereupon, at 10:26 a.m., the meeting was adjourned.]
The meeting was reconvened, pursuant to notice, on Thursday, June 10, 2021, at 11:30 a.m., in the hallway immediately outside Room S-216, The President’s Room, U.S. Capitol, Hon. Ron Wyden (chairman of the committee) presiding.


Also present: Democratic staff: Michael Evans, Deputy Staff Director and Chief Counsel; and Joshua Sheinkman, Staff Director. Republican staff: Jeffrey Wrase, Deputy Staff Director and Chief Economist.
The Chairman. Today we continue the open executive
session from yesterday to consider four nominations in
the Department of the Treasury. The first nominee we
will consider is Lily Lawrence B, nominated to be an
Assistant Secretary of the Treasury.

I would entertain a motion to favorably report the
nomination of Ms. Batchelder.

Senator Crapo. So moved.

The Chairman. The clerk will call the roll.

The Clerk. Ms. Stabenow?

Senator Stabenow. Aye.

The Clerk. Ms. Cantwell?

Senator Cantwell. Aye.

The Clerk. Mr. Menendez?

Senator Menendez. Aye.

The Clerk. Mr. Carper?


The Clerk. Mr. Cardin?

Senator Cardin. Aye.

The Clerk. Mr. Brown?


The Clerk. Mr. Bennet?
Senator Bennet.   Aye.

The Clerk.   Mr. Casey?

Senator Casey.   Aye.

The Clerk.   Mr. Warner?


The Clerk.   Mr. Whitehouse?


The Clerk.   Ms. Hassan?

Senator Hassan.   Aye.

The Clerk.   Ms. Cortez Masto?

Senator Cortez Masto.   Aye.

The Clerk.   Ms. Warren?


The Clerk.   Mr. Crapo?

Senator Crapo.   Aye.

The Clerk.   Senator Grassley?

Senator Grassley.   Aye.

The Clerk.   Mr. Cornyn?

Senator Cornyn.   Aye.

The Clerk.   Mr. Thune?

Senator Thune.   No.

The Clerk.   Mr. Burr?
Senator Burr. No.
The Clerk. Mr. Portman?
Senator Portman. Aye.
The Clerk. Mr. Toomey?
Senator Toomey. Aye.
The Clerk. Mr. Scott?
Senator Scott. No.
The Clerk. Mr. Cassidy?
Senator Cassidy. Aye.
The Clerk. Mr. Lankford?
Senator Lankford. No.
The Clerk. Mr. Daines?
The Clerk. Mr. Young?
Senator Young. Aye.
The Clerk. Mr. Sasse?
Mr. Sasse. No.
The Clerk. Mr. Barrasso?
Senator Barrasso. No.
The Clerk. Mr. Chairman?
The Chairman. Aye.
The clerk will announce the vote.
The Clerk.   Mr. Chairman, the final tally is 22 ayes, 6 nays.

The Chairman.   The “ayes” have it. The nomination is ordered favorably reported.

The next nomination is J. Nellie Liang to be an Assistant Secretary of the Treasury. I would entertain a motion to favorably report the nomination of Mr. Liang.

Senator Crapo.   So moved.

The Chairman.   The clerk will call the roll.

The Clerk.   Ms. Stabenow?

Senator Stabenow.   Aye.

The Clerk.   Ms. Cantwell?

Senator Cantwell.   Aye.

The Clerk.   Mr. Menendez?

Senator Menendez.   Aye.

The Clerk.   Mr. Carper?


The Clerk.   Mr. Cardin?

Senator Cardin.   Aye.

The Clerk.   Mr. Brown?

The Clerk.  Mr. Bennet?
Senator Bennet.  Aye.
The Clerk.  Mr. Casey?
Senator Casey.  Aye.
The Clerk.  Mr. Warner?
The Clerk.  Mr. Whitehouse?
The Clerk.  Ms. Hassan?
Senator Hassan.  Aye.
The Clerk.  Ms. Cortez Masto?
Senator Cortez Masto.  Aye.
The Clerk.  Ms. Warren?
The Clerk.  Mr. Crapo?
Senator Crapo.  Aye.
The Clerk.  Senator Grassley?
Senator Grassley.  Aye.
The Clerk.  Mr. Cornyn?
Senator Cornyn.  Aye.
The Clerk.  Mr. Thune?
Senator Thune.  Aye.
1  The Clerk.  Mr. Burr?
2  Senator Burr.  Aye.
3  The Clerk.  Mr. Portman?
4  Senator Portman.  Aye.
5  The Clerk.  Mr. Toomey?
7  The Clerk.  Mr. Scott?
8  Senator Scott.  No.
9  The Clerk.  Mr. Cassidy?
10 Senator Cassidy.  Aye.
11 The Clerk.  Mr. Lankford?
12 Senator Lankford.  No.
13 The Clerk.  Mr. Daines?
15 The Clerk.  Mr. Young?
16 Senator Young.  Aye.
17 The Clerk.  Mr. Sasse?
18 Senator Sasse.  No.
19 The Clerk.  Mr. Barrasso?
20 Senator Barrasso.  No.
21 The Clerk.  Mr. Chairman?
22 The Chairman.  Aye.
The clerk will announce the vote.

The Clerk. Mr. Chairman, the final tally is 24 ayes, 4 nays.

The Chairman. The “ayes” have it. The nomination is ordered favorably reported.

The next nomination is Benjamin Harris to be an Assistant Secretary of the Treasury. I would entertain a motion to favorably report the nomination of Mr. Harris.

Senator Crapo. So moved.

The Chairman. The clerk will call the roll.

The Clerk. Ms. Stabenow?

Senator Stabenow. Aye.

The Clerk. Ms. Cantwell?

Senator Cantwell. Aye.

The Clerk. Mr. Menendez?

Senator Menendez. Aye.

The Clerk. Mr. Carper?


The Clerk. Mr. Cardin?

Senator Cardin. Aye.

The Clerk. Mr. Brown?

The Clerk.  Mr. Bennet?

Senator Bennet.  Aye.

The Clerk.  Mr. Casey?

Senator Casey.  Aye.

The Clerk.  Mr. Warner?


The Clerk.  Mr. Whitehouse?


The Clerk.  Ms. Hassan?

Senator Hassan.  Aye.

The Clerk.  Ms. Cortez Masto?

Senator Cortez Masto.  Aye.

The Clerk.  Ms. Warren?


The Clerk.  Mr. Crapo?

Senator Crapo.  Aye.

The Clerk.  Senator Grassley?

Senator Grassley.  Aye.

The Clerk.  Mr. Cornyn?

Senator Cornyn.  Aye.

The Clerk.  Mr. Thune?
Senator Thune.  Aye.

The Clerk.  Mr. Burr?

Senator Burr.  Aye.

The Clerk.  Mr. Portman?

Senator Portman.  Aye.

The Clerk.  Mr. Toomey?

Senator Toomey.  Aye.

The Clerk.  Mr. Scott?

Senator Scott.  Aye.

The Clerk.  Mr. Cassidy?

Senator Cassidy.  Aye.

The Clerk.  Mr. Lankford?

Senator Lankford.  Aye.

The Clerk.  Mr. Daines?


The Clerk.  Mr. Young?

Senator Young.  Aye.

The Clerk.  Mr. Sasse?

Senator Sasse.  Aye.

The Clerk.  Mr. Barrasso?

Senator Barrasso.  Aye.

The Clerk.  Mr. Chairman?
The Chairman. Aye.

The clerk will announce the vote.

The Clerk. Mr. Chairman, the final tally is 28 ayes, 0 nays.

The Chairman. The “ayes” have it. The nomination is ordered favorably reported.

Our final nomination we will consider is Jonathan Davidson to be a Deputy Under Secretary of the Treasury. I would entertain a motion to favorably report the nomination of Mr. Davidson.

Senator Crapo. So moved.

The Chairman. The clerk will call the roll.

The Clerk. Ms. Stabenow?

Senator Stabenow. Aye.

The Clerk. Ms. Cantwell?

Senator Cantwell. Aye.

The Clerk. Mr. Menendez?

Senator Menendez. Aye.

The Clerk. Mr. Carper?


The Clerk. Mr. Cardin?

Senator Cardin. Aye.
The Clerk. Mr. Brown?
The Clerk. Mr. Bennet?
Senator Bennet. Aye.
The Clerk. Mr. Casey?
Senator Casey. Aye.
The Clerk. Mr. Warner?
The Clerk. Mr. Whitehouse?
The Clerk. Ms. Hassan?
Senator Hassan. Aye.
The Clerk. Ms. Cortez Masto?
Senator Cortez Masto. Aye.
The Clerk. Ms. Warren?
The Clerk. Mr. Crapo?
Senator Crapo. Aye.
The Clerk. Senator Grassley?
Senator Grassley. Aye.
The Clerk. Mr. Cornyn?
Senator Cornyn. Aye.
The Clerk. Mr. Thune?
Senator Thune. Aye.
The Clerk. Mr. Burr?
Senator Burr. Aye.
The Clerk. Mr. Portman?
Senator Portman. Aye.
The Clerk. Mr. Toomey?
Senator Toomey. Aye.
The Clerk. Mr. Scott?
Senator Scott. Aye.
The Clerk. Mr. Cassidy?
Senator Cassidy. Aye.
The Clerk. Mr. Lankford?
Senator Lankford. Aye.
The Clerk. Mr. Daines?
The Clerk. Mr. Young?
Senator Young. Aye.
The Clerk. Mr. Sasse?
Senator Sasse. Aye.
The Clerk. Mr. Barrasso?
Senator Barrasso. Aye.
The Clerk. Mr. Chairman?

The Chairman. Aye.

The clerk will announce the vote.

The Clerk. Mr. Chairman, the final tally is 28 ayes, 0 nays.

The Chairman. The “ayes” have it. The nomination is ordered favorably reported.

I thank my colleagues for their time. The committee is adjourned.

[Whereupon, at 12:22 p.m., the meeting was concluded.]
STATEMENT OF: Hon. Ron Wyden, a U.S. Senator from Oregon, chairman, Committee on Finance

Hon. Mike Crapo, a U.S. Senator from Idaho