

**NOMINATIONS OF ANNE ELIZABETH WALL,  
BRODI L. FONTENOT, AND RAFAEL J. LÓPEZ**

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**HEARING**

BEFORE THE

**COMMITTEE ON FINANCE**

**UNITED STATES SENATE**

ONE HUNDRED FOURTEENTH CONGRESS

FIRST SESSION

ON THE

NOMINATIONS OF

ANNE ELIZABETH WALL, TO BE DEPUTY UNDER SECRETARY, DEPARTMENT OF THE TREASURY; BRODI L. FONTENOT, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY; AND RAFAEL J. LÓPEZ, TO BE COMMISSIONER, ADMINISTRATION ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES

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APRIL 23, 2015

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**THURSDAY, APRIL 23, 2015**

U.S. SENATE,  
COMMITTEE ON FINANCE,  
*Washington, DC.*

The hearing was convened, pursuant to notice, at 2:20 p.m., in room SD-215, Dirksen Senate Office Building, Hon. Orrin G. Hatch (chairman of the committee) presiding.

Present: Senators Crapo, Wyden, Cantwell, and Brown.

Also present: Republican Staff: Chris Campbell, Staff Director; Mark Prater, Deputy Staff Director and Chief Tax Counsel; Becky Shipp, Health Policy Advisor; and Nicholas Wyatt, Tax and Nominations Professional Staff Member. Democratic Staff: Laura Berntsen, Senior Advisor for Health and Human Services; and Anderson Heiman, International Competitiveness and Innovation Advisor.

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

The CHAIRMAN. The committee will come to order.

The committee is considering three nominations for posts at the Treasury Department and Department of Health and Human Services. I apologize for being late; we had a very important vote over in the Senate.

These positions are important, and I will discuss them specifically in a few minutes. But since this is our first nomination hearing in the 114th Congress, I want to reiterate some information on how this committee processes nominations.

In this new Congress, the Finance Committee will continue to use the same basic procedures for processing nominations that we have followed in the past, a process that, except in very rare circumstances, has always been bipartisan. I intend to see that it continues that way.

Let me say that I believe the President is entitled to have the people he wants working in this administration, so long as there are no ethical or significant issues in their background. And, by the way, that is why I am late, because I very strongly supported the President's nominee for Attorney General of the United States, who did pass 56 to 43.

While I respect the President's right to nominate people of his choosing, the President also needs to respect the constitutional advice and consent role of the U.S. Senate. It is a very, very important part of our role up here, as well as this committee's part in that overall process.

On that issue, I want to highlight some guidelines that then-Majority Leader Reid put into the Congressional Record on January 20, 2009. The document that he asked to be printed in the Record was titled, "Employment Guidelines for Potential Presidential Appointments in Some Cabinet Positions."

Now, I am not going to go through the full document here, but it concerns the common practice of presidential nominees being brought on as advisors or counselors in agencies where they have been nominated to serve while their nominations are being processed.

I refer to these guidelines because I want to make it clear that, while a nominee may do certain activities in these advisory positions, they may not take on responsibilities related to policymaking or representing the administration. I expect all nominees, and particularly those being processed through this committee, to respect these boundaries and respect the constitutional role of the Senate and this committee.

By most accounts, I am a pretty reasonable guy. I do not think we have mistreated any of the nominees who have come through the Finance Committee or subjected them to any unnecessary delays. And like I said, while our procedures for moving nominations through the committee may be rigorous, they are bipartisan, and I believe them to be fair. So, I hope the administration will acknowledge that and work within the proper guidelines going forward.

With that out of the way, I want to thank the three nominees for appearing here today. First, we will hear from Anne Elizabeth Wall, who, if confirmed, will serve as Assistant Secretary for Legislative Affairs at the Treasury Department. The person in this position will deal with this committee on a regular basis and has the important job of facilitating communication between the Treasury Department and Congress.

On that topic, I would like to say up front that it is very important to me that requests for information submitted to the Treasury Department, whether they come from me or from any other members, are responded to in a fulsome and timely manner.

Too often, the responses we receive from the Treasury are not all that informative, and that is if we receive responses at all. For example, Secretary Lew testified on the President's budget request on February 5th, more than 2 months ago, and the committee still has not received answers to questions we submitted to the Secretary in writing. The same is true for IRS Commissioner Koskinen, who testified on February 3rd.

My hope, Ms. Wall—and we will talk about this more today—is that you will commit to improving the lines of communication between Treasury and this committee.

Next, we will hear from Brodi L. Fontenot. That is a pretty fancy name, I will tell you. [Laughter.]

He has been nominated to be Chief Financial Officer of the Treasury Department. This is an especially important position in an environment of scarce resources and short-term continuing resolutions. Mr. Fontenot brings a wealth of experience, including time at the Department of Transportation, with managing a large Federal workforce and balancing multiple critical priorities.

The committee will also hear from Rafael J. López, nominee for Commissioner on Children, Youth, and Families in the Department of Health and Human Services. Now, this is a critical position, as I view it, that oversees programs dealing with the most vulnerable among us. The Senate Finance Committee has been extremely productive in crafting bipartisan, bicameral legislation aimed at improving outcomes for vulnerable children and families.

In my time as a senior Republican on this committee, we have produced two major bills that were enacted into law, making improvements to foster care and adoption assistance. When Senator Grassley was chairman and ranking member, the committee reported several bipartisan bills as well that made improvements to child welfare.

I am committed to continuing this bipartisan effort to improve the lives of vulnerable children, youth, and families. I hope that, if confirmed, Mr. López, you will be an active and engaged partner in these endeavors. I am serious about that, and I hope that we can really work together in the best interests of our young people and children in this society.

I want to thank you all for being here today and for your willingness to serve.

I am very grateful to have Ron Wyden as my counterpart here on the Finance Committee, and we will turn to him at this time.

[The prepared statement of Chairman Hatch appears in the appendix.]

**OPENING STATEMENT OF HON. RON WYDEN,  
A U.S. SENATOR FROM OREGON**

Senator WYDEN. Thank you, Mr. Chairman. It feels like we have not been away from the committee for much longer than about 15 minutes, given the fact that we were here well into the evening. I want to commend you again for that bipartisan mark-up.

The CHAIRMAN. Likewise, you.

Senator WYDEN. Thank you.

Senator CANTWELL. Senator Wyden, I want to commend you as well. I wonder why Treasury would send anyone here today after Mr. Daws had to sit here last night and answer all our questions. [Laughter.]

Sorry to interrupt, but last night got cut off short, and I did want to thank both of you and the staff for your tremendous leadership on getting that legislation out. We did not have the normal closing process, so a lot of us did not have a chance to give accolades on

the hard work and perseverance. So I just want to say “thank you very much” to both of you.

The CHAIRMAN. Thank you.

Senator WYDEN. Well, thank you, Senator Cantwell. Everyone on this committee understands that nobody knows more about what it is going to take to strengthen America’s place in the global economy than Senator Cantwell, and I thank you for those very, very kind words.

Let me also say, while we are on the subject of bouquets: Chairman Hatch, thank you for the excellent work on Loretta Lynch. There is no question that there were votes that she won today because of your leadership, and I just want to thank you for that as well.

The CHAIRMAN. Thank you. Thank you so much.

Senator WYDEN. This afternoon, the Finance Committee is going to consider three nominees for key posts in the administration: Anne Wall, Brodi Fontenot, and Rafael López. All of them, in my view, are at the top of their class and top of their fields, and they are going to be needed to help the administration take on a range of pressing issues.

The first is Anne Wall. She is nominated to be Deputy Under Secretary for Legislative Affairs at the Treasury Department. She is going to play a critical role in ensuring that the Congress and the Treasury are able to communicate and work together effectively on an array of issues. I want it understood at the outset, and I probably have to leave here fairly shortly, I think Anne Wall is going to do a first-rate job there.

She is clearly ideally suited for the position, having served in a number of roles with our colleague Senator Durbin and as a congressional liaison for the White House. She knows her way around both ends of Pennsylvania Avenue and how to help find common ground.

Next is Brodi Fontenot, nominated to be the Chief Financial Officer for the Treasury Department. As CFO, he is going to manage the Department to ensure that it maximizes its efficiency in several areas, and that is a tall order for a department of 100,000 men and women. He has already demonstrated that he is up to the task in a similar role at the Department of Transportation, where he is currently the Assistant Secretary.

Prior to joining the Department of Transportation, he served on the Senate Budget Committee and at the Government Accountability Office. Our former colleague, Senator Conrad, has very high praise for the nominee’s work. If you are getting Kent Conrad around here to sing your praises, you are, so to speak, running with the right crowd, and we commend you for it.

The CHAIRMAN. He is a good guy.

Senator WYDEN. And I also want to note, Mr. Fontenot is married to a Finance Committee Health Staff alum, Yvette Fontenot. So we have——

The CHAIRMAN. Well, I do not know if we can allow that.

Senator WYDEN. You are going to pull the brake? I retract the statement. [Laughter.]

It is obvious the committee has a history of being fans of the Fontenot family, and we are very pleased that you are here.



Now, in addition to the Treasury nominees, we will be considering the nomination of Rafael López. He is nominated to be the Commissioner on Children, Youth, and Families at the Department of Health and Human Services. He has a very extensive background in the nonprofit and public sectors, with a special focus on children and families.

If confirmed for this new role, Mr. López would oversee a number of critical programs to ensure that kids have the services and protection they need for a safe and stable childhood. Mr. López has his work cut out for him, given the ongoing implementation of a bill that Senator Hatch and I authored that was signed into law in September, the Preventing Sex Trafficking and Strengthening Families Act. That new law focuses on ensuring that kids in foster care are given the same support and ability to make permanent, positive connections as all kids. I am very interested in working with Chairman Hatch to follow up in that regard.

Mr. López, what I was struck by as we got into this is that, for example, if a youngster runs away or gets lost in an affluent neighborhood, it seems like the whole neighborhood is out en masse, literally hundreds of people in a matter of hours, trying to find that youngster. We know that if we lose a youngster in the foster care system, nobody is going to know, or perhaps hardly anybody is even going to care for a long, long time. You are charged with ending that kind of double standard for America's youngsters, and Chairman Hatch and I are very much committed to working with you in that regard.

So, Chairman Hatch, thank you. I look forward to our nominees.

The CHAIRMAN. Well, thank you. Thank you, Senator. I appreciate it.

Before each of you gives your testimony, I want to give each of you the opportunity to introduce friends or family who are in the audience today. Ms. Wall, let us start with you and then work down the panel.

Ms. WALL. Thank you, Mr. Chairman. My parents, Mike and Liz, are here with me today—

The CHAIRMAN. Welcome.

Ms. WALL [continuing]. And my DC family, the Smith family.

The CHAIRMAN. Well, that is great. We are really happy to have you all here with us.

Mr. Fontenot?

Mr. FONTENOT. Thank you, sir. My wife Yvette is here, and my three children, Hazel, August, and Evangeline. And also my mother-in-law is here, Dr. Shenouda.

The CHAIRMAN. That is great. Mom, you have to watch over him, I can see that. [Laughter.]

That is just great.

Senator WYDEN. They are better behaved than my children. [Laughter.]

The CHAIRMAN. Or mine. Of course, mine are now in their 50s. [Laughter.] Almost all of them.

Mr. López?

Mr. LÓPEZ. Yes. Thank you, Senator Hatch. I have with me today my mother, María López, my wife, Rosa Ramírez-López, and my

two sons, Adán Miguel and Mateo Gabriel. Some of our chosen family members, Steven Shapiro and Sandy Starr, are here as well.

The CHAIRMAN. Great. Well, we are happy to welcome all of you to this hearing here today. We are grateful that you would take time from your schedules to be here. Thank you.

Your prepared statements will be printed in the hearing record, but each of you will have 5 minutes to summarize.

Ms. Wall, let us have you go ahead and give your testimony, then we will turn to Mr. Fontenot, then finally Mr. López.

**STATEMENT OF ANNE ELIZABETH WALL, NOMINATED TO BE  
DEPUTY UNDER SECRETARY, DEPARTMENT OF THE TREASURY,  
WASHINGTON, DC**

Ms. WALL. Thank you, Chairman Hatch, Ranking Member Wyden, Senator Cantwell, members of the committee. I appreciate the opportunity to be here in the Senate and to appear before the Senate Finance Committee. It is always nice to come back to a place that feels like a second home, and a humbling honor to be seated at this table before you after several years sitting alongside the hardworking staff behind you.

I especially want to thank you and your staff for considering my nomination. I am sincerely grateful to President Obama for nominating me to serve as Assistant Secretary for Legislative Affairs at the Department of the Treasury, and for Secretary Lew for recommending me to this position.

I have had the privilege of serving as counselor to Secretary Lew and cannot be more excited to continue to work in this new role, if confirmed, with the talented, professional, intelligent, and dynamic staff of the Treasury Department.

I cannot tell you how meaningful it is to have my parents, Michael and Liz, here with me today, and I would like to recognize my brother Jonathan, who is at home in Chicago. Mr. Chairman, like you, he is a musician, so he had music lessons to teach back home.

Their encouragement empowered me as I began what I thought would be a brief adventure as a Senate staffer in DC, and almost a decade later it is only because of that encouragement, as well as their love and support, that I have been able to serve in what has already been the professional experience of a lifetime.

As my family and friends know, I try not to stray too far from my Chicago roots and strive to live by the values my parents instilled in me, and I am thankful they are here today.

I will also always be grateful to my home State Senator, Dick Durbin, who, as Majority Whip, took a chance on a young practicing lawyer who moved to Washington without a job but a strong desire to learn how government really works. He gave me the honor of being part of his remarkable and dedicated staff for 5½ wonderful years.

It was in that role as part of the leadership staff that I spent countless hours on the Senate floor. I learned firsthand that, in the U.S. Senate, the U.S. Senate is a place where your word is your bond. It is a place where strong friendships and relationships can develop, even when you do not agree on policy, politics, or process. It is also a place where a sense of humor is as valuable as the

sense of duty, and I certainly try to keep a sense of humor working with offices on Whip questions and conversations about Senate procedure.

I carried my Senate floor experience with me when I joined the White House Office of Legislative Affairs, first as Special Assistant to the President for Legislative Affairs, and later as Deputy Assistant to the President for Legislative Affairs and Senate Liaison. Serving President Obama and working with his team for 3 years was one of the most special times of my life. Contributing to the daily work of the country from the other side of Pennsylvania Avenue was uniquely rewarding, and, as in the Senate, it is a place where relationships matter.

In my role as the White House liaison to the Senate, I built strong ties with both Republicans and Democrats. Together, we kept an open line of communication between the legislative and executive branches, a relationship that is essential to getting things done.

If confirmed, I would look forward to ensuring that there is an honest dialogue between the Treasury Department and the Congress. You can count on me to be responsive and respectful, to be candid and clear, and to do my best to accurately represent the views of the Department of Treasury and the administration to this committee and to Congress. And in turn you can count on me to make sure that your views are shared and respected at the Department of Treasury.

Thank you again for your consideration, and I look forward to responding to your questions.

The CHAIRMAN. Thank you, Ms. Wall.

[The prepared statement of Ms. Wall appears in the appendix.]

The CHAIRMAN. Mr. Fontenot?

**STATEMENT OF BRODI L. FONTENOT, NOMINATED TO BE  
CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY,  
WASHINGTON, DC**

Mr. FONTENOT. Chairman Hatch, Ranking Member Wyden, distinguished members of the committee, I am honored to have my nomination come before you today. I am grateful to President Obama and Secretary Lew for asking me to serve the Department of the Treasury.

I also want to thank your staff for meeting with me to discuss management issues and my qualifications for this position. I also want to acknowledge, in addition to my wife and my family, my brother and my sister-in-law, Nigel and Becca Fontenot, as well.

I was raised in Baton Rouge, LA and pursued my bachelor's degree in Houston, TX. My public service began after college in AmeriCorps, serving those affected by various disasters. After finishing my master's in public administration at the University of North Carolina, I came to Washington and began my career as an analyst at the now-Government Accountability Office.

For 5 years at GAO, I worked on a variety of issues, reviews of government programs for different congressional components, and learned the true value of analysis, assessment, and accountability when it comes to public programs funded by the American taxpayer.

I left GAO for an opportunity to work for your former colleague, Senator Kent Conrad, on the Senate Budget Committee. I spent the next 3 years gaining a true appreciation for the intricacies and importance of the Federal budget process and a reverence for this institution and the role it plays. It was a privilege to be able to spend time on the Senate floor and experience first-hand the deliberations of its members.

For more than 5 years now I have served President Obama, first at the Department of Transportation as the Deputy Assistant Secretary for Management and Budget in the Office of the Chief Financial Officer, and as Assistant Secretary for Administration. For the past 3 months, I have served the Department of Treasury as the Assistant Secretary for Management.

Throughout all these varied roles, I have learned the significant role government can play in people's lives. I strive to properly and efficiently manage government operations and resources and to enhance the quality of service provided to the American people.

As part of that effort, I introduced the concept of using performance and management information at the highest levels of the Department of Transportation to guide its actions. In addition, as Senior Sustainability Officer at the Department of Transportation, I introduced and executed strategies that reduced the Department's petroleum usage and increased the use of alternative fuels. In all cases, I led teams of career senior executives and talented staff and marveled at their ability to achieve results under the challenging courses we set.

At the Department of the Treasury, I will continue to engage our career leaders and ensure that they have the tools and resources they need to successfully serve the public and to be responsive to our many stakeholders.

I am humbled and honored to have the possibility of serving the Nation in this new capacity, should I be confirmed. If you and your colleagues in the Senate give me the opportunity to serve as Chief Financial Officer, I will apply myself fully to the best of my ability to justify your trust and confidence.

Thank you for allowing me to appear before you today, and I would be pleased to answer your questions.

The CHAIRMAN. Well, thank you very much.

[The prepared statement of Mr. Fontenot appears in the appendix.]

The CHAIRMAN. Mr. López?

**STATEMENT OF RAFAEL J. LÓPEZ, NOMINATED TO BE COMMISSIONER, ADMINISTRATION ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES, WASHINGTON, DC**

Mr. LÓPEZ. Chairman Hatch, Ranking Member Wyden, and honorable members of the committee, thank you for inviting me to discuss my nomination. It is an honor to have been nominated by President Obama and to be considered by the Senate Committee on Finance.

This committee has done extraordinary things for the American people, from expanding health insurance coverage to children through the Children's Health Insurance Program, to seeking nor-

malcy for children in foster care. If confirmed, I look forward to working with each of you and your staffs toward our shared goals of protecting and empowering the Nation's most vulnerable children, youth, and families.

I have already had the opportunity to introduce family members present here in the chambers with us, but I would like to take a moment to thank family and friends who are unable to be here today and join us from afar. Their love and support means the world to me.

Now I would like to tell you a piece of my own family's history. My mother never finished the second grade in her rural town near Poncitlán, Jalisco, Mexico. She left school as a little girl to help support her family, cooking, sewing, and cleaning in another family's home. She eventually followed her dad to the United States as a migrant farm worker and cannery worker, finally settling in Watsonville, CA, where I was born and raised.

If you have ever eaten a Driscoll's strawberry or raspberry or blackberry, it is likely that it came from Watsonville. If you have ever sipped Martinelli's apple cider, then you have tasted my home town. Leafy greens, vegetables, flowers, and fruits are all grown and picked by the hands of farm workers just like my mother's.

But my mother wanted a different life for me, my sister, and my two brothers. Whether in the fields or in the canneries, as a nanny, house cleaner, dishwasher, or cook, my mother taught us the value of hard work. She taught us to sacrifice and to believe in yourself. She is a survivor of a tough life and our abusive father, whom she eventually left behind.

As a family, we struggled to make ends meet, even though we all worked so hard. There were nights when things became so violent that we would run to the homes of neighbors willing to take us in. For years I was embarrassed and ashamed at the thought of strangers finding out just how much our family struggled. It took me years to realize that our family was not alone, and that is why I share part of our family's story with you here today.

Alcoholism, abuse, mental health, violence, and poverty are not private matters. They are public matters that cross geographic, class, racial, and cultural boundaries. They are matters that require our best thinking, collective action, and willingness to work together.

Even in our darkest hours, my mother focused our attention on the future, and, thanks to her unconquerable spirit and work ethic, she helped me become the first in our immediate family to graduate from high school. I became the first in our family to graduate from college, the first to earn a graduate degree, the first to work for the President of the United States, and the first to testify before the U.S. Senate Committee on Finance.

I share all this with you to honor my mother as the true hero that she is and to enter a piece of our history into the public record. I tell you all this because we did not do it on our own. Neighbors, public school teachers, librarians, social workers, counselors, mentors, and more—they all helped.

My commitment to public service was shaped by my early experiences and has remained rooted in the belief that every child and every family deserves a fair opportunity to reach their God-given

potential, regardless of the life or circumstances into which they are born. I was once a client of programs administered by HHS, and, while no one program is perfect, I know they change lives because they changed my family's.

As a Senior Policy Advisor in the White House Office of Science and Technology and the Domestic Policy Council, I worked to improve relationships between the administration and nonprofit and philanthropic organizations to strengthen domestic policies and social programs. We rely on the best available data, science, technology, and evidence-based interventions to promote the social and emotional well-being of children, youth, and families.

With the Annie E. Casey Foundation, a private national philanthropy, I had the honor and opportunity to help develop a brighter future for millions of children at risk of poor education, economic, social, and health outcomes in the United States, and, as President and CEO of the Family League of Baltimore City, a nonprofit organization there, I helped launch several programs, including the B'More for Healthy Babies Initiative, which led to a 19-percent reduction in infant mortality in the first year.

We worked with Maryland's Juvenile Court and negotiated the State of Maryland contract commitment to expand a family recovery program, where we helped families reunify with their court-removed children by providing substance abuse treatment, mental health services, and supportive housing. As a founding Executive Director of First Five in Santa Cruz County, we launched the first-ever universal health care program to serve all children in the county.

Public service has been my life, and I have worked hard to develop the skills, relationships, and experiences I need to be the most able champion of children, youth, and families in need, regardless of the challenges they face.

At every step along the way, the use of data, science, and results has driven my strategy. I have worked to build teams that value excellence, transparency, and accountability. Whether engaging diverse partners to improve educational outcomes for our Nation's foster children or using tech solutions to hack our way to more efficient services for young people by using smartphones, I plan to bring whatever innovative tools and resources we can rally.

Whether helping the Nation's LGBTQ runaways and homeless youth find loving homes who respect and accept them for who they are, or working to ensure that families receive the emergency shelter they deserve when fleeing from domestic violence, I will work tirelessly to engage the partners we need.

This month is National Child Abuse Prevention Month. The work of raising our children and youth is the most important job in our country, and it will take every one of us to renew our commitment to protect the safety and well-being of our children and youth and the families who care for them.

As a father of two boys, I can attest to the fact that it is the single hardest and most glorious job I have ever had. Our children, youth, and families are our greatest renewable resources, and when we respect, honor, and invest in them, we invest in us.

Mr. Chairman, Ranking Member Wyden, and honorable members of the committee, thank you again for the invitation to speak with

you today. I have never shied away from hard work, and, if confirmed, I am ready to roll up my sleeves and work with you. American's children, youth, and families deserve nothing less.

With that, I would be pleased to answer your questions. Thank you.

The CHAIRMAN. Well, thank you so much.

[The prepared statement of Mr. López appears in the appendix.]

The CHAIRMAN. First, I have some obligatory questions I am going to ask all the nominees.

Is there anything that you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated? Ms. Wall?

Ms. WALL. No.

The CHAIRMAN. No. Mr. Fontenot, no?

Mr. FONTENOT. No.

Mr. LÓPEZ. No.

The CHAIRMAN. Do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Ms. WALL. No.

Mr. FONTENOT. No.

Mr. LÓPEZ. No.

The CHAIRMAN. All right.

Do you agree, without reservation, to respond to any reasonable summons to appear and testify before any duly constituted committee of Congress, if you are confirmed?

Ms. WALL. Yes.

Mr. FONTENOT. Yes.

Mr. LÓPEZ. Yes.

The CHAIRMAN. All right.

Finally, do you commit to provide a prompt response, in writing, to any questions addressed to you by any Senator of this committee?

Ms. WALL. Yes.

Mr. FONTENOT. Yes.

Mr. LÓPEZ. Yes.

The CHAIRMAN. I hope you will, because you will be exceptions to the rule. Do not take that too seriously now, but we would like you all to be responsive to the committee. This committee has always been run very well, but we are going to make sure that we follow up on these things.

Ms. Wall, this is a common complaint, but it definitely bears repeating. It is very important that this committee's requests to the Treasury Department are responded to quickly and fully. It seems that we only get information when there is some sort of pressure point, such as a nomination hearing.

In February, both Secretary Lew and Commissioner Koskinen testified before this committee on the President's fiscal year 2016 budget. Now it is more than 2 months later, and we have not received any responses to written questions. These are written questions sent after that hearing.

Aside from being frustrating, this lack of responsiveness ensured we would not use this additional input from the administration when the Senate considered a budget resolution.

Assuming you are confirmed, how are you going to change this pattern of some sort of pressure being necessary to get information from the Treasury Department?

Ms. WALL. Mr. Chairman, if confirmed, I want you to know that I take very seriously the need to be responsive to this committee, and all members of Congress, so I will do my best to work with Department staff to try to get accurate responses as quickly as possible.

One thing we discussed with your staff was setting up a weekly call to check in on outstanding pending matters, which may be a nice check to make sure we are staying on task at the Department, and also being responsive to your requests.

The CHAIRMAN. Well, that is good. I appreciate that.

Mr. López, I welcome you to the committee, and I want to thank you for appearing before this committee.

Last year, the Congress enacted, and the President signed, legislation to address the issue of children and youth in foster care being sexually trafficked while in care. Now, I am pleased that the new law incorporates a number of provisions I introduced, entitled the IOYouth bill.

As you know, a major risk factor making children and youth in foster care susceptible to domestic sex trafficking and other negative outcomes is a continued reliance on group homes. These homes are routinely targeted by traffickers and are often warehouses for youth who are rarely, if ever, allowed to engage in healthy age-appropriate activities and social events.

My bill would have re-focused Federal priorities by eliminating Federal matching funds for non-family foster homes for all children 12 years and younger. This bill would have eliminated Federal funds for youth age 13 and older after 1 year of consecutive time spent in a non-family foster home or 18 months non-consecutive care spent in a non-family foster home, whichever comes first.

Now, while this provision was not enacted into law last year, I continue to have serious concerns about the over-reliance on group homes in our foster care system. Do you share those concerns?

Mr. LÓPEZ. Thank you for the question, Chairman Hatch. Yes, I absolutely share those concerns. Quite frankly, the science and common sense tell us that children and youth should be raised in families. Children and youth need to have the loving attention, the relationships, and the supportive environment that they deserve in order to live up to their full potential and live their lives.

Congregate group settings are not always the best places for children. They should be a rare exception. They should be a place where, if and when a State or a local jurisdiction has to remove a child from their home, the time that the child or youth spends in that particular congregate care setting is very minimal.

Unfortunately, the data does not always support that. Bottom line: children deserve to grow up with a loving family. Every child deserves a forever family, and congregate youth care should be absolutely minimally used.



The CHAIRMAN. Well, thank you. I appreciate these answers, Mr. López. It means a lot to me to have somebody like you who cares enough to be in these areas, working on these issues.

Mr. Fontenot, let me just ask you this question. A common issue confronting the Federal workforce is the loss of institutional knowledge as employees with critical information retire. Now, a December 2014 *Washington Post* story noted that “the share of the Federal workforce under the age of 30 dropped to 7 percent this year, the lowest figure in nearly a decade, government figures show.”

Now, how can the Federal Government adapt to attract qualified applicants, and how can we improve what is really a frequent and cumbersome and confusing hiring process?

Mr. FONTENOT. Thank you for your question. I was the Chief Human Capital Officer at the Department of Transportation, and one of the obviously critical areas there was the workforce that works on essentially planes, trains, and automobiles.

I think one of the most effective strategies is workforce planning, really having a plan to really understand what your attrition rate will be, and to really hire for these specific skill sets, but obviously, of course, planning to look out into the future. We did undertake that in some of our mission-critical occupation planning. I know the administration is also doing that in several of its occupation plans.

The CHAIRMAN. Well, let me turn to—well, there is nobody else here. [Laughter.]

I see empty chairs here. You guys are really having an easy time here, you know. [Laughter.]

First of all, I am a pushover. The really nasty people are not here at all. No, we do not have any nasty people on this committee.

Let me just say that I am really pleased with your appointments. You are really good people. I congratulate the President and those who serve with him for nominating you folks. It is pleasing to me that you want to work in the Federal Government, and it would be even more pleasing if you will really work in the Federal Government when you get these jobs. I have no doubt that the three of you will be wonderful employees in our Federal system.

So let me just say, I support all three of you. I did before you even spoke, which is a bad thing to do, I know, but I am just that way.

I want to once again thank the nominees for appearing here today. I also want to thank Senator Wyden for the help that he gives on this committee. He is doing a great job, and I appreciate it.

If we have any questions for the record, they should be submitted no later than Monday, April 27th. If you will, get the answers back as quickly as you can. I doubt there will be any, but if there are, get them back as quickly as you can, because we would like to process your nominations as fast as we can.

So with that, we are going to adjourn this hearing and let you all go, and let your families go. I know these sometimes seem like they are worrisome things, but not on this committee, unless you really deserve it. [Laughter.]

We are grateful to have you all here. Thanks for appearing, and thanks for answering the questions that I have asked.

There is nobody else here. All right. Then with that, we will recess until further notice. Thank you.

[Whereupon, at 2:55 p.m., the hearing was concluded.]

## APPENDIX

### ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

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#### STATEMENT OF BRODI L. FONTENOT, NOMINEE FOR CHIEF FINANCIAL OFFICER, DEPARTMENT OF THE TREASURY

Chairman Hatch, Ranking Member Wyden, distinguished members of the Committee, I am honored to have my nomination come before you today. I am grateful to President Obama and Secretary Lew for asking me to serve at the Department of the Treasury. I also want to thank your staff for meeting with me to discuss management issues and my qualifications for the position for which I have been nominated.

I am particularly grateful to my wife of 9 years, Yvette, and to our children, Hazel (7), August (5) and Evangeline (3), for their support and willingness in allowing me to continue to serve in government with all its attendant sacrifices. Yvette, an alumnus of this Committee's staff, continues her work of increasing access to health care for Americans, and Hazel, August and Evangeline continue to grow and are becoming more independent by day.

I was raised in Baton Rouge, Louisiana and pursued my bachelor's degree in Houston, Texas. My public service began after college in AmeriCorps serving those affected by various disasters. After finishing my Masters in Public Administration at the University of North Carolina, I came to Washington and began my career as an analyst at the now Government Accountability Office. For 5 years at the GAO, I worked on a variety of reviews of government programs for different Congressional components and learned the true value of analysis, assessment and accountability when it comes to public programs funded by the American taxpayer.

I left GAO for an opportunity to work for your former colleague Senator Kent Conrad on the Senate Budget Committee. I spent the next 3 years gaining a true appreciation of the intricacies and importance of the federal budget process and a reverence for this institution and the important role it plays. It was a privilege to be able to spend time on the Senate floor and experience first-hand the deliberations of its members.

For more than 5 years now, I have served President Obama first at the Department of Transportation as the Deputy Assistant Secretary for Management and Budget in the office of Chief Financial Officer and as the Assistant Secretary for Administration. For the past 3 months, I have served at the Department of the Treasury as the Assistant Secretary for Management.

Throughout all of these varied roles, I have learned the significant role government can play in people's lives. I strive to properly and efficiently manage government operations and resources to enhance the quality of service provided to the American people. As part of that effort, I introduced the concept of using performance and management information at the highest levels of the Department of Transportation to guide actions. In addition, as Senior Sustainably Officer at DOT, I introduced and executed strategies that reduced the Department's petroleum usage and increased the use of alternative fuels. In all cases, I led teams of career Senior Executives and talented staff and marveled at their ability to achieve results under the challenging course we set.

At the Department of the Treasury, I will look to continue to engage our career leaders and ensure they have the tools and resources they need to successfully serve the public and to be responsive to our many stakeholders.

I am humbled and honored to have the possibility of serving the nation in this new capacity should I be confirmed. If you and your colleagues in the Senate give me the opportunity to serve as Chief Financial Officer for the United States Department of the Treasury, I will apply myself fully to the best of my ability to justify your trust and confidence.

Thank you for allowing me to appear before you today. I would be pleased to answer any questions.

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**SENATE FINANCE COMMITTEE  
STATEMENT OF INFORMATION REQUESTED  
OF NOMINEE**

**A. BIOGRAPHICAL INFORMATION**

1. Name (include any former names used): Brodi Lin Fontenot
2. Position to which nominated: Chief Financial Officer, Department of the Treasury
3. Date of nomination: February 12, 2015
4. Address (list current residence, office, and mailing addresses):
  
5. Date and place of birth: October 5, 1976, Baton Rouge, LA
6. Marital status (include maiden name of wife or husband's name):
  
7. Names and ages of children:
  
8. Education (list secondary and higher education institutions, dates attended, degree received, and date degree granted):

University	Degree Awarded	Dates Attended
The University of North Carolina at Chapel Hill The University of Houston	M.P.A. B.A., History (Cum Laude)	August 1999–May 2001 (degree awarded 2001) August 1994–May 1998 (degree awarded 1998)

9. Employment record (list all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment):

Employer	Location	Title	Employment Dates
U.S. Department of the Treasury	1500 Pennsylvania Ave., NW, Washington, DC	Assistant Secretary for Management	January 2015–Present
U.S. Department of Transportation	1200 New Jersey Ave, NW, Washington, DC	Assistant Secretary for Administration Deputy Assistant Secretary for Administration/Acting Assistant Secretary for Administration Deputy Assistant Secretary for Management and Budget	July 2012–January 2015 September 2010–July 2012 July 2009–September 2010
United States Senate Committee on the Budget	U.S. Senate, Washington, DC	Budget Analyst for Transportation, Veterans' Affairs, and Commerce and Housing Credit	August 2006–July 2009

Employer	Location	Title	Employment Dates
United States Government Accountability Office	441 G St., NW, Washington, DC	Senior Analyst and Analyst	August 2001–August 2006
The University of North Carolina at Chapel Hill	Chapel Hill, NC	Graduate Assistant	August 2000–August 2001
American Museum of Natural History	Central Park West at 79th Street, New York, NY	Graduate Intern	May 2000–July 2000
The University of North Carolina at Chapel Hill	Chapel Hill, NC	Graduate Assistant (part time)	August 1999–May 2000
AmeriCorps—American Red Cross	Baton Rouge, LA	National Rapid Response Corps Member	June 1998–August 1999

10. Government experience (list any advisory, consultative, honorary, or other part-time service or positions with Federal, State or local governments, other than those listed above):

None

11. Business relationships (list all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, other business enterprise, or educational or other institution):

None

12. Memberships (list all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations):

Delta Chi Fraternity (University of Houston):

—Member, 1997–1998

—Treasurer, 1997–1998

13. Political affiliations and activities:

- a. List all public offices for which you have been a candidate:

None

- b. List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years:

None

- c. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more for the past 10 years:

Committee	Amount
Obama for America	\$250
Mizeur-Coates for Maryland	\$250

14. Honors and Awards (list all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievement):

National Achievement Scholar, 1994

15. Published writings (list the titles, publishers, and dates of all books, articles, reports, or other published materials you have written):

—**Hurricanes Katrina and Rita:** Coordination Between FEMA and the Red Cross Could Be Improved for the 2006 Hurricane Season (GAO–06–712)

—**Alaska Native Villages:** Recent Federal Assistance Exceeded \$3 Billion, with Most Provided to Regional Nonprofits (GAO–05–719)

—**Budget Issues:** Agency Implementation of Capital Planning Principles Is Mixed (GAO–04–138)

- Small and Disadvantaged Businesses:** Most Agency Advocates View Their Roles Similarly (GAO-04-451)
- Small and Disadvantaged Businesses:** Some Agencies' Advocates Do Not Report to the Required Management Level (GAO-03-863)
- Federal Trade Commission:** Study Needed to Assess the Effects of Recent Divestitures on Competition in Retail Markets (GAO-02-793)
- Guidebook to Public Dispute Resolution in North Carolina** (ISBN 1-56011-457-6)

16. Speeches (list all formal speeches you have delivered during the past 5 years which are on topics relevant to the position for which you have been nominated):

—**Why DOT Is One of the Best Places to Work**

<http://www.govexec.com/excellence/promising-practices/2013/02/why-dot-one-best-places-work/61184/>

<http://www.dot.gov/fastlane/dot-stb-fhwa-earn-nods-best-places-work>

<http://www.businessofgovernment.org/blog/business-government/next-four-years-managing-balancing-act>

—**Sustainability**

<http://evnewsreport.com/tag/brodi-fontenot/>

<http://usdotblog.typepad.com/secretarysblog/2013/05/sustainability-awards-show-dot-going-green-inside-and-out.html>

—**Speech at U.S. Chamber of Commerce Foundation on Sustainability**

<https://twitter.com/rjcrespin/status/463711243988000768>

<https://twitter.com/USCCFBiz4Good/status/463710735097659393>

—**Telework**

<http://www.mobileworkexchange.com/mobileworker/view/1645>

—**Diversity and Inclusion Plan**

<http://documents.clubexpress.com/documents.ashx?key=YzV%2BiweOt3FWVkvMsHc%2FnX1x8Y%2FMM22zxlvA5WHdPfi9C6EmL8p9Alj4%2BXz3NzQdjT9fnl4%2BHis%3D>

17. Qualifications (state what, in your opinion, qualifies you to serve in the position to which you have been nominated):

Having begun my career in AmeriCorps, I learned the importance of having a strong infrastructure to confront the very real dangers and problems faced by American citizens. While reviewing government programs at the Government Accountability Office, I gained an appreciation for the fact that effective execution and ongoing oversight of impactful programs is one of the most critical roles government can perform. In my time as Senate staff, I grew to appreciate the importance of rigorous review of budget impact and the rule of law created by the legislative branch. In my current leadership role in the executive branch, I know firsthand the impact leaders make to ensure that our government performs at the highest level possible.

I hope to continue that in my role as Chief Financial Officer of the Department of the Treasury and continue to enhance Treasury's use of performance and program data to inform investment and budget decisions.

## B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, associations, or organizations if you are confirmed by the Senate? If not, provide details.  
Yes
2. Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, provide details.  
No
3. Has any person or entity made a commitment or agreement to employ your services in any capacity after you leave government service? If so, provide details.

No

4. If you are confirmed by the Senate, do you expect to serve out your full term or until the next Presidential election, whichever is applicable? If not, explain.

Yes

### C. POTENTIAL CONFLICTS OF INTEREST

1. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of the Treasury's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

2. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of the Treasury's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

3. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. Activities performed as an employee of the Federal government need not be listed.

None

4. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Provide the Committee with two copies of any trust or other agreements.)

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of the Treasury's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

5. Two copies of written opinions should be provided directly to the Committee by the designated agency ethics officer of the agency to which you have been nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position.

6. The following information is to be provided only by nominees to the positions of United States Trade Representative and Deputy United States Trade Representative:

Have you ever represented, advised, or otherwise aided a foreign government or a foreign political organization with respect to any international trade matter? If so, provide the name of the foreign entity, a description of the work performed (including any work you supervised), the time frame of the work (e.g., March to December 1995), and the number of hours spent on the representation.

### D. LEGAL AND OTHER MATTERS

1. Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any

court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

No

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details.

No

3. Have you ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

No

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, provide details.

No

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

None

#### E. TESTIFYING BEFORE CONGRESS

1. If you are confirmed by the Senate, are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes

2. If you are confirmed by the Senate, are you willing to provide such information as is requested by such committees?

Yes

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#### PREPARED STATEMENT OF HON. ORRIN G. HATCH, A U.S. SENATOR FROM UTAH

WASHINGTON—Senate Finance Committee Chairman Orrin Hatch (R-Utah) today delivered the following remarks during a Senate Finance Committee considering nominations for the U.S. Departments of Treasury and Health and Human Services:

Today the Finance Committee is considering three nominations for posts at the Treasury Department and the Department of Health and Human Services.

These positions are important, and I'll discuss them specifically in a few minutes, but since this is our first nomination hearing in the 114th Congress, I want to reiterate some information on how this committee processes nominations.

In this new Congress, the Finance Committee will continue to use the same basic procedures for processing nominations that we have followed in the past, a process that, except in very rare circumstances, has always been bipartisan.

Let me say that I believe the President is entitled to have the people he wants working in his administration, so long as there are not ethical or significant issues in their background. While I respect the President's right to nominate people of his choosing, the President also needs to respect the constitutional advice and consent role of the Senate as well as this committee's part in that overall process.

On that issue, I want to highlight some guidelines that then-Majority Leader Reid put into the Congressional Record on January 20, 2009. The document he asked to be printed in the Record was titled "Employment Guidelines for Potential Presidential Appointees in Subcabinet Positions."

I'm not going to go through the full document here, but it concerns the common practice of presidential nominees being brought on as advisors or counselors in the agencies where they have been nominated to serve while their nominations are being processed. I refer to these guidelines because I want to make it clear that, while a nominee may do certain activities in these advisory positions, they may not take on responsibilities related to policy-making or representing the administration. I expect all nominees, and particularly those being processed through this com-



mittee, to respect these boundaries and respect the constitutional role of the Senate and this committee.

By most accounts, I'm a pretty reasonable guy. I don't think we've mistreated any of the nominees who have come through the Finance Committee or subjected them to any unnecessary delays. And, like I said, while our procedures for moving nominations through the committee may be rigorous, they are bipartisan and fair. So, I hope the administration will acknowledge that and work within the proper guidelines going forward.

With that out of the way, I want to thank the three nominees for appearing here today. First we will hear from Anne Elizabeth Wall, who, if confirmed, will serve as Assistant Secretary for Legislative Affairs at the Treasury Department. The person in this position will deal with this committee on a regular basis, and has the important job of facilitating communication between the Treasury Department and Congress.

On that topic, I want to say up front that it is very important to me that requests for information submitted to the Treasury Department, whether they come from me or from any other members, are responded to in a fulsome and timely manner. Too often, the responses we receive from Treasury are not at all informative, and that's if we receive responses at all. For example, Secretary Lew testified on the President's budget request on February 5—more than two months ago—and the Committee still has not received answers to questions we submitted to the Secretary in writing. The same is true for IRS Commissioner Koskinen, who testified on February 3.

My hope, Ms. Wall, and we'll talk about this more today, is that you'll commit to improving the lines of communication between Treasury and this committee.

Next we will hear from Brodi L. Fontenot, nominated to be Chief Financial Officer of the Treasury Department. This is an especially important position in an environment of scarce resources and short-term continuing resolutions. Mr. Fontenot brings a wealth of experience, including time at the Department of Transportation, with managing a large federal workforce and balancing multiple critical priorities.

The committee will also hear from Rafael J. López, nominee for Commissioner on Children, Youth, and Families and the Department of Health and Human Services. This is a critical position that oversees programs dealing with the most vulnerable among us.

The Senate Finance Committee has been extremely productive in crafting bipartisan, bicameral legislation aimed at improving outcomes for vulnerable children and families. In my time as the senior Republican on the committee, we've produced two major bills that were enacted into law making improvements to foster care and adoption assistance.

When Senator Grassley was the Chairman and Ranking Member, the committee reported several bipartisan bills as well that made improvements to child welfare.

I am committed to continuing this bipartisan effort to improve the lives of vulnerable children, youth, and families. I hope that, if confirmed, Mr. Lopez will be an active and engaged partner in these endeavors.

Thank you all for being here today, and for your willingness to serve.

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STATEMENT OF RAFAEL J. LÓPEZ, NOMINEE FOR COMMISSIONER, ADMINISTRATION ON CHILDREN, YOUTH, AND FAMILIES, DEPARTMENT OF HEALTH AND HUMAN SERVICES

Chairman Hatch, Ranking Member Wyden, Honorable Members of the Committee, thank you for inviting me to discuss my nomination to serve as the Commissioner of the Administration on Children, Youth, and Families at the United States Department of Health and Human Services. It is an honor to have been nominated by President Obama for this role and to be considered by the United States Senate Committee on Finance.

This Committee has done extraordinary things for the American people. From expanding health insurance coverage to children through the Children's Health Insurance Program, to seeking normalcy for children in foster care, this Committee has left an enduring legacy on child and family policy in the United States. If confirmed, I look forward to working with each of you and your staffs toward our shared goals to protect and empower the nation's most vulnerable children, youth, and families.

I hope you will indulge me as I thank the most important people in my life. I am grateful to my wife, Rosa Ramírez-López, my children Adán Miguel and Mateo Gabriel, my mother, María Concepción López, and all my friends and family here today, as well as those supporting me from afar.

Now, I'd like to tell you a piece of my family's story. My mother never finished the second grade in her rural town near Poncitlán, Jalisco, Mexico. She left school as a little girl to help support her family, cooking, sewing and cleaning in another family's home. She eventually followed her dad to the United States as a migrant farmworker and cannery worker, finally settling in Watsonville, California, where I was born and raised. If you have ever eaten a Driscoll's strawberry, raspberry, or blackberry, it is likely that it came from Watsonville. If you have ever sipped Martinelli's apple cider, then you've tasted my hometown. Leafy greens, vegetables, flowers, and fruits, are all grown and picked by the hands of farmworkers, just like my mother's.

But my mother wanted a different life for me, my sister and two brothers. Whether in the fields or the canneries, as a nanny, house cleaner, dishwasher or cook, my mother taught us the value of hard work. She taught us to sacrifice and to believe in yourself even when the odds are stacked against you. She is a survivor of a tough life, and our abusive father who she eventually left behind. As a family, we struggled to make ends meet even though we all worked so hard. There were nights when things became so violent that we would run to the homes of neighbors willing to take us in in the middle of the night. For years, I was embarrassed and ashamed at the thought of strangers finding out just how much our family struggled. We were told by many that we needed to keep private matters "in the family."

It took me years to realize that our family was not alone. And that is why I share a part of our family's story with you here today. Alcoholism, abuse, mental health, violence, and poverty are not private matters. They are public matters that cross geographic, class, racial, and cultural boundaries. They are matters that require our best thinking, collective action, and willingness to work together across political ideologies.

According to the Centers for Disease Control and Prevention, on average, 24 people per minute are victims of rape, physical violence, or stalking by an intimate partner in the United States—more than 12 million women and men over the course of a year. This does not take into account the millions more children who are exposed to, or are victims of family violence.

Even in our darkest hours, my mother focused our attention on the future. And thanks to her unconquerable spirit and work ethic, she helped me become the first in our immediate family to graduate from high school. I became the first person in our family to graduate from college and the first to earn a graduate degree. I am the first person in my family to work for the President of the United States, and the first to testify before the United States Senate Committee on Finance.

I share all of this with you to honor my mother as the true hero that she is, and to enter a piece of our history into the public record. I tell you all this because we didn't do it on our own. Neighbors, public school teachers, librarians, social workers, counselors, mentors, and more. They all helped.

My commitment to public service was shaped by my early experiences, and has remained rooted in the belief that every child and every family deserves a fair opportunity to reach their God given potential regardless of the life or circumstances into which they are born. I was once a client of programs administered by the U.S. Department of Health and Human Services. While no one program is perfect, I know they change futures, because they changed my family's.

As a Senior Policy Advisor in the White House Office of Science and Technology Policy and with the Domestic Policy Council, I work to improve the relationship between the Administration and nonprofit and philanthropic organizations to strengthen domestic social policies and programs. We rely on the best available data, science, technology, and evidence-based interventions to promote the social and emotional well-being of children, youth, and families.

With the Annie E. Casey Foundation, a private, national philanthropy, I had the opportunity to help develop a brighter future for millions of children at risk of poor education, economic, social and health outcomes in the United States.

As the President and CEO of the Family League of Baltimore City, a nonprofit organization that creates public/private partnerships to improve the well-being of Baltimore's children, youth, and families, I helped launch several programs includ-

ing the B'More for Healthy Babies initiative which led to a 19% reduction in infant mortality in the first year. We worked with Maryland's Juvenile Court and negotiated a State of Maryland commitment to expand the Family Recovery Program where we focused on helping parents reunify with their court removed children by providing substance abuse treatment, mental health services, and supportive housing.

As the Mayor's Executive Director of the City of Los Angeles Commission for Children, Youth, and Their Families, we created safe passages for children and youth to get to school. We worked to align services and improve educational outcomes for 60,000 foster and probation youth in Los Angeles County.

As the founding Executive Director of First Five Santa Cruz County, we launched a first-ever universal health care program to serve all children 0–18 in the county.

In 1999, I became the youngest person to serve on the Watsonville City Council and was twice elected to represent the neighborhood into which I was born.

Public service has been my life. And I have worked hard to develop the skills, relationships, and experiences I need to be the most able champion of children, youth, and families in need, regardless of the challenges they face, or the bureaucracy often standing between them and the help they need.

And at every step along the way, the use of data, science, and results has driven my strategy. I have worked to build teams that value excellence, transparency, and accountability. Whether engaging diverse partners to improve educational outcomes for our nation's foster children, or using tech solutions to hack our way to more efficient services for young people by using smartphones, I plan to bring whatever innovative tools and resources we can rally.

Whether helping the nation's LGBTQ runaway and homeless youth find loving homes who respect and accept them for who they are, or working to ensure that families receive the emergency shelter they deserve when fleeing from domestic violence, I will work tirelessly to engage the partners we need. I will be relentless in protecting the respect and dignity of those Americans who are in the greatest need.

April is National Child Abuse and Prevention Month. The work of raising our children and youth is the most important job in our country and it will take every one of us to renew our commitment to protect the safety and well-being of our children and youth, and the families that care for them. As a father of two boys, I can attest to the fact that it is the single hardest and most glorious job I have ever had. Our children, youth and families are our greatest renewable resources. When we respect, honor and invest in them, we invest in us.

Mr. Chairman, Ranking Member Wyden, and Honorable Members of the Committee, thank you again for the invitation to speak with you today. I have never shied away from hard work. If confirmed, I am ready to roll up my sleeves and work with you. America's children, youth and families deserve nothing less. With that, I would be pleased to answer your questions. Thank you.

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## SENATE FINANCE COMMITTEE

### STATEMENT OF INFORMATION REQUESTED OF NOMINEE

#### A. BIOGRAPHICAL INFORMATION

**1. Name (include any former names used):**

Ralph "Rafael" Joseph López  
Ralph Joseph López Rivera

**2. Position to which nominated:**

Commissioner, Administration on Children, Youth, and Families, Department of Health and Human Services

**3. Date of nomination:** January 8, 2015

**4. Address (list current residence, office, and mailing addresses):**

**5. Date and place of birth:**

October 27, 1970  
Watsonville, California

**6. Marital status (include maiden name of wife or husband's name):****7. Names and ages of children:****8. Education (list secondary and higher education institutions, dates attended, degree received, and date degree granted):***Secondary Education Institution:*

Education Institution:	Watsonville High School
Dates Attended:	08/1984–06/1988
Degree Received:	High School Diploma
Date Degree Granted:	06/1988

*Undergraduate Institutions:*

Education Institution:	Vassar College
Dates Attended:	08–12/1988; 08/1989–12/1991
Degree Received:	Transferred to the University of California

Education Institution:	Cabrillo College
Dates Attended:	06–08/1995
Degree Received:	Transferable unit coursework to UCSC

Education Institution:	University of California Santa Cruz
Dates Attended:	08/1992–06/1994
Degree Received:	Bachelor of Arts (B.A.), American Studies
Date Degree Granted:	12/2003

*Graduate Institution:*

Education Institution:	Harvard University Harvard Kennedy School
Dates Attended:	07/2004–06/2005
Degree Received:	Master of Public Administration (M.P.A.)
Date Degree Granted:	06/2005

**9. Employment record (list all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment):**

Title:	Senior Policy Advisor
Employer:	White House, Executive Office of the President
Location of Work:	Washington, DC
Dates of Employment:	July 2013–present (Via IPA from the Annie E. Casey Foundation)

Title:	Associate Director
Employer:	Annie E. Casey Foundation
Location of Work:	Baltimore, MD
Dates of Employment:	August 2010–Present (Currently an executive on loan to the White House via IPA)

Title:	President and CEO
Employer:	Family League of Baltimore City
Location of Work:	Baltimore, MD
Dates of Employment:	March 2009–July 2010

Title:	Executive Director of the Commission for Children, Youth, and Their Families
Employer:	City of Los Angeles (Mayor Antonio Villaraigosa)
Location of Work:	Los Angeles, CA

Dates of Employment:	August 2006–March 2009
Title:	Deputy Director of the Department of Children, Youth, and Their Families
Employer:	City/County of San Francisco
Location of Work:	San Francisco, CA
Dates of Employment:	January 2006–August 2006
Title:	Senior Deputy for Health and Human Services
Employer:	Los Angeles County Board of Supervisors (Supervisor Gloria Molina)
Location of Work:	Los Angeles, CA
Dates of Employment:	July 2005–January 2006
Title:	Project Manager
Employer:	Professor Xavier Briggs, Harvard University
Location of Work:	Cambridge, MA
Dates of Employment:	Fall Semester 2004
Title:	Teaching Assistant
Employer:	Professor Nancy Katz, Harvard University
Location of Work:	Cambridge, MA
Dates of Employment:	Spring Semester 2005
Title:	Founding Executive Director
Employer:	First 5 Santa Cruz County, United Way
Location of Work:	Capitola, CA
Dates of Employment:	November 1999–July 2004
Title:	Research and Development-Grants Manager
Employer:	Salud Para La Gente, Inc.
Location of Work:	Watsonville, CA
Dates of Employment:	May–November 1999
Title:	Administrative Analyst
Employer:	County of Santa Cruz (Supervisor Tony Campos)
Location of Work:	Santa Cruz, CA
Dates of Employment:	December 1998–May 1999
Title:	Administrative Analyst
Employer:	City of Watsonville (Office of the City Manager; Fi- nance Department; Parks, Recreation, and Neigh- borhood Services Department)
Location of Work:	Watsonville, CA
Dates of Employment:	December 1996–December 1998
Title:	Intern
Employer:	City of Watsonville (Office of the City Manager)
Location of Work:	Watsonville, CA
Dates of Employment:	July 1996–December 1996
Title:	Consultant-Project Coordinator
Employer:	Community Foundation of Santa Cruz County (Vecinos Project)
Location of Work:	Soquel, CA
Dates of Employment:	May–November 1996
Title:	Consultant-California Mentorship Initiative Project Coordinator
Employer:	Community Action Board of Santa Cruz County
Location of Work:	Santa Cruz, CA
Dates of Employment:	March–May 1996
Title:	Temporary Office Assistant
Employer:	Express Personnel Services
Location of Work:	Santa Cruz County, CA
Dates of Employment:	January–May 1996

Title:	Consultant-Interim Executive Director
Employer:	El Andar Foundation
Location of Work:	Santa Cruz, CA
Dates of Employment:	December 1995–August 1996
Title:	Coordinator for Residential Education—Chicano/Latino Programs
Employer:	University of California Santa Cruz, Merrill College
Location of Work:	Santa Cruz, CA
Dates of Employment:	July–December 1995
Title:	Assistant to the Directors
Employer:	University of California Santa Cruz—Chicano Latino Research Center
Location of Work:	Santa Cruz, CA
Dates of Employment:	October 1994–July 1995
Title:	Temporary Office Assistant
Employer:	Olsten Services and Kelly Services
Location of Work:	Santa Cruz County, CA
Dates of Employment:	June–October 1994

**10. Government experience (list any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above):**

**Statewide Government Advisory Roles**

- First 5 California Advisory Committee on Diversity, Former Member (Est. 2000–2002)
- First 5 California/First 5 Association of California Health Access Advisory Committee, Former Member (Est. 2000–2004)
- First 5 California/First 5 Association of California Children of Migrant Farm Workers Project Advisory Committee, Former Member (Est. 2000–2004)

**Countywide and Regional Government Advisory Roles**

- Los Angeles County Child Care Planning Committee (Est. 2006–2009)
- Los Angeles County Children's Planning Council (Est. 2006–2009)
- Los Angeles County Education Coordinating Council (Est. 2006–2009)
- First 5 San Francisco County Commission (2006)
- San Francisco Beacon Initiative Steering Committee (2006)
- Child Development Resource Center Advisory Committee (Est. 1999–2003)
- Children's Network of Santa Cruz County Executive Committee (Est. 1999–2003)
- County of Santa Cruz Latino Affairs Commission (Est. 1997–1999)
- County of Santa Cruz Human Services Commission (Est. 1997–1999)
- County of Santa Cruz Welfare Reform Task Force (Est. 1997–1999)
- County of Santa Cruz Winter Shelter Advisory Committee (Est. 1997–1999)
- Healthy Kids Santa Cruz County Steering Committee (Est. 2002–2004)
- Santa Cruz County Regional Transportation Commission Board of Directors (Est. 2000–2001)
- Santa Cruz Metropolitan Transit District Board of Directors (Est. 2000–2001)
- Transportation Agency of Monterey County (Est. 2000–2001)
- Wastewater Board of Control (Est. 2000–2001)
- Zone 7 Board of Directors (Est. 2000–2001)

**Citywide Government Advisory Roles**

- City of Los Angeles Mayor's Gang Reduction and Youth Development Cabinet (Est. 2006–2009)
- Pajaro Valley Unified School District Superintendent's Committee on Bond Election (Est. 2000–2002)

**11. Business relationships (list all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, other business enterprise, or educational or other institution):**

N/A

**12. Memberships (list all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations):**

- Annie E. Casey Foundation Committee of Managers, Member (Est. 2010–2013)
- Annie E. Casey Foundation Social Investment Committee, Member (Est. 2010–2013)
- Annie E. Casey Foundation Children and Family Fellowship Network, Network Steering Committee and Class 7 Representative (Est. 2007–2012)
- The Leadership Baltimore, Member (Est. 2011–2013)
- HealthCare Access Maryland, Member of the Board of Directors and Chair of the Program Committee (Est. 2011–2013)
- Y of Central Maryland, Member of the Board of Directors (Est. 2012–2013)
- Behavioral Health System Baltimore, Board of Directors (Est. 2009–2010)
- Maryland Association of Local Management Boards, Member (Est. 2009–2010)
- Harvard Kennedy School of Government Center for Public Leadership Student Advisory Board, Member (2004–2005)
- Kennedy School Latino Caucus, Member (2004–2005)
- The Harvard Journal of Hispanic Policy, Member and Senior Editor (2004–2005)
- California Private/Public Family Support Funders Group, Member (Est. 2001–2003)
- Local Government Commission, Member (Est. 2001–2003)
- Child Care Ventures, Steering Committee Member (Est. 2001–2003)
- Cultural Council of Santa Cruz County, Member of the Board of Directors (Est. 2001–2003)
- Pajaro Valley Community Health Trust, Founding Member and Member of the Board of Trustees (Est. 1998–2000)
- Pajaro Valley Prevention and Student Assistance, Member of the Board of Directors (Est. 2000–2003)
- Pajaro Valley Unified School District Superintendent's Committee on Bond Election (Est. 2000–2002)
- Action Pajaro Valley, Steering Committee Member (Est. 1999–2003)
- Defensa de Mujeres, Member of the Board of Directors (Est. 1996–1999)
- El Andar Foundation, Member of the Board of Directors (Est. 1994–1995)
- Healthy Kids Santa Cruz County, Steering Committee Member (Est. 2002–2004)
- Latino Strategic Planning Collaborative of Santa Cruz County, Steering Committee and Co-Chair (Est. 1996–1999)
- United Way of Santa Cruz County Community Assessment Project, Steering Committee Member (Est. 1996–1999)
- United Way of Santa Cruz County Investing in Children and Families: What Works!, Steering Committee Member (Est. 1999–2001)
- United Way of Santa Cruz County Latino Technical Advisory Committee, Member (Est. 1996–1999)
- United Way of Santa Cruz County Success by Six Leadership Council, Member (Est. 2000–2003)
- United Way of Santa Cruz County Together for Youth Committee, Member Santa Cruz County (Est. 1996–1999)

**13. Political affiliations and activities:**

**a. List all public offices for which you have been a candidate.**

- City of Watsonville District 1 Council Member, Special Election 1999
- City of Watsonville District 1 Council Member, General Election 2000

**b. List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years.**

- Member, Democratic Party
- Volunteer, Barack Obama for President, 2012 and 2008
- Volunteer, John Kerry for President, 2004

**c. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more for the past 10 years.**

- June 2008: \$100, Committee to Elect Tony Thurmond, California State Assembly 15th District

**14. Honors and awards (list all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievement):**

October 2011: Greater Baltimore Committee Leadership Program: For past and future civic volunteer contributions to the Baltimore community.

June 2010: Mayor of the City of Baltimore, Maryland. For distinguished leadership and service to the people of Baltimore, Maryland.

June 2010: Baltimore Mental Health Systems. For commitment and service to the City of Baltimore and its residents with mental illness and their families.

March 2009: Mayor of the City of Los Angeles, California. For distinguished leadership and service to the people of Los Angeles, California.

January 2007–September 2008: Annie E. Casey Foundation. Children and Family Fellowship, National Fellow.

June 2005: Harvard University John F. Kennedy School of Government. Lucius N. Littauer Fellow Award. For demonstrated distinction in academic work at the Kennedy School, contributions to the Kennedy School, the Harvard community and other organizations, and demonstrated potential for continuing leadership.

June 2004: United States Congress, California State Senate, California State Assembly, First 5 California, Santa Cruz County Board of Supervisors and the City of Watsonville. For distinguished service as the Founding Executive Director of First 5 Santa Cruz County.

December 2003: University of California Santa Cruz, Department of American Studies. Honors in American Studies. Honors Thesis.

June 2003 and June 2002: El Concilio de Vecinos Unidos de la Mona Lisa. For leadership and service to the people of the Mona Lisa Neighborhood Association in Watsonville, California.

March 2003: Stanford University Graduate School of Business Executive Program for Nonprofit Leaders. Center for Social Innovation Fellow. Scholarship provided by the David and Lucile Packard Foundation.

May 2003: Latino Issues Forum. For leadership and service in launching the Rural Technology Information Project in Watsonville, California.

October 2001: Family Resource Center Network of Santa Cruz County. For leadership and service to the young children and families of Santa Cruz County.

August 1999: Brown Berets Peace and Unity Coalition. For service to the youth of Watsonville in the Peace and Unity March.

June 1994: Oakes College, University of California Santa Cruz. Oakes College Distinguished Service Award. For distinguished service to the college, university, and community.

July 1992: Congressman Solomon Ortiz, United States Congress. Certificate for service as an intern in the United States Congress.

**15. Published writings (list the titles, publishers, and dates of all books, articles, reports, or other published materials you have written):**

López, Rafael, Montoya, Liz, Santana, Miguel. (2005). "Myth and Reality: Is the Latino Vote Up for Grabs?" Kennedy School Review, Volume VI. President and Fellows of Harvard College: Cambridge, MA.

**16. Speeches (list all formal speeches you have delivered during the past 5 years which are on topics relevant to the position for which you have been nominated):**

March 28, 2014: United States Citizenship and Immigration Services, Keynote Remarks at the New York City Naturalization Ceremony.

**17. Qualifications (state what, in your opinion, qualifies you to serve in the position to which you have been nominated):**

It is an honor to be nominated to serve as the Commissioner of the Administration on Children, Youth, and Families. I have spent my career focused on creating, developing, and strengthening programs and policies that serve children, youth, and families in rural, suburban, and urban communities. I have substan-



tial content and management experience in leading organizations and building relationships across sectors to achieve results. Whether leading these organizations or systems through community strategic planning or by developing streamlined policies and operations strategies, I know how to execute.

I possess a keen sense of how organizations function and how they must work together to achieve desired results that change the lives of people. I have a demonstrated ability to work in a fast-paced, politically charged environment. Creating innovative, high-impact solutions and turning around programs, organizations, and systems is a hallmark of my experience, and I have successfully done so under difficult circumstances across sectors. I have served in senior or executive level positions with substantial experience from multiple perspectives in nonprofit organizations, city, county, and state governments, and philanthropy. I understand the importance of strategic collaboration and the need to work across ideologies and sectors to create lasting change.

I have never shied away from hard work and will focus all of our efforts to improve the lives of our nation's most vulnerable citizens. America's children, youth, and families deserve nothing less.

#### **B. FUTURE EMPLOYMENT RELATIONSHIPS**

1. **Will you sever all connections with your present employers, business firms, associations, or organizations if you are confirmed by the Senate? If not, provide details.**

Yes.

2. **Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, provide details.**

No.

3. **Has any person or entity made a commitment or agreement to employ your services in any capacity after you leave government service? If so, provide details.**

No.

4. **If you are confirmed by the Senate, do you expect to serve out your full term or until the next Presidential election, whichever is applicable? If not, explain.**

If confirmed by the Senate, I expect to serve until the next Presidential election.

#### **C. POTENTIAL CONFLICTS OF INTEREST**

1. **Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.**

I have no investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position for which I have been nominated.

2. **Describe any business relationship, dealing, or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.**

I have no business relationship, dealing, or financial transaction during the last 10 years that could in any way constitute or result in a possible conflict of interest in the position for which I have been nominated.

3. **Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. Activities performed as an employee of the Federal government need not be listed.**

N/A

4. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Provide the Committee with two copies of any trust or other agreements.)

N/A

5. Two copies of written opinions should be provided directly to the Committee by the designated agency ethics officer of the agency to which you have been nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position.

N/A

6. The following information is to be provided only by nominees to the positions of United States Trade Representative and Deputy United States Trade Representative:

Have you ever represented, advised, or otherwise aided a foreign government or a foreign political organization with respect to any international trade matter? If so, provide the name of the foreign entity, a description of the work performed (including any work you supervised), the time frame of the work (e.g., March to December 1995), and the number of hours spent on the representation.

N/A

#### D. LEGAL AND OTHER MATTERS

1. Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

Yes, I have been the subject of a complaint within the context of civil litigation filed by a former employee. A lawsuit was filed by the plaintiff on July 28, 2009 against our mutual employer, the City of Los Angeles, following the plaintiff's employment termination in 2007. The lawsuit, Superior Court of California County of Los Angeles Case #BC418703, demanded damages for unsubstantiated claims of discrimination based on the plaintiff's age and gender. Following a jury trial, the jury returned a unanimous verdict on August 17, 2010 in favor of the City of Los Angeles.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county, or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details.

No.

3. Have you ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

No, other than the matter described above in Question D.1.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, provide details.

No.

5. Please advise the Committee with any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

None.

#### E. TESTIFYING BEFORE CONGRESS

1. If you are confirmed by the Senate, are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes.

**2. If you are confirmed by the Senate, are you willing to provide such information as is requested by such committees?**

Yes.

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QUESTIONS SUBMITTED FOR THE RECORD TO RAFAEL J. LÓPEZ

QUESTIONS SUBMITTED BY HON. ORRIN G. HATCH

*Question.* Mr. López, as we discussed, last year a number of provisions from my bill, “IOYouth,” were enacted into law. I am pleased that included were a number of provisions relating to “normalcy” for children and youth in foster care.

Before the enactment of this law, older youth in foster care are routinely deprived of the opportunity to participate in normal age-appropriate activities and social events. This impairs their healthy development and increases the risk that these young people will be vulnerable to domestic sex trafficking, homelessness, drug abuse, poor educational outcomes, poverty and other negative outcomes.

The new law includes a number of provisions to encourage, enhance and support youth in foster care to be able to participate in age-appropriate activities and social events. These provisions, if enacted correctly, will go a long way to promoting healthy development, increased opportunities to form meaningful connections, and reduce the risk of vulnerability to domestic sex trafficking and other negative outcomes.

If confirmed, please describe how you would work with states and child welfare stakeholders to implement the normalcy provisions in this new law.

*Answer.* The provision of developmentally appropriate services is critical to the well-being of all children, youth and young adults in the foster care system. The Preventing Sex Trafficking and Strengthening Families Act (Public Law 113–183) created the requirement for states and tribes to permit the use of a “reasonable and prudent” parenting standard to give foster parents more discretion in determining what age appropriate activities children in their care can participate.

Children and youth in care deserve the exact same opportunities of those that are not in care, including the ability to participate in extracurricular activities, and excursions that might help them discover new places with their school arts group or sports teams. We know youth are particularly passionate about this topic and have their own ideas about how best to work with states and other stakeholders. As part of the new law, the Department of Health and Human Services (HHS) has been tasked with providing technical assistance to states and tribes to implement their standards. If confirmed, I look forward to working with you and other Members of Congress to assist in this important effort in any way that I can.

To support this work, HHS has recently partnered with the White House and the Annie E. Casey Foundation to bring together child welfare leaders from across the country to learn from each other. This one day event, during National Foster Care Month, will be just the beginning of efforts to provide technical assistance to States and Tribes on the topic of “normalcy.” Innovative solutions, toolkits, social media outreach strategies and more must be lifted up from across the country and should be shared on platforms that are easily accessible to all involved.

*Question.* Mr. López, last year Senator Bennet and I introduced legislation to promote social impact financing. We plan to reintroduce this bill again shortly.

I believe that if done correctly, social impact financing can improve outcomes for children and youth in foster care by promoting adoption and ending the over-reliance on group homes. A key feature of the concept is that the government does not pay, if the intervention is not successful.

Do you support efforts to utilize social impact financing more broadly in delivering social services?

If confirmed, can you describe how you would work to integrate key features of social impact financing to programs and policies that affect children and youth in foster care?

*Answer.* I understand that you introduced the Social Impact Partnership Act, S. 1089, legislation that aims to leverage public-private partnerships to deliver transformative results in social and public health programs. I would be happy to work with you and other Members of Congress to improve results for children in

foster care and reduce incidences of child abuse and neglect. One of the goals of the legislation mirrors the President's FY 2016 budget proposal to reduce the use of congregate care placements by encouraging greater use of family-based care for children and youth in foster care. The legislation could help achieve that goal by providing a pathway for creative public-private partnerships on a range of social services topics, including the challenges related to recruiting and training more foster families, the recruitment of whom save significant resources to the child welfare system in the long term while yielding better results for children.

We must work closely together to end the over-reliance on group homes and I believe that social impact financing is a promising new tool that can help address this challenge. It may also help us overcome barriers to evidence based policies that can yield better results for the child welfare system. For instance, we are seeing communities pursue solutions to reduce parental substance abuse, maternal depression, maternal homelessness and the challenge of youth dually involved in the juvenile justice and child welfare systems.

Currently, HHS is undertaking a review of where social innovation financing solutions can be deployed for demonstrations connected to Medicaid. I would be interested in engaging in a similar review for programs and services managed by the Administration for Children, Youth, and Families. I will also work to build awareness that "pay for success" is a permitted use under the current title IV-E waiver guidance. I will work to actively engage philanthropy interested in delivering better results in the child welfare field given how critical the philanthropists have been to social impact financing in other fields. This is not intended to be an exhaustive list, but exemplary of the types of activities I would undertake to promote promising new tools to help deliver better results for children, youth, and families.

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#### QUESTIONS SUBMITTED BY HON. CHUCK GRASSLEY

*Question.* What specific reforms or changes would you like to see within the child welfare system so that the system may better serve children and families?

*Answer.* How we support the healthy, positive growth and development of our children, youth, and families is of vital importance to the United States. We must do more to work together to create and strengthen cross-sector partnerships that solve our nation's most complex, human services challenges, and highlight examples of what is working in communities that may not often be lifted up or recognized on a national scale. Reforms in the child welfare system have never come easily, and have at times been reactive to the national attention drawn by the tragic abuse and death of children. We must do more to ensure that every reform is driven by a results based framework that places the child/youth/family/community at the core of the reform. We must work across perceived barriers to ensure that we are doing all that we can do as a society to provide greater opportunities for children, youth and families to thrive, well before they unnecessarily come to the attention of a child welfare agency. For these reasons, I support the proposals in the President's FY 2016 budget which seek to strengthen and make targeted investments in child welfare programs to better serve children and families.

Overall, the proposals address initiatives from prevention to permanency. Specifically, the following proposals aim to better serve children and families in the child welfare system by:

- Providing entitlement funding for evidence-based prevention and post-permanency services for children at imminent risk of entering foster care;
- Providing support and funding to encourage greater use of family-based care for children and youth in or at risk of congregate care placements;
- Providing grants to reduce use of psychotropic medications among children and youth in foster care;
- Providing grants to prevent foster youth from becoming victims of sex trafficking and provide better services to foster youth victims of trafficking;
- Providing additional funding to help Tribes strengthen their child welfare programs; Expanding the service array in rural areas to better meet the needs of children and families in child welfare; and
- Extending the Chafee Foster Care Independence Program to youth up to age 23.

*Question.* How can states and the federal government improve policies to help older youth who age out or are at risk of aging out?

Answer. I support the President's FY 2016 budget proposal to allow title IV-E agencies to use their Chafee Foster Care Independence Program (CFCIP) funds to provide services, including room and board, to young people who were formerly in foster care through the age of 23. Agencies should be able to serve this larger group of youth if (1) the State already has opted to extend care to youth up to age 21 who are meeting educational and or employment goals and, (2) if the agency provides benefits comparable to the title IV-E extended foster care program, using State dollars or other sources of funding. This would allow agencies that have taken advantage of all of the options available under title IV-E (that is, selecting the maximum age of 21 and all authorized education, employment, and medical participation options) to use their CFCIP funds to continue to provide supports to young people through age 23.

Emerging neuroscience on the development of the adolescent brain has challenged our earlier thinking that our brains were fully developed by age 6. Youth who are aging out of foster care or are at risk of aging out must benefit from positive youth development approaches that provide opportunities for them to develop life long skills that help them develop resiliency throughout adulthood. We must continue to search for and lift up promising practices and evidence based approaches that treat our young people with the respect and dignity they deserve. We must be open to new and innovative ideas, especially when it comes to state and federal partnerships working to improve policies for youth.

*Question.* In your view, what are some of the challenges to recruiting foster families, and what more can be done by the federal government to find the best placements for children who may enter the foster care system?

Answer. Social science and common sense tells us that children are better off when raised by loving, caring and forever families. But not every child experiences being raised in such a setting. There are several challenges in recruiting foster families, especially when trying to secure a family for children experiencing severe mental health and/or behavioral issues. To address this, the President's FY 2016 budget proposes to provide additional support and funding for foster families to promote family-based care for children with behavioral and mental health needs. These supports include funding for specialized training and salaries for foster parents who provide a therapeutic environment for a child.

*Question.* In your view, what are some of the challenges facing child welfare workers across the country, and what more can be done by the federal government to improve our ability to recruit, retain, and support the workforce?

Answer. Some of the challenges facing child welfare workers relate to the size of caseloads as well as support and training for serving children in foster care who have severe mental and behavioral health issues. I support the Administration's FY 2016 budget proposal to provide increased support for child welfare caseworkers to provide specialized case management for these children through having smaller caseloads. Under this proposal, States will receive additional support for these workers to receive specialized training in areas such as behavioral management techniques, and treatment for emotional disturbances. We must also look to bright spots at the local level to lift up innovative solutions for supporting child welfare workers and be open to considering policy changes at the federal level that will incentivize the recruitment, retention and support of the workforce. We can all do more to honor and thank the workforce charged with ensuring that all children and youth live with loving families.

*Question.* Congress has a duty to review and reform the child welfare financing system. Many members are interested in improving the way federal dollars are spent, and making sure we incentivize states to the right thing. Do you have any suggestions for Congress as it attempts to modify the financing structure and improve existing child welfare programs?

Answer. If confirmed, I would be happy to work with the Members of Congress to improve the way federal dollars are spent and improve existing child welfare programs. Along these lines, I support the President's FY 2016 budget to allow title IV-E dollars to be spent on prevention services for children who are at imminent risk of entry into foster care. In addition, I support the President's FY 2016 budget proposal that seeks to provide title IV-E funding in new ways to promote family-based care for children with behavioral and mental health needs in or at-risk of congregate care placements. Among other things, the proposal provides enhanced sup-

port for specialized foster care casework with these at-risk children and for specialized training and salaries for foster parents who provide a therapeutic environment for children with behavioral and mental health needs.

*Question.* In order to improve front end services and promote preventative measures to ensure children don't have to enter the foster care system, how could Congress direct funding to promote these goals? Are there specific programs that you would shift funding from in an effort to promote other, more preventative programs?

*Answer.* Providing pre-placement and post-placement services is often key to whether a child must be removed from their home or whether a recently established permanency arrangement can be sustained. The Administration's FY 2016 budget proposes to allow title IV-E agencies to claim federal reimbursement for pre-placement and post-placement services included as part of the child's case plan for children who are at "imminent risk" of removal from their homes at 50 percent Federal Financial Participation (FFP), which is the same rate as administrative costs. Currently, most of these activities are unallowable. A majority of such funds must be used for evidence based/informed interventions. The proposal also includes additional reporting and oversight requirements for title IV-E agencies for these services provided to this population, and a maintenance-of-effort requirement to maintain the current level of State or Tribal investment in child welfare services.

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#### QUESTIONS SUBMITTED BY HON. JOHN THUNE

*Question.* I was reviewing your testimony, and something you wrote stood out. You said, "As a Senior Policy Advisor in the White House Office of Science and Technology Policy and with the Domestic Policy Council, I work to improve the relationship between the administration and nonprofit and philanthropic organizations to strengthen domestic social policies and programs. We rely on the best available data, science, technology, and evidence-based interventions to promote the social and emotional well-being of children, youth, and families." Mr. Lopez, can you elaborate on what evidence-based interventions, science, and data you relied on to make policy decisions in Domestic Policy Council? How did these data-driven policy decisions improve the social and emotional well-being of children, youth, and families?

*Answer.* As a Senior Policy Advisor, I serve as one of several team members that rely on the use of the best available data, science, and evidence-based interventions. I cannot think of a project or assignment I worked on at the White House where we did not look to the best available data and science to guide our efforts.

For example, Congress created the Maternal, Infant, and Early Childhood Home Visiting program to support voluntary, evidence-based home visiting services for at-risk pregnant women and parents with young children up to kindergarten entry. States, Territories and Tribal entities have the flexibility to tailor the program to the specific needs of their communities. The program serves high-risk households:

- 79% of participating families were at or below the federal poverty guidelines (\$23,850 for a family of 4);
- 69% of adult program participants had no post secondary education;
- 27% of households included a pregnant teen;
- 20% reported a history of child abuse and maltreatment; and
- 12% reported substance abuse.

Though there is variation across evidence-based home visiting models, all programs share common characteristics including trained professionals meeting regularly with expectant parents or families with young children in their homes, helping build strong, positive relationships with families who want and need support.

Evaluation results from the North Carolina program "Durham Connects" studied the effects of home visiting on childhood health outcomes. Results included 84% fewer hospital overnights, 17% fewer medical visits, and less overall emergency medical services. Every \$1 spent on Durham Connects saved \$1.59 by age 6 months in terms of emergency medical costs.

The current research and evidence base helps us understand that the most effective home visiting models promote child development and school readiness, positive parenting practices, family economic self-sufficiency, maternal health, and reductions in child maltreatment. Home visiting programs are an essential component of the Administration's early education agenda.

*Question.* You go on to say, “And at every step along the way, the use of data, science, and results has driven my strategy. I have worked to build teams that value excellence, transparency, and accountability.” These are excellent principles that I think everyone on this committee values. How did you work to improve transparency and accountability at the Domestic Policy Council? Will you do to promote these principles at HHS if confirmed in your new position?

*Answer.* The pursuit of excellence, transparency, and accountability are principles core to my life as a public servant. So too have been the consistent use of data, science, and results-based work to drive strategy. For example, I helped lead a community effort that launched the B'More for Healthy Babies Campaign in Baltimore, Maryland, a strategic initiative aimed at reducing infant mortality and improving the health of babies and their families. The rate at which Baltimore babies die preventable deaths has been a rate among the worst in America. Cross-sector partnerships were established including government agencies, hospitals, churches, universities, nonprofit organizations and more to transparently review the data and risk factors contributing to challenges in specific neighborhoods, ultimately leading to more intensive work in two neighborhoods. We also learned that strategically deploying home visiting programs and strengthening their ability to use data to inform their work would strengthen the overall campaign. Collectively, the work led to a 19% reduction in infant mortality in the first year. Between 2009 and 2012, overall infant mortality rate decreased by 28%.

While not quick or easy, understanding and sharing the data and stories behind why some neighborhoods had higher infant mortality rates over others was critical to launching this work. Engaging the science and importance of results and accountability behind home visiting and other public health programs was foundational to the work. We worked together to lead open community forums to solicit ideas and feedback and prepared requests for proposals that clearly articulated client level and program level outcomes that would be measured.

In all the work that I do, I find ways to use data and science to achieve results and have a positive impact on children, youth, and families. These principles serve as the foundation to how I manage all of my work whether serving as a team member of the Domestic Policy Council, the Office of Science and Technology Policy, or elsewhere. If confirmed, I will work tirelessly to promote these very same principles at the Administration on Children, Youth and Families at HHS.

*Question.* In your testimony, you mentioned using tech solutions to hack our way to more efficient services for young people by using smartphones. What are your ideas on tech solutions and innovative tools?

*Answer.* If confirmed, I would be happy to work with the Members of Congress interested in testing new tools such as “hackathons” to better improve the use of data to improve results for children, youth, and families. The use of reliable and timely data, especially in the status of any one child or the information required to transfer school records for a homeless child or youth in foster care in a more efficient manner, are issues that continue challenging social service systems. Child welfare systems, in particular, have not been known for being at the cutting edge of technology.

We must work closely together to seek more creative solutions in an era that is driven by the use of rapidly evolving technology and smartphones. We must be much more agile and responsive to what is happening at the local level that might inform best practices at the federal level. “Civic hacking,” for example, has drawn together thousands of people from residents to entrepreneurs, developers and community groups. They have often worked together with government and business leaders to devise innovative solutions ranging from apps and websites that create greater civic transparency to locating homeless services.

We must work harder to be far more “customer friendly” in the use of technology, whether that is for youth aging out of foster care looking for help in getting into college or a mother looking for immediate shelter from violence. How, when, and where we use smartphones, tech solutions, and other tools to more efficiently connect people to the help they need—when they need it—is an area that requires our creative thinking and partnership.

## QUESTION SUBMITTED BY HON. MARIA CANTWELL

*Question.* As you may know, Washington is a title IV–E child waiver state. Washington State’s current title IV–E waiver enables us to direct federal funds to preventing children from being placed in foster care, and to explore other creative solutions to reform and improve child welfare programs.

If confirmed, will your office continue to support states like Washington as they seek to reform and improve their child welfare systems?

Will you work with me and other members of the Committee on ways to improve the title IV–E program?

*Answer.* I am very committed to working with States and Tribes in support of efforts to reform and improve their child welfare systems. The Administration was pleased that so many States took advantage of the opportunity to apply for new waiver demonstration projects in fiscal years (FYs) 2012–2014. The demonstration projects offer an important opportunity to learn from the range of strategies that States, like Washington, are taking to improve results of safety, permanency, and well-being for children and families involved in the child welfare system. If confirmed, I will ensure that we continue to support the States and the Tribes approved to conduct demonstrations. By supporting them in successfully implementing and evaluating their projects, we have the opportunity both to improve results for children and families in those jurisdictions and to promote continued knowledge development for the field. Successful implementation at the local level can help better inform and drive policy and practice at the federal level.

In addition to the work with waiver demonstrations, this Administration is continuing to promote reforms in the title IV–E program through other initiatives, as reflected in the President’s FY 2016 Budget. The Administration has proposed legislative changes to provide title IV–E funding for preventive services for families with children at imminent risk of entering foster care to enable them to remain safely at home. In addition, the budget proposes reforms to encourage greater use of family-based services for children who would otherwise be served in congregate care. If confirmed, I look forward to working with you and other Members of the Committee to enact these reforms.

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STATEMENT OF ANNE ELIZABETH WALL, NOMINEE FOR DEPUTY UNDER SECRETARY,  
DEPARTMENT OF THE TREASURY

Chairman Hatch, Ranking Member Wyden, and members of the Committee, I appreciate the opportunity to be here in the Senate and to appear before the Senate Finance Committee. It’s always nice to come to a place that feels like a second home—and it is a humbling honor to be seated at this table before you after several years sitting alongside the hardworking staff behind you.

I especially want to thank you and your staff for considering my nomination. I am sincerely grateful to President Obama for nominating me to serve as Assistant Secretary for Legislative Affairs at the Department of the Treasury and to Secretary Lew for recommending me for this position. I have the privilege of serving as a Counselor to Secretary Lew and could not be more excited to continue to work in this new role, if confirmed, with the talented, professional, intelligent, and dynamic staff of the Treasury Department.

I can’t tell you how meaningful it is to have my parents, Michael and Liz, here with me today. And I’d like to recognize my brother, Jonathan, who is at home in Chicago. Their encouragement empowered me as I began what I thought would be a brief adventure as Senate staffer in DC. Almost a decade later, it is only because of that encouragement as well as their love and support that I have been able to serve in what has already been the professional experience of a lifetime.

As my family and friends know, I try not to stray too far from my Chicago roots. I strive to live by the values my parents instilled in me. And I’m thankful they are here today.

Finally, I will always be grateful to my home state Senator, Dick Durbin, who as Majority Whip took a chance on a young practicing lawyer who moved to Washington without a job but with a strong desire to learn how government really works, and he gave me the honor of being a part of his remarkable, dedicated staff for five and a half wonderful years.



It was in that role, as part of the Leadership staff, that I spent countless hours on the Senate Floor. I learned first-hand that the United States Senate is a place where your word is your bond. It is a place where strong friendships and relationships can develop, even when you don't agree on policy, politics, or process. It is also a place where a sense of humor can be as valuable as a sense of duty. And I certainly tried to keep that in mind working with offices on whip questions and conversations about Senate procedure.

I carried my Senate Floor experience with me when I joined the White House Office of Legislative Affairs—first as Special Assistant to the President for Legislative Affairs and later as Deputy Assistant to the President for Legislative Affairs and Senate Liaison. Serving President Obama and working with his team for three years was one of the most special times in my life. Contributing to the daily work of the country from the other side of Pennsylvania Avenue was uniquely rewarding—and, as in the Senate, it is a place where relationships matter.

In my role as the White House Liaison to the Senate, I built strong ties to both Republicans and Democrats. Together, we kept open a line of communication between the Legislative and Executive Branches—a relationship that is essential to getting things done.

If confirmed, I would look forward to ensuring that there is an honest dialogue between the Treasury Department and Congress. You can count on me to be responsive and respectful, to be candid and clear, and to do my best to accurately represent the views of the Department of the Treasury and the Administration before this Committee and others in Congress. And in turn, you can count on me to make sure that your views are shared and respected within the Department of the Treasury.

Thank you again for your consideration. I look forward to responding to your questions.

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## SENATE FINANCE COMMITTEE STATEMENT OF INFORMATION REQUESTED OF NOMINEE

### A. BIOGRAPHICAL INFORMATION

**1. Name:**

Anne Elizabeth Wall

**2. Position to which nominated:**

Deputy Under Secretary of the Treasury <sup>1</sup>

**3. Date of nomination:**

February 25, 2015

**4. Address:**

**5. Date and place of birth:**

December 25, 1976; Oak Lawn, Illinois

**6. Marital status:**

**7. Names and ages of children:**

**8. Education:**

Miami University (Oxford, Ohio) 1995–1999; Bachelor of Arts in Political Science and History, awarded May 1999

DePaul University College of Law (Chicago, Illinois) 1999–2002; Juris Doctor, awarded May 2002

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<sup>1</sup> Once confirmed, position's working title is "Assistant Secretary for Legislative Affairs."

**9. Employment record:***U.S. Department of the Treasury (Washington, DC)*

Title: Counselor to the Secretary  
 Dates: January 2015–present

*Executive Office of the President, White House Office of Legislative Affairs (Washington, DC)*

Title: Deputy Assistant to the President and Senate Liaison, Office of Legislative Affairs  
 Dates: January 2014–January 2015

Title: Special Assistant to the President, Office of Legislative Affairs  
 Dates: September 2011–January 2014

*United States Senate, Office of the Assistant Majority Leader Durbin (Washington, DC)*

Title: Floor Director  
 Dates: January 2009–September 2011

Title: Office Counsel  
 Dates: January 2007–September 2011

Title: Floor Assistant  
 Dates: January 2007–January 2009

Title: Legislative Correspondent  
 Dates: June 2006–January 2007

*Pretzel and Stouffer (Chicago, IL)*

Title: Litigation Associate  
 Dates: September 2004–May 2006

*Cook County Circuit Court (Chicago, IL)*

Title: Law Clerk to Judge Allen Goldberg  
 Dates: September 2002–September 2004

Title: Law Clerk to Judge Lynn Egan  
 Dates: June 2002–September 2002

**10. Government experience (list any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above):**

N/A

**11. Business relationships (list all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, other business enterprise, or educational or other institution):**

N/A

**12. Memberships (list all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable, and other organizations):**

Member, Illinois Bar (2002–present)

**13. Political affiliations and activities:****a. List all public offices for which you have been a candidate.**

N/A

**b. List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years.**

N/A

**c. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more for the past 10 years.**

Political Committee	Amount	Contribution Date
Obama Victory Fund	\$340.00	October 13, 2008

- 14. Honors and awards (list all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognitions for outstanding service or achievement):**

N/A

- 15. Published writings (list the titles, publishers, and dates of all books, articles, reports, or other published materials you have written):**

N/A

- 16. Speeches (list all formal speeches you have delivered during the past 5 years which are on topics relevant to the position for which you have been nominated):**

N/A

- 17. Qualifications (state what, in your opinion, qualifies you to serve in the position to which you have been nominated):**

From June 2006 until September 2011, I worked in the Senate for Majority Whip Durbin in various capacities as part of his Floor staff, where I worked with the Caucus and tracked legislation moving through the Senate floor, including legislative efforts involving tax, budget, small business, and other economic policy issues. Following my 5½ years working on Capitol Hill, I began working at the White House as a Special Assistant to the President for Legislative Affairs and later as Deputy Assistant to the President for Legislative Affairs and Senate Liaison. In both of those roles, I had significant interaction with Members of Congress and their staffs, including matters pending before the Senate Committee on Finance and Senate Committee on Banking, Housing, and Urban Affairs. During my tenure in Washington, both in the Senate and in the Executive Branch, I have focused on establishing open and honest lines of communication between the branches of government, which is a critical element to ensuring Congress and the Executive Branch can address the policy challenges facing our nation.

#### **B. FUTURE EMPLOYMENT RELATIONSHIPS**

- 1. Will you sever all connections with your present employers, business firms, associations, or organizations if you are confirmed by the Senate? If not, provide details.**

No (I am currently an employee of the U.S. Department of the Treasury).

- 2. Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, provide details.**

No.

- 3. Has any person or entity made a commitment or agreement to employ your services in any capacity after you leave government service? If so, provide details.**

No.

- 4. If you are confirmed by the Senate, do you expect to serve out your full term or until the next Presidential election, whichever is applicable? If not, explain.**

Yes.

#### **C. POTENTIAL CONFLICTS OF INTEREST**

- 1. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.**

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of the Treasury's Designated Agency Ethics Official (DAEO) to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's DAEO and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

2. **Describe any business relationship, dealing, or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.**

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of the Treasury's DAEO to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's DAEO and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

3. **Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy. Activities performed as an employee of the Federal government need not be listed.**

I have performed no such activities.

4. **Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Provide the Committee with two copies of any trust or other agreements.)**

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of the Treasury's DAEO to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the Department's DAEO and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

5. **Two copies of written opinions should be provided directly to the Committee by the designated agency ethics officer of the agency to which you have been nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position.**

6. **The following information is to be provided only by nominees to the positions of United States Trade Representative and Deputy United States Trade Representative:**

**Have you ever represented, advised, or otherwise aided a foreign government or a foreign political organization with respect to any international trade matter? If so, provide the name of the foreign entity, a description of the work performed (including any work you supervised), the time frame of the work (e.g., March to December 1995), and the number of hours spent on the representation.**

#### D. LEGAL AND OTHER MATTERS

1. **Have you ever been the subject of a complaint or been investigated, disciplined, or otherwise cited for a breach of ethics for unprofessional conduct before any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.**

No.

2. **Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority for a violation of any Federal, State, county, or municipal law, regulation, or ordinance, other than a minor traffic offense? If so, provide details.**

In 1996, I received a citation in Oxford, Ohio (Butler County) for underage possession of alcohol. In 1993, I received a citation in Alsip, IL (Cook County) for underage possession of alcohol.

3. **Have you ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.**

No.

4. **Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, provide details.**

None (other than responses provided to Part D, Question 2 above).

5. **Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.**

N/A

#### E. TESTIFYING BEFORE CONGRESS

1. **If you are confirmed by the Senate, are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?**

Yes.

2. **If you are confirmed by the Senate, are you willing to provide such information as is requested by such committees?**

Yes.

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QUESTION SUBMITTED FOR THE RECORD TO ANNE ELIZABETH WALL

QUESTION SUBMITTED BY HON. MARIA CANTWELL

*Question.* Washington state has long been as innovator in health care. One such innovation is the invention of direct primary care medical homes (DPC). In DPC medical homes, patients pay a single monthly fee for all primary care services and in turn have access to their primary care physician without co-pays, deductibles, or coinsurance.

Section 1301(a)(3) of the Patient Protection and Affordable Care Act (Pub. L. 111–48) allows DPC medical homes to participate in state marketplaces in combination with qualified health plans. The Washington state exchange currently offers a qualified health plan incorporating DPC services.

I understand that the Internal Revenue Service (IRS) does not permit payments to DPC medical homes as a qualified medical expense in a Health Savings Account (HSA), due to the agency’s reading of Section 213(d) of the Internal Revenue Code. I understand that Section 213(d) disallows qualified medical expenses from secondary health plans. On June 17, 2014, I wrote IRS Commissioner John Koskinen and requested that the IRS provide clarification on whether the agency still contends that DPC medical homes constitute health plans. Senator Patty Murray and Representative Jim McDermott joined my letter.

On June 30, 2014, Commissioner Koskinen responded to my letter by saying, among other things, that a review of what constitutes a qualified expense under section 213(d) would be considered on the 2013–2014 Treasury and IRS Priority Guidance Plan.

I understand that my staff has spoken with Treasury and IRS staff in follow-up to this letter, but that the review mentioned in the response letter is still pending.

If confirmed, will you commit to providing me and my staff timely updates on IRS and Treasury guidance related to direct primary care medical homes?

Answer. Yes. If confirmed, I commit to ensuring that Treasury provides timely, substantive responses to inquiries received from Congress, including the request described in your question.