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United States Senate

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

WARREN GUNNELS, MAJORITY STAFF DIRECTOR
AMANDA LINCOLN, REPUBLICAN STAFF DIRECTOR

www.help.senate.gov

April 12, 2023

The Honorable Julie Su
Acting Secretary
Department of Labor

Acting Secretary Su:

Under the Appointments Clause of the U.S. Constitution, the President “shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the [S]upreme Court, and all other Officers of the United States.”¹ This includes Cabinet-level nominees. In order to fulfill its constitutional duties, Senate committees often gather and review information about a nominee as well as conduct their own information-gathering exercise.² As part of this exercise, “[i]t is not unusual for nominees to meet with committee staff prior to a hearing.”³

In order to fulfill our constitutional responsibilities, we intend to hold staff-level interviews in advance of confirmation hearings for all of President Biden’s nominees that come before the U.S. Senate Health, Education, Labor and Pensions (HELP) Committee. This is a common practice across the Senate, so we are disappointed to learn that we have thus far been unable to schedule an in-person staff interview with you.

We hope that a nominee for Secretary of Labor would be willing to answer questions from the Senate committee with which he or she will work closely. It is essential that you engage with the HELP Committee, including minority members, as we consider your nomination. A decision to refuse a Committee interview would not instill confidence that you will be transparent or accountable as Secretary of Labor. Therefore, we ask that you make yourself available to committee staff when requested.

¹ U.S. Const. art. II, § 2, cl. 2.

² Elizabeth Rybicki, Cong. Rsch. Serv., RL31980, *Senate Consideration of Presidential Nominations: Committee and Floor Procedure* 4 (2023).

³ *Id.* at 5.

Bill Cassidy, M.D.

Bill Cassidy, M.D.
Ranking Member
U.S. Senate Health, Education, Labor & Pensions
Committee

Lisa Murkowski

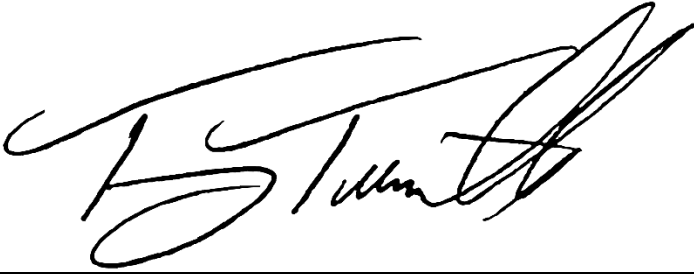
Lisa Murkowski
U.S. Senator

Mitt Romney

Mitt Romney
U.S. Senator

Mike Braun

Mike Braun
U.S. Senator



Tommy Tuberville
U.S. Senator



Susan M. Collins
United States Senator



Markwayne Mullin
U.S. Senator



Ted Budd
U.S. Senator