



Committee On Finance

Max Baucus, Ranking Member

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STRIKE THREE: WHITE HOUSE FAILS TO PROVIDE ALITO TAX RETURNS AS REQUESTED

New Baucus legislation will compel independent review of Court nominee's tax returns

Washington, DC – Following the White House's third failure to respond to requests for Federal tax information on a Supreme Court nominee, U.S. Senator Max Baucus (D-Mont.) today announced that he is introducing legislation requiring the Joint Committee on Taxation (JCT) to review and report on the tax records of all Supreme Court nominees, effective immediately. Since September, the White House has repeatedly refused requests from Baucus, the Ranking Member of the Senate Finance Committee, to provide Supreme Court nominees' tax returns; the administration still has not provided tax returns for current Associate Justice nominee Samuel Alito, and withheld that information on now-Chief Justice John Roberts and on withdrawn nominee Harriet Miers. Specifically, the Baucus legislation would require JCT to obtain and inspect three years' worth of tax returns for a Supreme Court nominee, and to report to the Senate Finance and Judiciary committees on the nominee's compliance with Federal tax law. The tax returns would not be made public.

“Congress has a responsibility to assess the fitness of the President’s nominees. What people do on their annual tax filings is a good barometer of their integrity and suitability for office. The American people have a right to know that nominees for the highest court, including Judge Alito, have faithfully complied with the most basic of Federal requirements: filing timely and honest tax returns every year,” said Baucus. **“The administration’s repeated refusal to provide basic tax information on its court nominees is depriving the American people of the oversight they depend on Congress to do. If the administration won’t honor a request from its coequal branch of government, this independent review can be compelled by law.”**

Information provided by the White House on its Court nominees did not include a thorough review of recently filed tax returns. In a September 15 letter to White House Chief of Staff Andrew Card, Baucus asked that Chief Justice nominee John Roberts and the eventual nominee to replace retiring Justice Sandra Day O'Connor submit Federal tax returns to the Finance Committee for review. Citing the need only for proper oversight of the nominations by Senate tax experts, Senator Baucus assured the Administration and the nominees that the tax returns would not be made public.

The Senate Finance Committee scrutinizes the tax returns of all nominees that come before the panel, including Cabinet secretaries and tax court judges. The Senate has also reviewed Supreme Court nominees' tax returns in the past. In 1975, an independent congressional review of the financial statements and tax returns of nominee John Paul Stevens was cited as evidence that his “personal integrity... [was] of the highest order.”

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