

108TH CONGRESS }  
*1st Session*

SENATE

{ REPORT  
108-31

R E P O R T  
ON THE ACTIVITIES  
OF THE  
COMMITTEE ON FINANCE  
OF THE  
UNITED STATES SENATE  
DURING THE  
107TH CONGRESS  
PURSUANT TO  
Rule XXVI of the Standing Rules  
OF THE  
UNITED STATES SENATE



MARCH 31, 2003.—Ordered to be printed

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[107TH]

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\* On June 6, 2001, the Democratic party assumed the majority membership of the Senate. The ranking Democrat on the committee, Senator Max Baucus of Montana, assumed the chairmanship of the committee.

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GORDON SMITH, Oregon, *Chairman*

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JOHN KYL, Arizona	KENT CONRAD, North Dakota

**LETTER OF TRANSMITTAL**

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U.S. SENATE,  
COMMITTEE ON FINANCE,  
*Washington, DC, March 31, 2003.*

Hon. EMILY REYNOLDS,  
*Secretary, U.S. Senate,*  
*Washington, DC.*

DEAR MS. REYNOLDS: In accordance with rule XXVI of the Standing Rules of the United States Senate and the pertinent unanimous consent order pertaining to this rule, I am transmitting herewith a report on the activities of the Committee on Finance of the United States Senate for the 107th Congress.

Sincerely,

CHARLES E. GRASSLEY, *Chairman.*



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REPORT ON THE ACTIVITIES OF THE COMMITTEE ON  
FINANCE DURING THE 107TH CONGRESS

—————  
MARCH 31, 2003.—Ordered to be printed  
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Mr. GRASSLEY, from the Committee on Finance,  
submitted the following

R E P O R T

This report reviews the legislative and oversight activities of the Committee on Finance during the 107th Congress. These activities parallel the broad scope of responsibilities vested in the Committee by the Legislative Reorganization Act of 1946, as amended, rule XXV(k) of the Standing Rules of the Senate, and additional authorizing resolutions.

**COMMITTEE JURISDICTION**

Rule XXV(i) of the Standing Rules of the Senate requires reference to this Committee of all proposed legislation, and other matters, dealing with (i) Committee on Finance, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Bonded debt of the United States, except as provided in the Congressional Budget Act of 1974.
2. Customs, collection districts, and ports of entry and delivery.
3. Deposit of public moneys.
4. General revenue sharing.
5. Health programs under the Social Security Act and health programs financed by a specific tax or trust fund.
6. National social security.
7. Reciprocal trade agreements.
8. Revenue measures generally, except as provided in the Congressional Budget Act of 1974.
9. Revenue measures relating to the insular possessions.
10. Tariffs and import quotas, and matters related thereto.
11. Transportation of dutiable goods.

## I. RULES OF PROCEDURE

Rule 1. *Regular Meeting Days*.—The regular meeting day of the committee shall be the second and fourth Tuesday of each month, except that if there be no business before the committee the regular meeting shall be omitted.

Rule 2. *Committee Meetings*.—(a) Except as provided by paragraph 3 of Rule XXVI of the Standing Rules of the Senate (relating to special meetings called by a majority of the committee) and subsection (b) of this rule, committee meetings, for the conduct of business, for the purpose of holding hearings, or for any other purpose, shall be called by the chairman. Members will be notified of committee meetings at least 48 hours in advance, unless the chairman determines that an emergency situation requires a meeting on shorter notice. The notification will include a written agenda together with materials prepared by the staff relating to that agenda. After the agenda for a committee meeting is published and distributed, no nongermane items may be brought up during that meeting unless at least two-thirds of the members present agree to consider those items.

(b) In the absence of the chairman, meetings of the committee may be called by the ranking majority member of the committee who is present, provided authority to call meetings has been delegated to such member by the chairman.

Rule 3. *Presiding Officer*.—(a) The chairman shall preside at all meetings and hearings of the committee except that in his absence the ranking majority member who is present at the meeting shall preside.

(b) Notwithstanding the rule prescribed by subsection (a) any member of the committee may preside over the conduct of a hearing.

Rule 4. *Quorums*.—(a) Except as provided in subsection (b) one-third of the membership of the committee, including not less than one member of the majority party and one member of the minority party, shall constitute a quorum for the conduct of business.

(b) Notwithstanding the rule prescribed by subsection (a), one member shall constitute a quorum for the purpose of conducting a hearing.

Rule 5. *Reporting of Measures or Recommendations*.—No measure or recommendation shall be reported from the committee unless a majority of the committee is actually present and a majority of those present concur.

Rule 6. *Proxy Voting; Polling*.—(a) Except as provided by paragraph 7(a)(3) of Rule XXVI of the Standing Rules of the Senate (relating to limitation on use of proxy voting to report a measure or matter), members who are unable to be present may have their vote recorded by proxy.

(b) At the discretion of the committee, members who are unable to be present and whose vote has not been cast by proxy may be polled for the purpose of recording their vote on any rollcall taken by the committee.

Rule 7. *Order of Motions.*—When several motions are before the committee dealing with related or overlapping matters, the chairman may specify the order in which the motions shall be voted upon.

Rule 8. *Bringing a Matter to a Vote.*—If the chairman determines that a motion or amendment has been adequately debated, he may call for a vote on such motion or amendment, and the vote shall then be taken, unless the committee votes to continue debate on such motion or amendment, as the case may be. The vote on a motion to continue debate on any motion or amendment shall be taken without debate.

Rule 9. *Public Announcement of Committee Votes.*—Pursuant to paragraph 7(b) of Rule XXVI of the Standing Rules of the Senate (relating to public announcement of votes), the results of rollcall votes taken by the committee on any measure (or amendment thereto) or matter shall be announced publicly not later than the day on which such measure or matter is ordered reported from the committee.

Rule 10. *Subpoenas.*—Subpoenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the chairman, or by any other member of the committee designated by him.

Rule 11. *Nominations.*—In considering a nomination, the Committee may conduct an investigation or review of the nominee's experience, qualifications, and suitability, to serve in the position to which he or she has been nominated. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis. Witnesses called to testify on the nomination may be required to testify under oath.

Rule 12. *Open Committee Hearings.*—To the extent required by paragraph 5 of Rule XXVI of the Standing Rules of the Senate (relating to limitations on open hearings), each hearing conducted by the committee shall be open to the public.

Rule 13. *Announcement of Hearings.*—The committee shall undertake consistent with the provisions of paragraph 4(a) of Rule XXVI of the Standing Rules of the Senate (relating to public notice of committee hearings) to issue public announcements of hearings it intends to hold at least one week prior to the commencement of such hearings.

Rule 14. *Witnesses at Hearings.*—(a) Each witness who is scheduled to testify at any hearing must submit his written testimony to the staff director not later than noon of the business day immediately before the last business day preceding the day on which he is scheduled to appear. Such written testimony shall be accompanied by a brief summary of the principal points covered in the written testimony. Having submitted his written testimony, the

witness shall be allowed not more than ten minutes for oral presentation of his statement.

(b) Witnesses may not read their entire written testimony, but must confine their oral presentation to a summarization of their arguments.

(c) Witnesses shall observe proper standards of dignity, decorum and propriety while presenting their views to the committee. Any witness who violates this rule shall be dismissed, and his testimony (both oral and written) shall not appear in the record of the hearing.

(d) In scheduling witnesses for hearings, the staff shall attempt to schedule witnesses so as to attain a balance of views early in the hearings. Every member of the committee may designate witnesses who will appear before the committee to testify. To the extent that a witness designated by a member cannot be scheduled to testify during the time set aside for the hearing, a special time will be set aside for the witness to testify if the member designating that witness is available at that time to chair the hearing.

Rule 15. *Audiences.*—Persons admitted into the audience for open hearings of the committee shall conduct themselves with the dignity, decorum, courtesy and propriety traditionally observed by the Senate. Demonstrations of approval or disapproval of any statement or act by any member or witness are not allowed. Persons creating confusion or distractions or otherwise disrupting the orderly proceeding of the hearing shall be expelled from the hearing.

Rule 16. *Broadcasting of Hearings.*—(a) Broadcasting of open hearings by television or radio coverage shall be allowed upon approval by the chairman of a request filed with the staff director not later than noon of the day before the day on which such coverage is desired.

(b) If such approval is granted, broadcasting coverage of the hearing shall be conducted unobtrusively and in accordance with the standards of dignity, propriety, courtesy and decorum traditionally observed by the Senate.

(c) Equipment necessary for coverage by television and radio media shall not be installed in, or removed from, the hearing room while the committee is in session.

(d) Additional lighting may be installed in the hearing room by the media in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage of the hearing at the then current state of the art of television coverage.

(e) The additional lighting authorized by subsection (d) of this rule shall not be directed into the eyes of any members of the committee or of any witness, and at the request of any such member or witness, offending lighting shall be extinguished.

(f) No witness shall be required to be photographed at any hearing or to give testimony while the broadcasting (or coverage) of that hearing is being conducted. At the request of any such witness who does not wish to be subjected to radio or television coverage, all equipment used for coverage shall be turned off.

Rule 17. *Subcommittees.*—(a) The chairman, subject to the approval of the committee, shall appoint legislative subcommittees. All legislation shall be kept on the full committee calendar unless

a majority of the members present and voting agree to refer specific legislation to an appropriate subcommittee.

(b) The chairman may limit the period during which House-passed legislation referred to a subcommittee under paragraph (a) will remain in that subcommittee. At the end of that period, the legislation will be restored to the full committee calendar. The period referred to in the preceding sentences should be 6 weeks, but may be extended in the event that adjournment or a long recess is imminent.

(c) All decisions of the chairman are subject to approval or modification by a majority vote of the committee.

(d) The full committee may at any time by majority vote of those members present discharge a subcommittee from further consideration of a specific piece of legislation.

(e) Because the Senate is constitutionally prohibited from passing revenue legislation originating in the Senate, subcommittees may mark up legislation originating in the Senate and referred to them under Rule 16(a) to develop specific proposals for full committee consideration but may not report such legislation to the full committee. The preceding sentence does not apply to nonrevenue legislation originating in the Senate.

(f) The chairman and ranking minority members shall serve as nonvoting *ex officio* members of the subcommittees on which they do not serve as voting members.

(g) Any member of the committee may attend hearings held by any subcommittee and question witnesses testifying before that subcommittee.

(h) Subcommittee meeting times shall be coordinated by the staff director to insure that—

- (1) no subcommittee meeting will be held when the committee is in executive session, except by unanimous consent;
- (2) no more than one subcommittee will meet when the full committee is holding hearings; and
- (3) not more than two subcommittees will meet at the same time.

Notwithstanding paragraphs (2) and (3), a subcommittee may meet when the full committee is holding hearings and two subcommittees may meet at the same time only upon the approval of the chairman and the ranking minority member of the committee and subcommittees involved.

(i) All nominations shall be considered by the full committee.

(j) The chairman will attempt to schedule reasonably frequent meetings of the full committee to permit consideration of legislation reported favorably to the committee by the subcommittees.

Rule 18. *Transcripts of Committee Meetings.*—An accurate record shall be kept of all markups of the committee, whether they be open or closed to the public. This record, marked as “uncorrected,” shall be available for inspection by Members of the Senate, or members of the committee together with their staffs, at any time. This record shall not be published or made public in any way except:

(a) By majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their re-

marks for grammatical errors or to accurately reflect statements made.

(b) Any member may release his own remarks made in any markup of the committee provided that every member or witness whose remarks are contained in the released portion is given a reasonable opportunity before release to correct their remarks.

Notwithstanding the above, in the case of the record of an executive session of the committee that is closed to the public pursuant to Rule XXVI of the Standing Rules of the Senate, the record shall not be published or made public in any way except by majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

Rule 19. *Amendment of Rules.*—The foregoing rules may be added to, modified, amended or suspended at any time.



## TAX AND REVENUE ISSUES

### SUMMARY OF ACTIVITIES

#### FULL COMMITTEE HEARINGS AND MEETINGS

#### **2001**

- Feb. 14, 2001—Hearing: “Making Education More Affordable: The Tax Code as a Student.” This hearing focused on tax relief proposals designed to aid parents and students with the rising cost of education. In addition, the hearing focused on proposals to assist local school districts with the cost of school construction.
- Feb. 28, 2001—Hearing: “Revenue Proposals and Tax Cuts in the President’s Budget.” Treasury Secretary O’Neill testified on revenue proposals in the Administration’s FY 2002 budget.
- Mar. 7, 2001—Hearing: “Marginal Rate Reductions.” This hearing focused on proposals to reduce explicit and implicit marginal Federal income tax rates.
- Mar. 8, 2001—Hearing: “Easing the Family Tax Burden.” This hearing focused on trends in the Federal income tax burden on families and proposals to provide tax relief to families.
- Mar. 14, 2001—Hearing: “Encouraging Charitable Giving.” This hearing focused on proposed tax incentives for charitable giving.
- Mar. 15, 2001—Hearing: “Preserving and Protecting Family Business Legacies.” This hearing focused on proposals to provide relief from the burden of Federal estate, gift and generation skipping transfer taxes.
- Mar. 28, 2001—Hearing: “Preserving and Protecting Main Street USA.” This hearing focused on the Federal estate, gift, and generation skipping transfer tax burden on small business and agriculture. In addition, this hearing focused on other Federal income tax burdens on small business and agriculture.
- Mar. 29, 2001—Hearing: “Budget Surpluses and Debt Reduction.” This hearing focused on the economic and budgetary implications of projected budget surpluses.
- Apr. 5, 2001—Hearing: “Oversight of the Internal Revenue Service: Taxpayer Beware.” This hearing examined scams, schemes, and cons directed at taxpayers by unscrupulous individuals.
- Apr. 26, 2001—Hearing: “Tax Code Complexity: New Hope for Fresh Solutions.” This hearing focused on proposals for broad-based individual income tax simplification.
- May 2, 2001—Members’ Meeting on Administration’s Tax Relief package.
- May 25, 2001—Public Conference Meeting with U.S. House of Representatives, House Committee on Ways and Means, Taxpayer Relief Act of 2001.

- June 12, 2001—Hearing: “Preserving and Protecting our Natural Resources.” This hearing focused on tax relief proposals directed at conservation.
- July 10, 2001—Hearing: “The Role of Tax Incentives in Energy Policy, Part I.” This hearing focused on tax incentives for efficient consumption of energy for transportation and tax incentives for conservation.
- July 11, 2001—Hearing: “The Role of Tax Incentives in Energy Policy, Part II.” This hearing focused on tax incentives for production of energy from conventional and alternative sources.
- Aug. 1, 2001—Hearing: “Cybershopping and Sales Tax: Finding the Right Mix.” This hearing addressed; (1) the impact of revenue loss on the states; (2) states efforts to simplify their sales tax regimes in order to reduce the sales tax collection burden on remote sellers; (3) the schism between states and localities on the issue of sales tax simplification; (4) the burden on remote retailers to collect and remit taxes to the states; (5) the merits of a tax free Internet; and (6) the International implications of requiring non-domestic corporations to collect and remit sales tax when a sale is made online.
- Sept. 25, 2001—Members’ Meeting on the State of the Economy. This meeting featured Federal Reserve Chairman Alan Greenspan and Former Treasury Secretary Robert Rubin. Chairman Greenspan and Secretary Rubin were asked to weigh in on the need for economic stimulus proposals in the wake of the September 11, 2001 tragedies.
- Oct. 2, 2001—Members’ Meeting on Tax Stimulus Package.
- Oct. 3, 2001—Hearing: “Addressing the Need for an Economic Stimulus Package.” Treasury Secretary Paul O’Neill testified on the contours of a possible economic stimulus package.
- Oct. 11, 2001—Members’ Meeting on Tax Stimulus Package.
- Nov. 7, 2001—Members’ Meeting on the Economic Stimulus Package.

## **2002**

- Feb. 5, 2002—Hearing: “President’s Fiscal Year 2003 budget and tax proposals.” This hearing featured an analysis of the Administrations fiscal year 2003 budget and tax proposals.
- Feb. 12, 2002—Members’ Meeting on Energy Tax Legislation.
- Feb. 27, 2002—Hearing: “Retirement Security: Picking up the Enron Pieces.” This hearing focused on the adverse effect of the Enron corporation’s bankruptcy on its employees pensions and retirement savings. The hearing also explored possible legislative fixes to the problems caused by the Enron collapse.
- Mar. 21, 2002—Hearing: “Corporate Tax Shelters: Looking Under the Roof.” This hearing detailed the need for greater measures to address abusive corporate tax shelters and their promoters.
- Apr. 11, 2002—Hearing: “Schemes, Scams and Cons, Part II: The IRS Strikes Back.” This hearing focused on IRS efforts to combat individual tax shelters and their promoters.
- Apr. 18, 2002—Hearing: “Corporate Governance and Executive Compensation.” This hearing explored the tax treatment of executive compensation and ways that the tax code could promote better corporate governance.

- May 9, 2002—Hearing: “Revenue Issues Related to the Highway Trust Fund.” This hearing focused on the flow of taxes to the Highway Trust Fund and the transportation and tax policies used to determine the overall vigor of the Highway Trust Fund.
- June 4, 2002—Hearing: “Small Business and Rural Economic Development.” This hearing focused on the effect of tax policy on job creation in small businesses. The witnesses focused on issues including rural out-migration, broadband infrastructure, and special occupational taxes.
- June 4, 2002—Members’ Meeting on Tax Legislation Promoting Charitable Giving.
- July 17, 2002—Hearing: “Schemes, Scams and Cons, Part IV: Fuel Tax Fraud.” This hearing focused on tax fraud involving fuel excise taxes and IRS efforts to combat the problem.
- Sept. 25, 2002—Joint Hearing with Environment and Public Works Committee on “Innovative Financing: Beyond the Highway Trust Fund.” This hearing explored financing options for the highway trust fund in anticipation of the re-authorization of the trust fund in the 108th Congress.
- Oct. 9, 2002—Hearing: “The Financial War on Terrorism: New Money Trails Present Fresh Challenges.” This hearing focused on the efforts by the Treasury Department to shut down and destabilize efforts to fund terrorist activities. Representatives from Treasuries office of Foreign Asset Control and the Financial Crimes Enforcement Network testified.

#### FULL COMMITTEE FIELD HEARINGS

- Aug. 24, 2001—Field hearing: “The Role of Tax Incentives in Addressing Rural Energy Needs and Conservation,” Billings, Montana. This field hearing focused on the role of tax incentives in addressing rural energy needs and conservation. The hearing identified tax provisions affecting rural electric cooperatives, transmission infrastructure and Indian tribes, as well as targeted tax incentives for clean coal technology, renewable and alternative energy resources, and the natural gas industry.

#### SUBCOMMITTEE ON LONG-TERM GROWTH AND DEBT REDUCTION HEARINGS AND MEETINGS

- Feb. 14, 2002—Hearing: “The Administration’s Request to Increase the Federal Debt Limit.” The purpose of this hearing was to explore a December 11, 2001 request from the Administration to increase the statutory limitation on Federal debt by \$750 Billion from \$5.950 trillion to \$6.7 trillion. The Treasury Department had forecast that the Federal Government would reach the statutory debt ceiling in February of 2002. The hearing focused on four broad questions: what factors led the administration to make a one-time request for an increase of \$750 billion; for what purposes would the \$750 billion be used; what would be the ramifications of this increase in the debt ceiling for our economy; and how would the Nation’s return to deficit spending affect its fiscal situation today and in the near future? Witnesses included Treasury Secretary Paul O’Neill; and economists and budget ex-

perts from the National Center for Policy Analysis, the Concord Coalition, and the Brookings Institution.

## **TRADE**

### **SUMMARY OF ACTIVITIES**

During the 107th Congress, the Committee examined and acted upon many important issues related to international trade and the American economy.

In the first session, Chairman Grassley convened two important hearings on a free trade agreement with Jordan and normalized trading relations with the Socialist Republic of Vietnam. These hearings highlighted the progress of expanding trade liberalization in these regions of the world and the interdependence of global economies.

The first session also included confirmation hearings for Robert Zoellick to be United States Trade Representative, Grant Aldonas to be Under Secretary of Commerce for International Trade, and Faryar Shirzad to be Assistant Secretary of Commerce; Linnett F. Deily to be Deputy United States Trade Representative, Peter Allgeier to be Deputy United States Trade Representative, Allen Frederick Johnson to be Chief Agriculture Negotiator, Office of the United States Trade Representative, William Henry Lash, II, to be Assistant Secretary, Department of Commerce, Robert C. Bonner to be Commissioner of Customs, Department of the Treasury, Jon M. Huntsman to be Deputy United States Trade Representative. Additionally, the Committee considered an original resolution on steel.

In the second session, Chairman Baucus and Ranking Member Grassley convened hearings on the Andean Trade Preferences Act, the Trade Adjustment Assistance for Workers, Farmers, Fisherman, Communities and Firms Act, and the Bipartisan Trade Promotion Authority Act. The Andean Trade Preferences Act, first granted in 1991, reauthorized trade preferences to four Andean countries (Bolivia, Colombia, Ecuador, and Peru). Trade Adjustment Assistance for Workers, Farmers, Fisherman, Communities and Firms Act reauthorized the trade adjustment assistance program for five years, making various improvements to the operation of the current program, and extending trade adjustment assistance benefits to additional classes of trade-impacted workers. The Bipartisan Trade Promotion Authority Act grants the President fast-track trade negotiating authority, establishing procedures for the operation of such authority, and setting for the negotiating objectives of the United States in negotiations conducted pursuant to such authority. All three bills passed the Senate on August 1, 2002 as part of the Trade Act of 2002 and were made public law on August 6, 2002.

The second session included confirmation hearings for Randal Quarles to be Deputy Under Secretary of the Department of Treasury, Charlotte Lane to be a Member of the United States International Trade Commission.

In the second session, the Committee convened hearings to assess on-going trade negotiations as well as international trade issues associated with the new Department of Homeland Security. Among the issues discussed during the on-going trade negotiations hearings were the WTO-Doha Round, the Free Trade Agreement of the Americas, and the U.S.-Chile and the U.S.-Singapore Free Trade Agreements. In assessing the new Department of Homeland Security, the Committee held a hearing to investigate the need to achieve and the means for achieving an appropriate balance between enhancing homeland security through the inclusion of the U.S. Customs Service in the new Department of Homeland Security and the need to assure the continued efficient operation of Customs' commercial functions.

#### FULL COMMITTEE HEARINGS AND MEETINGS

- Feb. 27, 2001—Hearing: “Globalization and American Trade Policy.” Overview of U.S. trade policy, with a focus on principal trade policy challenges and opportunities. Review the benefits to the United States from globalization, and how best to continue both the process of enhancing global economic interdependence, and maintaining the benefits that flow to the American economy as a result.
- Mar. 20, 2001—Hearing: “Jordan Free Trade Agreement.” Reviewed the importance of the free trade agreement with Jordan, and implications for the Middle East region and for U.S. trade policy.
- Apr. 4, 2001—Hearing: “International Trade and the American Economy.” Reviewed international trade’s importance to the U.S. economy, and the impact of trade promotion authority on the economy.
- Apr. 5, 2001—Members’ Meeting with the King of Jordan. To provide a forum for Senators to meet with His Majesty King Abdullah II and discuss bilateral trade and security issues.
- June 20, 2001—Hearing: “Fast Track Trade Negotiating Authority.” Explored the possibility of granting the President Trade Negotiating Authority, and the important issues associated with trade negotiations.
- June 21, 2001—Hearing: “Fast Track Trade Negotiating Authority.” Discussed the roles of Congress and the Administration in trade negotiations and the process associated with Trade Negotiating Authority.
- June 26, 2001—Hearing: “The U.S.-Vietnam Bilateral Trade Agreement.” To discuss approval of the U.S.-Vietnam Bilateral trade agreement, and extension of normal trade relations for Vietnam.
- July 19, 2001—Hearing: “Trade Adjustment Assistance.” Assessing the role of trade adjustment assistance in advancing trade liberalization and considering the need for reform and expansion of existing trade adjustment assistance programs in light of both past experience and anticipated future needs.
- Nov. 16, 2001—Members’ Meeting with Ambassador Zoellick. Discussing the results of the Doha Ministerial of the World Trade Organization and the launching of the Doha Development Agenda round of trade negotiations.

- Feb. 6, 2002—Hearing: “Ongoing U.S. Trade Negotiations.” Reviewing developments in and prospects for ongoing trade negotiations, including the WTO Doha Round, the Free Trade Agreement of the Americas, and U.S.-Chile and U.S.-Singapore Free Trade Agreements, including specific sectoral issues affecting agriculture, semiconductors, and manufacturing.
- Feb. 13, 2002—Hearing: “Sectoral Trade Disputes: Lumber and Steel.” Assessing the origins, status, and future prospects for resolving persistent trade disputes involving unfair trade practices affecting the U.S. lumber and steel industries.
- July 16, 2002—Hearing: “Homeland Security and International Trade.” Assessing the need to achieve and the means for achieving an appropriate balance between the goal of enhancing homeland security through inclusion of the U.S. Customs Service in the new Department of Homeland Security and the need to assure the continued efficient operation of Customs’ commercial functions.
- July 30, 2002—Hearing: “The Role of the Extraterritorial Income Exclusion Act in the International Competitiveness of U.S. Companies.” Assessing the history of the bilateral dispute between the United States and the European Union concerning the Extraterritorial Income Exclusion Act and its predecessor the Foreign Sales Corporation and considering policy options for responding to the unfavorable WTO Appellate Body decision and resolving the underlying dispute.

SUBCOMMITTEE ON INTERNATIONAL TRADE HEARINGS AND  
MEETINGS

- July 20, 2001—Hearing: “Trade Adjustment Assistance.” Examining specific aspects of the operation of existing trade adjustment assistance programs, and considering proposals for reform, expansion, and improvement of those programs.
- Aug. 30, 2001—Hearing: “Andean Trade Preferences Act.” Assessing issues associated with the renewal and proposed expansion of trade preferences first granted in 1991 to the four Andean countries (Bolivia, Colombia, Ecuador, and Peru).

## HEALTH

### SUMMARY OF ACTIVITIES

*Health Care Programs*—During the 107th Congress, the Committee continued its work on two principal areas that also received significant attention in the 106th Congress: adding a prescription drug benefit to Medicare and expanding health coverage to the uninsured. The Committee held multiple hearings and member meetings on Medicare prescription drugs. These hearings and meetings were intended to build upon hearings held in the previous Congress and to find consensus within the Committee to move forward.

In June and July of the second session, Chairman Baucus convened a series of executive sessions on Medicare prescription drugs. These meetings focused on drug benefit structures, the appropriate federal cost of a new benefit, the effect of different delivery models on stability, efficiency, private plan participation, and prescription drug prices, and the advantages and disadvantages of variation in premiums and benefits.

The Committee also devoted considerable time and attention to addressing the issue of health coverage for the uninsured. In the first session, the Committee held hearings to evaluate the depth and breadth of the problem and to explore possible solutions. Incremental solutions to help the uninsured include expansions of existing public programs to new populations, such as parents of children eligible for Medicaid or assistance under the Children's Health Insurance Program (CHIP), and tax incentives aimed at employers, individuals, or both.

The economic stimulus bill marked up in the Committee during the first session included federal subsidies for health insurance for displaced workers. Although these provisions were not enacted as part of the stimulus bill, the deliberations over method, amount, and duration of the subsidies set the stage for further negotiations in the context of trade adjustment assistance. The trade bill signed into law in July 2002 included a refundable, advanceable tax credit for COBRA continuation coverage or other forms of group health insurance.

#### FULL COMMITTEE HEARINGS AND MEETINGS

Mar. 13, 2001—Hearing: "Living Without Health Insurance: Who's Uninsured and Why?" This hearing focused on the growing trends and demographics of Americans who lack health insurance. This includes age, ethnicity, socioeconomic status, and the type of employment. Witnesses included a General Accounting Office (GAO) expert, and representatives from the Kaiser Commission on Medicaid and the Uninsured, the Healthcare Leader-



- ship Council, The Urban Institute and the Center on Budget and Policy Priorities.
- Mar. 13, 2001—Hearing: “Living Without Health Insurance: Solutions to the Problem.” This second hearing on health insurance focused on possible solutions to fixing the uninsured problem. Experts focused on a refundable health insurance tax credit, extending outreach efforts to those who are already eligible for other federal programs, and the expansion of the Medicare, Medicaid and S-CHIP programs. Witnesses included William Scanlon, the Director of Health Care Issues for the General Accounting Office (GAO), and representatives from the National Association of Health Underwriters, the Economic and Social Research Institute, The Commonwealth Fund, the Rhode Island Department of Human Services and the Center on Budget Policies and Priorities.
- Mar. 22, 2001—Hearing: “Prescription Drugs and Medicare Financing.” This hearing provided a general look into the status of the Medicare program and the impact additional benefits (such as prescription drugs) would have on the longevity of the program. Witness included Dan Crippen (Director of the Congressional Budget Office), David M. Walker (Comptroller General, United States General Accounting Office), and two representatives from the Health Care Financing Administration and the Kaiser Family Foundation.
- Mar. 27, 2001—Hearing: “Society’s Great Challenge: The Affordability of Long-Term Care.” The purpose of this hearing was to raise awareness about the financial risk to every individual’s retirement income security posed by long-term care needs and to consider steps Congress can take to help Americans meet their long-term care challenges. Witnesses included specialists from the Congressional Research Service, the General Accounting Office, a husband of an Alzheimer’s patient, The National Alliance for Caregiving, The Lewin Group, and the District of Columbia Department of Health.
- Apr. 3, 2001—Hearing: “Medicare and Managed Care: Finding Successful Solutions.” This hearing focused on finding ways to improve Medicare and managed care. Experts discussed the options of changing the Medicare plus Choice (M + C) plan design, payment structures, and regulatory requirements. Witnesses included experts from the Congressional Research Service, Medicare Payment Advisory Commission, United Healthcare of the Midwest, Towers Perrin, University of California, and The Urban Institute.
- Apr. 24, 2001—Hearing: “Finding the Right Fit: Medicare, Prescription Drugs and Current Coverage Options.” This hearing continued the discussion of a prescription drug benefit for the Medicare program and the options currently available to the Medicare population. Witnesses included delegates from Hewitt Associates, American Association of Health Plans, Mathematica Policy Research, National Governors Association, and Rutgers University.
- June 19, 2001—Hearing: “Medicare Governance: Perspectives on the Centers for Medicare and Medicaid Services (CMS, formerly HCFA).” The purpose of this hearing was to get an overview on

the changes that have been made by Secretary Thompson and the newly named agency and to hear what the “Next Steps” would be. Witnesses included Secretary Tommy Thompson (Department of Health and Human Services), William Scanlon (Director, Health Care issues for the General Accounting Office), and representatives from Georgetown University, Deaconess Billings Clinic, and the University of Oregon.

June 27, 2001—Hearing: “Prescription for Fraud: Consultants Selling Doctors Bad Billing Advice.” This hearing addressed possible fraud within the Centers for Medicare and Medicaid Services (CMS). The General Accounting Office’s Office of Special Investigations looked into the fraud at the request of Senator Grassley and presented its findings at the hearing. It found (among other things) that consultants were teaching providers how to bill for services never rendered, how to keep overpayments, and how to discriminate against patients with lower paying premiums. Witnesses included representatives from the Office of Special Investigations (General Accounting Office), a private practitioner, CMS, and the Department of Health and Human Services.

Mar. 7, 2002—Hearing: “The Administration’s FY 2003 Budget Proposals for Prescription Drugs.” Administration officials Tom Scully, Administrator of the Centers for Medicare & Medicaid Services (CMS), and Bobby Jindal, HHS Assistant Secretary for Planning and Evaluation, outlined the Administration’s proposals for \$190 billion in new Medicare spending from FY 2002–2011. In addition to a prescription drug benefit and Medicare reform beginning in FY 2006, the Administration proposed: (1) providing drug coverage to low-income Medicare beneficiaries through Medicaid or state pharmacy assistance plans; (2) waivers to allow states to provide Medicaid drug coverage to certain Medicare beneficiaries; (3) a prescription drug discount card program; and (4) an increase in Medicare+Choice funding. Additional witnesses, including Dan Crippen, Director of the Congressional Budget Office, former Senator J. Robert Kerrey, representing the Concord Coalition, and beneficiary advocacy groups testified regarding: prescription drug spending among seniors; perspectives on the need for and design of a new Medicare drug benefit; our Nation’s ability to afford and sustain a new prescription drug benefit; and the current market for drug discount cards.

June 18, 2002—Hearing: “Elder Justice: Protecting Seniors from Abuse and Neglect.” This hearing explored the problem of elder abuse and neglect as a failure of coordination between health care, social services, and law enforcement systems. Witnesses included an advocate for the prevention of elder abuse, an expert on elder treatment in the long-term care setting, a geriatrician, an expert on Adult Protective Services, a law enforcement professional, and an academic who spoke about the gaps in health care, social service, and law enforcement responses to elder abuse and neglect, and the paucity of research on the subject.

June 19, 2002—Members’ Meeting on Medicare Prescription Drugs. This meeting was the first in a series of six meetings aimed at reaching consensus among Finance Committee members on a Medicare prescription drug benefit. Chairman Baucus outlined the agenda for the series of meetings. Committee members de-

bated a possible schedule for action. Members also reviewed several pending proposals, including proposals outlined by Senator Bob Graham and by Ranking Member Grassley.

June 26, 2002—Members’ Meeting on Medicare Prescription Drugs.

This meeting was called to consider options for benefit structures and the appropriate federal cost of a benefit. Chairman Baucus outlined areas of agreement and disagreement. Committee staff provided an overview of current and projected spending on prescription drugs by Medicare beneficiaries, and described sample benefit structures corresponding to different levels of federal spending. Committee members offered their opinions on these and other related issues.

June 27, 2002—Members’ Meeting on Medicare Prescription Drugs.

This meeting continued the discussion of design options for a Medicare prescription drug benefit. The discussion focused on beneficiary and private plan participation under different models, the effect of a Medicare drug benefit on employer-based prescription drug coverage, and the impact of different proposals on prescription drug prices. The Director of the Congressional Budget Office (CBO) answered questions about the cost implications and feasibility of various drug benefit designs and about CBO’s time-frame for providing cost estimates.

July 9, 2002—Members’ Meeting on Medicare Prescription Drugs.

This meeting was called to consider drug benefit delivery models and options for improving the existing cost-sharing structure of Medicare fee-for-service benefits. Committee staff outlined the delivery models employed by pending drug benefit proposals and the role of insurance risk in these models. Members discussed the effect of different delivery models on stability, efficiency, private plan participation, prescription drug prices, and variation in premiums and benefits. Ranking Member Grassley reviewed his proposal for an enhanced Medicare fee-for-service option.

July 10, 2002—Members’ Meeting on Medicare Prescription Drugs.

At this meeting, members continued their discussion about the merits of different delivery models. Chairman Baucus and Ranking Member Grassley presented possible compromise delivery models and members explored additional options for compromise.

July 11, 2002—Members’ Meeting on Medicare Prescription Drugs.

This final meeting was intended to assess the positions of each member of the Finance Committee on issues related to a Medicare prescription drug benefit. Chairman Baucus polled members about their preferences for the over-all federal cost of the benefit and their willingness to compromise on the delivery model. Members also discussed options for a limited benefit aimed only at low-income beneficiaries and beneficiaries with catastrophic drug costs.

#### FULL COMMITTEE FIELD HEARINGS

May 28, 2002—Hearing: “Regulatory Relief for Medicare—The Case for Cutting Red Tape,” Bozeman, Montana. This hearing, which was held in Bozeman, Montana, examined the increase in regulatory burdens on health care providers under the Medicare program. It also examined possible solutions to improving the

management of the Medicare program and reducing regulatory burden.

SUBCOMMITTEE ON HEALTH CARE HEARINGS AND MEETINGS

Mar. 14, 2002—Hearing: “Reimbursement and Access to Prescription Drugs Under Medicare Part B.” This Subcommittee hearing examined problems with the present reimbursement system for prescription drugs covered under Medicare Part B. That system uses a methodology based on drugs’ Average Wholesale Price (AWP). Administration and U.S. General Accounting Office witnesses spoke about various studies indicating that using AWP as a benchmark has resulted in Medicare overpaying substantially for prescription drugs. Other witnesses representing oncologists and cancer patients testified that any change in reimbursement for Medicare Part B drugs should be accompanied by a change in payment for the administration of the drugs, which is presently underpaid by Medicare. They also advocated Medicare coverage for oral anti-cancer drugs.

## **SOCIAL SECURITY**

### **SUMMARY OF ACTIVITIES**

During the 107th Congress, the Committee examined many important issues related to the Social Security program and the Supplemental Security Income program (SSI)—both of which are administered by the Social Security Administration (SSA). The Committee also helped to enact a major reform of the Railroad Retirement Program.

In the first session, Chairman Grassley convened a hearing on improper payments made by the Social Security Administration and the Center for Medicare and Medicaid Services. This hearing highlighted some of the progress the two agencies have made in addressing improper payments, but the hearing also made it clear that substantial progress still needs to occur for both agencies to reduce waste, fraud and abuse to a minimum.

The first session also included the confirmation hearing of Jo Anne Barnhart to be Commissioner of the Social Security Administration. Prior to her nomination, Ms. Barnhart had a strong career of public service—including service as an administrator of large Federal programs and was widely regarded as an expert on many of the administrative issues facing Social Security. During her confirmation hearing, she agreed at—at Senator Baucus' request—to provide within six months an analysis of why disability applicants (for both Social Security and SSI) must wait a long time to become eligible for benefits, and what recommendations she would have for fixing this serious problem. The Committee was pleased to approve her nomination and expedite her confirmation by the full Senate.

In the first session, the Committee also helped to enact a major reform of the Railroad Retirement Program, H.R. 10, The Railroad Retirement and Survivors Improvement Act of 2001.

In the second session, Chairman Baucus held hearings on the Final Report from the President's Commission to Strengthen Social Security. In addition, the Social Security and Family Policy Subcommittee of the Finance Committee held a hearing on protecting Social Security numbers. Both hearings helped to inform committee members about the advantages and disadvantages of various policy options and the associated trade-offs in these policy areas. The Committee was able to move forward in the legislative process with S. 848, legislation dealing with the protection of Social Security numbers.

In the second session, the Committee worked closely with the House Ways and Means Committee to consider two pieces of legislation that had broad bipartisan support. Both bills, H.R. 4069 and H.R. 4070, were passed overwhelmingly by the House of Representatives. The Committee was able to amend H.R. 4070 and pre-conference it with the House Ways and Means Committee staff, and

pass the pre-conferenced version of H.R. 4070 on the floor of the Senate. Unfortunately, the House of Representatives was unable to act on the pre-conferenced Senate-passed legislation before adjourning. The Committee was also able to move H.R. 4069 forward in the legislative process.

Legislative activities related to income security in the 107th Congress centered on reauthorization of the Temporary Assistance for Needy Families (TANF) program. Created in 1996, the TANF program provides assistance to low-income families and moves them off welfare and into work. This program replaced the Aid to Families with Dependent Children program. TANF is a block grant, under which States receive a fixed sum per year and have substantial flexibility in designing welfare-to-work strategies.

The 1996 welfare law funded TANF through FY 2002, meaning a reauthorization was required in 2002 to continue the program in future years. The Finance Committee conducted a series of hearings to assess the progress of welfare reform to date and to solicit advice for improvements to include in reauthorization. There was general agreement that substantial progress had been achieved under the 1996 law. There were also many suggestions for improvements.

While the Finance Committee marked up legislation to reauthorize the TANF program, the bill was not considered by the full Senate prior to the end of the Congress. Funding for the program was continued through the second quarter of fiscal year 2003, with the expectation that funding would be extended through the end of the fiscal year while the Committee continued its activities to reauthorize the program in the 108th Congress.

In addition to TANF, the Committee addressed unemployment compensation. The economic legislation marked up by the Committee in the first session included an extension of unemployment benefits to individuals who had exhausted eligibility for regular unemployment benefits and were still unable to locate work due to the weak economy. An additional extension of benefits was considered at the end of the second session as the initial benefit extension period was set to expire.

#### FULL COMMITTEE HEARINGS AND MEETINGS

Mar. 20, 2001—Joint Hearing with Committee on Ways and Means, “Social Security and Medicare Trustees’ 2001 Annual Reports.” This annual hearing featured an explanation of the Annual Reports by Secretary O’Neill before both Committees. Secretary O’Neill was the only witness.

Oct. 4, 2001—Hearing: “Jo Anne Barnhart to be Commissioner of the Social Security Administration.” The Committee held a hearing on the nomination of Jo Anne Barnhart to be the next commissioner of the Social Security Administration, the federal agency that dispenses more than \$400 billion of benefits each year to 44 million beneficiaries, and employs 65,000 employees. The primary focus of the hearing was the significant challenges facing the Social Security Administration, such as the long delays nationwide for applicants to receive a final decision on disability benefits, inadequate budget and staff to address increasing workloads, failure of the agency to answer a third of the 800 number

service calls, and the potential loss of the agency's most experienced employees over the next 10 years through retirement and attrition. At the request of Senator Baucus, Ms. Barnhart agreed to provide within six months an analysis of why disability applicants (for both Social Security and SSI) must wait a long time to become eligible for benefits, and what recommendations she would have for fixing this serious problem. The hearing also included a brief discussion of President Bush's proposal to divert part of the Social Security payroll tax into individual worker accounts which could be invested in the stock market.

Oct. 3, 2002—Hearing: "Final Report produced by the President's Commission to Strengthen Social Security." This hearing was the first congressional hearing to examine the recommendations made by President Bush's commission. The commission was composed of 16 individuals, eight Republicans and eight Democrats, and was charged to develop a plan to allow workers to divert a portion of their Social Security payroll taxes into private investment accounts. The final report of the commission offered three different models for setting up private accounts. Witnesses at the hearing included Olivia Mitchell, a member of the President's Commission; Social Security financing experts from The Brookings Institution, the CATO Institute, and the Center on Budget and Policy Priorities; a representative from AARP, the President of the National Committee to Preserve Social Security and Medicare, the Executive Director of the Concord Coalition, and a representative from the Consortium for Citizens with Disabilities.

#### SUBCOMMITTEE ON SOCIAL SECURITY AND FAMILY POLICY

July 11, 2002—Hearing: "Protecting the Social Security Number: an issue of Privacy or Security" This hearing was designed to examine some of the policy implications of legislation (S. 848) which dealt with the protection of Social Security numbers from theft and abuse. The legislation was initiated by Senator Feinstein and passed by the Judiciary Committee (of which she is a member) on May 16, 2002. Under a unanimous consent agreement reached by Senators Feinstein and Baucus, the legislation was then immediately referred to the Finance Committee. The Subcommittee on Social Security and Family Policy of the Finance Committee decided to schedule a hearing in order to better inform Committee members and their staffs about the issues related to protecting Social Security numbers. Much of the hearing focused on an approach to protecting Social Security numbers which is to limit the availability and use of Social Security numbers, as proposed in S. 848. In addition, the hearing also discussed proposals that were not in S. 848, such as providing additional protections to Social Security numbers by using a public key encryption or PIN (personal identification number) system.

Witnesses included Senator Gregg, Senator Feinstein, the Deputy Commissioner of the Social Security Administration, the Inspector General of the Social Security Administration; and representatives from LexisNexis and the NCR Corporation. A representative from the Justice Department was present, but did not submit a statement for the hearing.

## WELFARE HEARINGS AND MEETINGS

- Oct. 11, 2001—Hearing: “Strengthening Families Work Place Act of 2001.” A hearing to assess S. 685, the Strengthening Working Families Act, a measure including several provisions intended to assist low-income working families, such as changes to child support distribution rules and efforts to promote responsible fatherhood. Witnesses included representatives of Goodwill, the United Way, Catholic Charities, and the Welfare-to-Work Partnership.
- Mar. 12, 2002—Hearing: “Welfare Reform: What Have We Learned?” This initial hearing for TANF reauthorization assessed the lessons learned since the 1996 welfare reform law was enacted. The testimony was mostly positive about the changes seen under the 1996 law but several suggestions for improvement were made. Witnesses included Tommy Thompson, the Secretary of Health and Human Services.
- Mar. 19, 2002—Hearing: With Health, Labor, Education and Policy Subcommittee: “Supporting Working Families.” A part of the committee consideration of TANF reauthorization, this hearing addressed the child care situation in the United States. Testimony focused on the role of child care in supporting working parents and the adequacy of current federal funding for child care. Witnesses included Wade Horn, an Assistant Secretary of Health and Human Services.
- Apr. 10, 2002—Hearing: “Issues in TANF Reauthorization: Requiring and Supporting Work.” This hearing focused on implementing welfare-to-work programs, such as work requirements within the TANF program and associated measures to assist low-income working families, such as child care or health coverage. Much of the testimony discussed elements of the reauthorization put forward by the Bush Administration and assessed its potential impacts. Witnesses included Governors John Engler (R-MI) and Howard Dean (D-VT) on behalf of the National Governors Association.
- Apr. 25, 2002—Hearing: “Issues in TANF Reauthorization: Helping Hard-to-Employ Families.” Committee consideration of TANF reauthorization sought to address issues concerning families with the most barriers to employment. Testimony at this hearing focused on current state efforts and ways to improve aid to such families as part of TANF reauthorization. Witnesses included Natasha Metcalf, Commissioner of the Tennessee Department of Human Services, on behalf of State welfare program administrators.
- May 16, 2002—Hearing: “TANF Reauthorization: Building Stronger Families.” This hearing addressed elements of TANF reauthorization related to family policy, such as teen pregnancy prevention and marriage promotion programs. Another aspect of welfare reform has been prevention, through efforts to discourage families from becoming in need of cash aid in the first place. The testimony offered suggestions for a variety of steps to improve these preventative efforts. Witnesses included Wade Horn, an Assistant Secretary of Health and Human Services.



## **COMMITTEE ON FINANCE OVERSIGHT ACTIVITIES**

### **FULL COMMITTEE HEARINGS AND MEETINGS**

April 5, 2001—Hearing: “Oversight of the Internal Revenue Service: Taxpayer Beware: Schemes, Scams and Cons.” Highlighted the tax schemes that are being perpetrated on the internet and elsewhere that encourage taxpayers to file frivolous tax returns. Reviewed the effectiveness of IRS efforts to police promoters of tax schemes on the internet.

April 25, 2001—Hearing: “Medicare & SSI Benefits: Turning Off the Spigot to Prisoners, Fugitives, the Deceased and Other Ineligibles.” Looked at improper payments made by the Department of Health and Human Services (HHS) and the Social Security Administration, including mistakes, errors and fraud that result in the loss of billions in government funds. For example, social security checks being sent to deceased individuals, and fugitive felons receiving checks. Reviewed with GAO efforts to provide greater cross communication to address this matter.

June 27, 2001—Hearing: “Prescription for Fraud: Consultants Selling Doctors Bad Billing Advice.” Investigated teaching seminars that taught doctors how to defraud Medicare. Office of Special Investigation (OSI) at General Accounting Office (GAO) conducted undercover investigation of these seminars. Results were provided to the Committee.

**BILLS AND RESOLUTIONS REFERRED TO THE  
COMMITTEE**

There were 1,016 Senate bills and 23 House bills referred to the Committee for consideration during the 107th Congress. In addition, 15 Senate and House resolutions (joint, concurrent or simple resolutions) were referred to the Committee.

## CALENDAR OF HEARINGS

- Jan. 17, 2001 .... Nomination of Paul O'Neill to be Secretary of the U.S. Treasury
- Jan. 18, 2001 .... Nomination of Tommy Thompson to be Secretary of Health and Human Services
- Jan. 30, 2001 .... Nomination of Robert Zoellick to be U.S. Trade Representative
- Feb. 14, 2001 .... Making Education More Affordable: The Tax Code as a Student
- Feb. 27, 2001 .... Globalization and American Trade Policy
- Feb. 28, 2001 .... Nomination of Mark A. Weinberger, to be Assistant Secretary, Department of the Treasury and John M. Duncan, to be Deputy Under Secretary, U.S. Department of Treasury
- Feb. 28, 2001 .... Revenue Proposals and Tax Cuts in the President's Budget
- Mar. 7, 2001 ..... Marginal Rate Reductions
- Mar. 8, 2001 ..... Easing the Family Tax Burden
- Mar. 13, 2001 ... Living without Health Insurance: Who's Uninsured and Why?
- Mar. 14, 2001 ... Encouraging Charitable Giving
- Mar. 15, 2001 ... Preserving and Protecting Family Business Legacies
- Mar. 15, 2001 ... Living Without Health Insurance: Solutions to the Problem
- Mar. 20, 2001 ... Joint Hearing with Committee on Ways and Means on Social Security and Medicare Trustees' 2001 Annual Reports
- Mar. 20, 2001 ... Jordan Free Trade Agreement
- Mar. 22, 2001 ... Prescription Drugs and Medicare
- Mar. 27, 2001 ... Society's Great Challenge: The Affordability of Long-Term Care
- Mar. 28, 2001 ... Preserving and Protecting Main Street USA
- Mar. 29, 2001 ... Debt Reduction
- Mar. 29, 2001 ... Nominations of Kenneth W. Dam to be Deputy Secretary, Department of the Treasury, David Aufhauser, to be General Counsel, Department of the Treasury, Michele A. Davis to be Assistant Secretary, Department of Treasury, and Faryar Shirzad to be Assistant Secretary, Department of Commerce
- Apr. 3, 2001 ..... Medicare and Managed Care: Finding Successful Solutions
- Apr. 4, 2001 ..... International Trade and the American Economy
- Apr. 5, 2001 ..... Oversight of the Internal Revenue Service: Taxpayer Beware
- Apr. 5, 2001 ..... Member's Meeting with the King of Jordan

- Apr. 24, 2001 .... Finding the Right Fit: Medicare, Prescription Drugs and Current Coverage Options
- Apr. 25, 2001 .... Medicare & SSI Benefits: Turning off the Spicot to Prisoners, Fugitives, the Deceased & other ineligible
- Apr. 26, 2001 .... Tax Code Complexity: New Hope for Fresh Solutions
- Apr. 26, 2001 .... Nominations of Grant D. Aldonas to be Under Secretary of Commerce for International Trade, John B. Taylor to be Under Secretary, U.S. Department of the Treasury, and Scott Whitaker to be Assistant Secretary, Department of Health and Human Services
- May 16, 2001 .... Nominations of Claude Allen to be Deputy Secretary of Health and Human Services, Thomas Scully to be Administrator of the Health Care Financing Administration, Piyush Jindal to be Assistant Secretary for Planning and Evaluation, Department of Health and Human Services, Linnett F. Deily to be Deputy United States Trade Representative, Peter Allgeier to be Deputy United States Trade Representative, Peter Fisher to be Under Secretary of Treasury for Domestic Finance, and James Gurule to be Under Secretary of the Treasury for Enforcement
- June 12, 2001 ... Preserving and Protecting our Natural Resources
- June 19, 2001 ... Medicare Governance: Perspectives on the Centers for Medicare and Medicaid Services (formerly HCFA)
- June 20, 2001 ... Fast Track Trade Negotiating Authority
- June 21, 2001 ... Fast Track Trade Negotiating Authority
- June 21, 2001 ... Nominations of Allen Frederick Johnson, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, Executive Office of the President, William Henry Lash, III, to be Assistant Secretary, Department of Commerce, Brian Carlton Roseboro, to be Assistant Secretary, Department of the Treasury, Kevin Keane, to be Assistant Secretary, Department of Health and Human Services, and Wade F. Horn, to be Assistant Secretary for Family Support, Department of Health and Human Services
- June 26, 2001 ... The U.S.-Vietnam Bilateral Trade Agreement
- June 27, 2001 ... Prescription for Fraud: Consultants Selling Doctors Bad Billing Advice
- July 10, 2001 .... The Role of Tax Incentives in Energy Policy, Part I
- July 11, 2001 .... The Role of Tax Incentives in Energy Policy, Part II.
- July 19, 2001 .... Trade Adjustment Assistance
- July 20, 2001 .... International Trade Subcommittee Hearing on Trade Adjustment Assistance

- July 31, 2001 .... Nominations of Alex Azar, II, to be General Counsel of the Department of Health and Human Services, Department of Health and Human Services, Robert C. Bonner, to be Commissioner of Customs, Department of the Treasury, Jon M. Huntsman, Jr., to be Deputy United States Trade Representative, Executive Office of the President, Janet Rehnquist, to be Inspector General, Department of Health and Human Services, and Rosario Marin, to be Treasurer of the United States, Department of the Treasury
- Aug. 1, 2001 ..... Cybershopping and Sales Tax: Finding the Right Mix
- Aug. 3, 2001 ..... International Trade Subcommittee Hearing on Andean Trade Preference Act
- Aug. 24, 2002 .... Field Hearing on The Role of Tax Incentives in Addressing Rural Energy Needs and Conservation
- Oct. 3, 2001 ..... Addressing the Need for an Economic Stimulus Package
- Oct. 4, 2001 ..... Nomination of Jo Anne Barnhart, to be Commissioner, Social Security Administration
- Oct. 11, 2001 ..... Subcommittee on Social Security and Family Policy: Strengthening Families Work Place Act of 2001
- Nov. 15, 2001 .... Nominations of Richard Clarida, to be Assistant Secretary of the Treasury, Department of the Treasury, Kenneth Lawson, to be Assistant Secretary of the Treasury, Department of the Treasury, B. John Williams, Jr., to be Chief Counsel for the Internal Revenue Service, Department of the Treasury, Janet Hale, to be Assistant Secretary of Health and Human Services, Department of Health and Human Services, Joan E. Ohl, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services, James B. Lockhart, III, to be Deputy Commissioner of Social Security, Social Security Administration, and Harold Daub, to be Member of the Social Security Advisory Board, Social Security Administration
- Dec. 19, 2001 .... Nomination of Edward Kingman, to be Assistant Secretary of the Treasury, Department of the Treasury
- Feb. 5, 2002 ..... President's Fiscal Year 2003 Budget and Tax Proposals
- Feb. 6, 2002 ..... Ongoing U.S. Trade Negotiations
- Feb. 13, 2002 .... Sectoral Trade Disputes: Lumber and Steel
- Feb. 14, 2002 .... Subcommittee on Long Term Growth and Debt Reduction: Administration's Request to Increase the Federal Debt Limit
- Feb. 27, 2002 .... Retirement Security: Picking up the Enron Pieces
- Mar. 7, 2002 ..... Bush's Proposal for Medicare Modernization
- Mar. 12, 2002 ... Welfare Reform: What Have We Learned?
- Mar. 14, 2002 ... Subcommittee on Health Care Hearing on Reimbursement and Access to Prescription Drugs Under Medicare Part B
- Mar. 19, 2002 ... Subcommittee on Social Security and Family Policy and Health, Education and Labor Subcommittee Hearing: Supporting Working Families

Mar. 21, 2002 ... Nomination of Randal Quarles, to be Deputy Under Secretary of the Treasury, Department of the Treasury

Mar. 21, 2002 ... Corporate Tax Shelters: Looking Under the Roof

Apr. 10, 2002 .... Issues in TANF Reauthorization: Requiring and Supporting Work

Apr. 11, 2002 .... Schemes, Scams and Cons, Part II: The IRS Strikes Back

Apr. 18, 2002 .... Corporate Governance and Executive Compensation

Apr. 25, 2002 .... Subcommittee Hearing on Issues in TANF Reauthorization: Helping Hard-to-Employ Families

May 9, 2002 ..... Revenue Issues Related to the Highway Trust Fund

May 14, 2002 .... Joint Committee on Taxation: To Convene a Joint Review of the Strategic Plans and Budget of IRS

May 16, 2002 .... TANF Reauthorization: Building Stronger Families

May 28, 2002 .... Field Hearing on Regulatory Relief for Medicare: The Case for Cutting Red Tape

June 4, 2002 ..... Small Business and Rural Economic Development

June 18, 2002 ... Elder Justice: Protecting Seniors for Abuse and Neglect

June 27, 2002 ... Nomination of Charlotte Lane, to be a Member of the United States International Trade Commission

July 11, 2002 .... Subcommittee on Social Security Hearing on Protecting the Social Security: An Issue of Privacy or Security

July 16, 2002 .... Homeland Security and International Trade

July 17, 2002 .... Schemes, Scams and Cons, Part IV: Fuel Tax Fraud

July 30, 2002 .... The Role of the Extraterritorial Income Exclusion Act in the International Competitiveness of U.S. Companies

Aug. 1, 2002 ..... Nomination of Pamela Olson, to be Assistant Secretary of the Treasury

Oct. 3, 2002 ..... Final Report produced by the President's Commission to Strengthen Social Security

Oct. 9, 2002 ..... The Financial War on Terrorism: New Money Trails Present Fresh Challenges

## FULL COMMITTEE LEGISLATIVE ACTIVITIES

H.R. 1836, Economic Growth and Tax Relief Reconciliation Act of 2001 (“EGTRRA”) included marginal income tax rate relief for all Federal income tax payers. Also included were broad-based tax relief measures for families, including marriage penalty relief, an expansion of the child tax credit, dependent care tax credit, adoption tax credit, and other measures. This legislation also provided relief from the burden of Federal estate, gift, and generation skipping transfer taxes. This legislation included a comprehensive package of tax incentives for retirement security. Finally, a package of tax relief measures directed at the rising cost of education for parents and students was included.

H.R. 3090, The Restoring Earnings to Lift Individuals and Empower Families Act of 2001 included provisions to provide health insurance for displaced workers. The bill would provide a temporary 75 percent premium subsidy for displaced workers eligible for COBRA coverage. Such subsidies would be available for up to 12 months. In addition, the bill included a temporary state option to provide Medicaid coverage to workers laid off after September 11, 2001 who are not eligible for COBRA. States choosing this option would receive the enhanced S-CHIP matching rate. The bill also provided temporary fiscal relief to states through a temporary increase in the federal Medicaid matching rate (FMAP). States in which the federal matching rate fell in fiscal year 2002 would be “held harmless” and retain their fiscal year 2001 matching rate. All states would receive a federal Medicaid matching rate increase of 1.0 percent, while states with higher than average unemployment rates over the previous three months would receive an additional 1.0 percent increase in the matching rate. In exchange for these increases, states would maintain current Medicaid eligibility levels.

The stimulus bill marked up in the Committee also included provisions to create a temporary program of extended unemployment benefits. The bill would provide unemployment benefits to those individuals who had exhausted eligibility for regular unemployment benefits and were still unable to locate work, due to the weak economy. In addition, the bill included provisions to provide unemployment compensation, on a temporary basis, to those who are currently ineligible due to antiquated rules concerning part-time work and benefit periods. It also included a provision to provide a temporary federal supplement to regular unemployment benefits of 15 percent or \$25 per week, whichever is greater. These provisions were also intended to stimulate the economy through assistance to families likely to spend it immediately. The Committee favorably reported the bill on November 8, 2001. A provision creating the extended benefits program, but not the

health subsidies or further changes to the unemployment compensation program, was signed into law on March 9, 2002.

*S. 1979, Energy Tax Incentives Act of 2002*

The Committee reported S. 1979, the Energy Tax Incentives Act of 2002, to the full Senate on February 13, 2002. The bill included tax incentives for the production of electricity from renewable resources, alternative vehicles and fuels, application of clean coal technologies, energy gas properties, and it modified tax rules governing nuclear decommissioning funds. The bill also changed the tax law regarding the sale of electricity transmission assets related to electricity restructuring.

*S. 2498, Tax Shelter Transparency Act*

Tax Shelter Transparency Act, S. 2498, was reported to the full Senate on June 18, 2002 by Senate Report 107–198. The identical legislation was also included in the Charity Aid, Recovery and Empowerment Act (CARE) Act of 2002, reported to the full Senate on June 18, 2002 by Senate Report 107–211. S. 2498 contains a number of provisions designed to reinforce the Treasury Department's new tax shelter disclosure initiative by encouraging greater disclosure to IRS up-front and imposing increased penalties on taxpayers and promoters that fail to properly notify the IRS of these transactions.

*S. 2119, Reversing the Expatriation of Profits Offshore Act*

S. 2119, Reversing the Expatriation of Profits Offshore (REPO) Act, was reported to the full Senate on June 18, 2002 by Senate Report 107–188. The identical legislation was also included in the Charity Aid Recovery and Empowerment (CARE) Act of 2002, also reported to the full Senate on June 18, 2002 by Senate Report 107–211. S. 2119 takes action to curtail the benefits of inversion transactions by providing for the tax treatment of inverted corporate entities. The bill defines two different types of corporate inversion transactions and establishes a different set of consequences for each type.

*S. 1971, National Employee Savings and Trust Equity Guarantee Act*

The Committee marked up S. 1971, the National Employee Savings and Trust Equity Guarantee Act, on July 11, 2002, and ordered the bill, as amended, favorably reported by voice vote. The bill amends the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act. Assets are adequately diversified and by providing workers with adequate access to, and information about, their pension plans, and for other purposes.

*H.R. 5063, Armed Forces Tax Fairness Act of 2002*

*S. 763, Affordable Education Act of 2001*

This legislation provided tax relief for parents and students directed at the rising cost of education. These measures were included, in H.R. 1836, the Economic Growth and Tax Relief Reconciliation Act of 2001.



*S.J. Res. 16, U.S. Bilateral Trade Agreement*

U.S.-Vietnam Bilateral Trade Agreement (S.J. Res. 16, reported to the full Senate on 7/27/01 by Senate Report 107-49; final Senate action taken on H.J. Res. 51, the House counterpart)—Implementing the bilateral trade agreement signed by the United States and the Socialist Republic of Vietnam on July 13, 2000, by approving the extension of nondiscriminatory treatment to products imported into the United States from Vietnam. The joint resolution passed the Senate on October 3, 2001, and was signed by the President on October 16, 2001.

*S.643, U.S.-Jordan free Trade*

U.S.-Jordan Free Trade Agreement Implementation Act (S. 643, reported to the full Senate on 9/04/01 by Senate Report 107-59; final Senate action taken on H.R. 2603, the House counterpart)—Implementing the U.S.-Jordan Free Trade Agreement signed on October 24, 2000 and making necessary conforming changes to U.S. law. The bill passed the Senate on September 24, 2001, and was signed by the President on Sept. 28, 2001.

*An Original Committee Resolution Calling for an investigation of the importation of certain steel products*

Original Committee Resolution on Steel (unnumbered, adopted by the Committee on 7/26/01)—Requiring the International Trade Commission to institute a global safeguard investigation of imports of certain steel products pursuant to section 201 of the Trade Act of 1974. As prescribed in section 202(b)(1)(A) of the Trade Act of 1974, this original committee resolution was effective upon its adoption by the Committee and did not require action by the full Senate.

*H.R. 3009, Andean Trade Preference Act*

Andean Trade Preferences Act (H.R. 3009, reported to the full Senate on 12/14/01 by Senate Report 107-126; final Senate action taken on H.R. 3009, which incorporated the House counterpart to the Committee's reported bill)—Reauthorizing and expanding the trade preferences first granted in 1991 to the four Andean countries (Bolivia, Colombia, Ecuador, and Peru). The bill passed the Senate as part of H.R. 3009, the Trade Act of 2002, on May 23, 2002, the Conference Report was agreed to in the Senate on August 1, 2002, and the bill was signed by the President on August 6, 2002.

*S. 1209, Trade Adjustment Assistance Act*

Trade Adjustment Assistance for Workers, Farmers, Fishermen, Communities, and Firms Act (S. 1209, reported to the full Senate on 2/04/02 by Senate Report 107-134; final Senate action taken on H.R. 3009, which incorporated the House counterpart to the Committee's reported bill)—Reauthorizing the trade adjustment assistance program for five years, making various improvements to the operation of the current program, and extending trade adjustment assistance benefits to additional classes of trade-impacted workers. The Trade Adjustment Assistance (TAA) provisions of the Trade Bill of 2002 include health care coverage for displaced workers for

the first time in the program's history. The bill passed the Senate as part of H.R. 3009, the Trade Act of 2002, on May 23, 2002, the Conference Report was agreed to in the Senate on August 1, 2002, and the bill was signed by the President on August 6, 2002.

*H.R. 3005, Bipartisan Trade Promotion Authority Act of 2001*

Bipartisan Trade Promotion Authority Act of 2001 (H.R. 3005, reported to the full Senate on 2/28/02 by Senate Report 107-139)—Granting fast-track trade negotiating authority to the President, establishing procedures for the operation of such authority, and setting for the negotiating objectives of the United States in negotiations conducted pursuant to such authority. The bill passed the Senate as part of H.R. 3009, the Trade Act of 2002, on May 23, 2002, the Conference Report was agreed to in the Senate on August 1, 2002, and the bill was signed by the President on August 6, 2002.

*H.R. 7, Charity, Aid, Recovery and Empowerment Act of 2002*

The CARE Act provided tax incentives to encourage greater charitable giving. The legislation included: a limited charitable deduction for taxpayers who do not submit an itemized tax return; improved treatment of charitable donations of Individual Retirement Accounts (IRAs); tax incentives to increase the donation of food and books; and, changes in the tax code to encourage gifts and sales of land for conservation purposes.

The CARE Act included other measures to provide additional resources to faith-related social service organizations. First, the legislation restored State authority to transfer up to ten percent of TANF funds to carry out State programs under SSA title XX (Block Grants to States for Social Services). Second, the provision increased SSBG funding in fiscal years 2003 and 2004. And finally, the bill required the Secretary of Health and Human Services to submit annual reports on SSBG expenditures to the Congress. The bill was marked up in Committee on June 13, 2002.

*H.R. 4737, Work, Opportunity and Responsibility for Kids Act of 2002*

After a series of hearings at the Full Committee and Subcommittee levels, the Finance Committee approved the WORK Act on June 26, 2002, which would continue the Temporary Assistance for Needy Families (TANF) program through FY 2007. The WORK Act improved the TANF program by increasing the work participation standards States are required to meet and providing States additional options in designing welfare-to-work programs. It required States to move towards "universal engagement" of welfare recipients so that every adult receiving aid would have a plan for moving off of welfare. It also increased funding for child care assistance, a crucial part of welfare reform. In addition, the WORK Act contained reforms of child support distribution rules and continued transitional Medicaid coverage for those leaving welfare for work. While the Finance Committee approved the legislation on June 26, 2002, it was not considered by the full Senate prior to the end of the Congress. As with many government programs, TANF funding for FY 2003 was provided through continuing resolutions.

*S. 321, Family Opportunity Act*

The Family Opportunity Act (S. 321) would expand eligibility and benefits for disabled children under the Medicaid program. Specifically, the bill would give states the option of providing coverage to certain children who meet the disability standard used in the Supplemental Security Income (SSI) program, but who are ineligible for SSI benefits because they do not meet that program's income or asset requirements. The bill would also allow states to provide home and community-based services to individuals under age 21 who need inpatient psychiatric hospital services, and would extend eligibility to SSI recipients under age 21 during the month they apply for SSI benefits. Finally, the bill would appropriate \$12 million to establish health information centers for families with disabled children. The Committee favorably reported the bill on July 11, 2002.

*S. 724, Mothers and Newborns Health Insurance Act of 2002*

The Mothers and Newborns Health Insurance Act of 2002 (S.724) would allow states to provide health insurance coverage to pregnant women under the State Children's Health Insurance Program (S-CHIP). The bill would provide \$200 million annually for states to provide pregnancy related benefits (including 60 days of postpartum care) under S-CHIP or Medicaid to women with incomes from 185 percent of the federal poverty level up to the income limits applied to children under the S-CHIP program. Any child born to a woman covered under this program would be automatically covered under S-CHIP for one year. States would receive the higher S-CHIP matching rate for beneficiaries of this program. The Committee favorably reported the bill on July 11, 2002.

*S. 942, TANF Reauthorization*

The TANF program created by the 1996 welfare reform law included a funding stream to address inequities in the allocation of TANF funds by state. These "supplemental grants" were only funded through FY 2001, while the rest of TANF was funded through FY 2002, because of financial limitations in 1996. The TANF Supplemental Grants Act continued funding for the grants for FY 2002. It was approved by the Finance Committee during the meeting of July 17 and July 26, 2001, and approved by the Senate on December 8, 2001.

*S. 3233*

The Administrative Simplification Compliance Act extended the deadline for compliance with the Electronic Health Care Transactions and Code Sets standards mandated by the Health Insurance Portability and Accountability Act of 1996. The deadline for all covered health care providers and health plans was extended by one year to October 16, 2003 except for small health plans (whose compliance date was already October 16, 2003). This bill requires covered entities must submit a compliance plan to the Centers for Medicare and Medicaid Services by October 15, 2002 in order to receive the extension. This bill was discharged from the Senate Finance Committee on November, 27, 2001 and signed into law on December 27, 2001.

*S. 3448*

The Public Health Security and Bioterrorism Preparedness Act of 2002 included language that modified two provisions of the Medicare+Choice program. Prior to enactment of this bill, Medicare+Choice plans were required to submit their Adjusted Community Rate (ACR) filings to CMS by no later than July 1 of each year. A lock-in requirement, which limited Medicare+Choice plan enrollees' ability to switch plans mid-year, was scheduled to be implemented in 2002. This bill changed the ACR filing deadline to the second Monday in September for benefit years 2003–2005, and it delayed implementation of the lock-in requirement for three years. This bill was signed into law on June 12, 2002.

*H.R. 5738, To amend the Public Health Service Act with respect to special diabetes programs for Type I diabetes and Indians*

The Special Diabetes Programs have historically fallen under the jurisdiction of the Finance Committee. H.R. 5738 extended both the Special Diabetes Program for Indians and the Special Diabetes Program for Type I Diabetes for five years and increased the funding for each program to \$150 million per year. This legislation passed the Senate on November 20, 2002 and was signed into law on December 17, 2002.

*H.R. 10—The Railroad Retirement and Survivors' Improvement Act of 2001*

H.R. 10 modified the federally administered railroad retirement system by increasing benefits (including providing higher annuities for retirees' surviving spouses, reducing the age of retirement for eligibility for Tier II railroad pensions, and reducing the vesting period), reducing payroll tax burdens (with future automatic tax rate adjustments if the value of pension assets does not do as well as expected), and allowing professionally managed diversified investment of Railroad Retirement pension assets through an investment trust in order to produce higher future investment returns.

The original House bill, H.R. 1140, was passed by the House of Representatives on July 31, 2001 by a vote of 384–33. Later in the session, the full Senate took up an unrelated bill, H.R. 10, and substituted the text of H.R. 1140 for the text of H.R. 10. The text of H.R. 1140 was then open to amendment. This bill was managed on the floor by Senator Baucus and passed the Senate on December 5, 2001 by a vote of 90 to 9. The House passed the Senate-passed bill by a vote of 369–33 on December 11, 2001. The President signed the bill into law on December 21, 2001.

*S. 848—Social Security Number Misuse Prevention Act of 2002*

With regard to the Social Security number, this bill would prohibit the sale, purchase, or display of a Social Security number to the general public without the individual's consent, with exceptions for legitimate business and government activity; prohibit the release of certain key public records to the general public unless Social Security numbers are first redacted (this provision applies only to records created after the bill is enacted); require Social Security numbers to be removed from government checks, drivers licenses, and motor vehicle registrations; prohibit the employment of pris-

oners in any capacity that would give them access to Social Security numbers; make it a crime to obtain an SSN for the purpose of locating or identifying a person with the intent to physically harm that person; give consumers the right to refuse to give out their Social Security numbers when purchasing a good or service from a commercial entity, unless the entity has a legitimate need as specified in the law; and create new civil monetary penalties, criminal penalties, and civil actions to help prevent misuse of Social Security numbers. In addition, the bill requires all new credit card payment processing machines to truncate the credit card account numbers to the last five digits on the printed receipt.

This bill was introduced by Senators Feinstein and Gregg on May 9, 2001. The bill was reported by the Judiciary Committee May 16, 2002 and then referred to the Finance Committee. The Finance Committee held a hearing on the legislation and related matters on July 11, 2002. After a long series of discussions and negotiations with Senator Feinstein and other interested parties, the Finance Committee developed a compromise version of S. 848.

In order to move this legislation forward expeditiously, Senator Feinstein and Senator Gregg introduced the substitute for S. 848 as new legislation (S. 3100, see below) on October 10, 2002 with Senator Baucus as an original cosponsor.

*H.R. 4069—Social Security Benefit Enhancements for Women Act of 2002*

This bill would allow more disabled widows to qualify for benefits, eliminate benefit reductions for widows whose husbands die shortly after receiving Social Security benefits for early retirement, and allow elderly, divorced women to receive benefits sooner when their former husbands remarry.

The House passed this bill on May 14, 2002 by a vote of 418–0. The bill was sent to the Senate and referred to the Finance Committee. On October 1, 2002, on the Senate floor, a unanimous consent request was made to have the Senate Finance Committee be discharged of further consideration of the bill and to have the Senate proceed to its consideration and pass it. However, there was an objection to the unanimous consent request.

*S. 3100—Social Security Number Misuse Prevention Act of 2002*

This bill is the Finance Committee substitute for S. 848 (see above). The bill retains the basic structure and objectives of the Judiciary Committee-reported bill, but makes several substantive changes, additions and deletions to improve the original bill. S. 3100 makes clear that it is permissible to sell, purchase or display Social Security numbers for any legitimate use required, authorized or excepted by any Federal law; stops new public records containing Social Security numbers from being posted on the Internet and calls for a study by the General Accounting Office of issues pertaining to the display of Social Security numbers on any public records; permits State Attorneys General to enforce the new “right to refuse” to provide a Social Security number, but prohibits class action lawsuits to enforce this new “right;” sunsets the “right to refuse” after six years, and calls for a report by the Attorney Gen-

eral—six months after the sunset—regarding the effectiveness of this “right to refuse” and whether it should be reauthorized.

This bill was introduced on October 10, 2002. Senator Baucus used procedures in Rule XIV of the Senate to have S. 3100 placed on the Senate Calendar, rather than have it referred to Committee. Once on the calendar, the bill would be eligible to be called up for debate by the entire Senate, but no further action occurred on the bill.

*H.R. 4070—The Social Security Program Protection Act of 2002*

On November 18, 2002, the Senate passed H.R. 4070 by unanimous consent. H.R. 4070—as passed—would make a number of important changes to the Social Security and Supplemental Security Income (SSI) programs.

First, the legislation would increase requirements for the Social Security Administration (SSA) to provide restitution to beneficiaries when representative payees defraud their beneficiaries of benefits. The legislation would also tighten the qualifications for representative payees, increase oversight of the representative payee program, and impose stricter penalties on those representative payees who violate their responsibilities.

The legislation would also expand protection to seniors and disabled individuals by increasing the list of references to Social Security, Medicare and Medicaid which cannot be used by private-sector individuals, companies and organizations to give a false impression of federal endorsement. The legislation would also protect seniors from those who would deceptively attempt to charge them for services that the seniors could receive for free from SSA.

The legislation would improve program integrity by prohibiting the payment of Title II Social Security benefits to fugitive felons. The bill included a program integrity provision which would give the SSA Inspector General additional tools to pursue individuals who commit fraud by concealing work activity while they are receiving Social Security and SSI disability benefits. The legislation also included a provision to eliminate a loophole regarding the Government Pension Offset.

The legislation would impose a cap of \$75 on the 6.3 percent assessment on fees paid to attorneys who represent Title II disability beneficiaries and approved and withheld from the benefits of such beneficiaries by SSA. The cap would be indexed for inflation. The legislation requested the General Accounting Office to conduct a study of claimant representation in the Social Security and Supplemental Security Income programs. The study would include an evaluation of the potential advantages and disadvantages of extending the fee withholding process to non-attorney representatives.

H.R. 4070 also includes technical amendments to improve the effectiveness of the “Ticket to Work and Work Incentives Improvement Act,” legislation passed in 1999 to help beneficiaries with disabilities become employed and move toward self-sufficiency. In addition, the legislation included four technical refinements to the Railroad Retirement and Survivors’ Improvement Act of 2001.

The original House bill passed the House of Representatives on June 26, 2002 by a vote of 425–0. The Senate Finance Committee

staff pre-conferenced the bill with the staff from the House Ways and Means Committee. The bill was changed to reflect the pre-conference agreement. The bill was taken up on the Senate floor and passed by unanimous consent on November 18, 2002. The House of Representative did not act on the Senate-passed bill before adjourning.

## **FULL COMMITTEE BUSINESS MEETINGS**

*February 28, 2001*

The Committee held an organizational meeting where it took action on the following business items:

- Committee Funding Resolution
- Committee Rules
- Adoption of Subcommittees
- Designation of Committee Members to Serve on the Joint Committee on Taxation
- Designation of Committee Members to Serve as Congressional Advisors on Trade Policy and Negotiations
- Nominations of John Duncan to be Assistant Secretary of the Treasury for Legislative Affairs, Department of the Treasury and Mark Weinberger to be Assistant Secretary of the Treasury for Tax Policy, Department of the Treasury

*March 13, 2001*

The Committee ordered favorably reported the following business items:

- S. 763, Affordable Education Act of 2001

*May 1, 2001*

The Committee ordered favorably reported the following business items:

- The Nominations of Grant Aldonas to be Under Secretary of Commerce for International Trade, Department of Commerce; John B. Taylor to be Under Secretary of Treasury for International Affairs, Department of the Treasury; Scott Whitaker to be Assistant Secretary of Health and Human Services for Legislation, Department of Health and Human Services; Kenneth Dam to be Deputy Secretary of the Treasury, Department of the Treasury; David Aufhauser to be General Counsel, Department of the Treasury; and Faryar Shirzad to be Assistant Secretary of Commerce, Department of Commerce.

*May 15, 2001*

The Committee ordered favorably reported the following business items:

- H.R. 3090, Restoring Earnings to Lift Individuals and Empower Families Act of 2001

*May 24, 2001*

The Committee ordered favorably reported the following business items:



The Nominations of Claude Allen to be Deputy Secretary, Department of Health and Human Services; Thomas Scully to be Administrator of the Health Care Financing Administration, Department of Health and Human Services; Piyush Jindal to be Assistant Secretary for Planning and Evaluation, Department of Health and Human Services; Peter Fisher to be Under Secretary for Domestic Finance, Department of the Treasury; and James Gurule to be Under Secretary for the Treasury for Enforcement, Department of the Treasury.

*July 17, 2001 and July 26, 2001*

The Committee ordered favorably reported the following business items:

The organization of the Committee for the 107th Congress, including Subcommittee Membership, Joint Tax Membership, and Trade Membership.

The Nominations of Wade Horn, to be Assistant Secretary of HHS for Family Support, William Lash, III, to be Assistant Secretary, Department of Commerce, Allen Johnson, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, Brian Roseboro, to be Assistant Secretary of Financial Markets, Department of the Treasury, and Kevin Keane, to be Assistant Secretary for Public Affairs of HHS; S.J. Res 16, U.S. Bilateral Trade Agreement; S. 942, TANF Reauthorization; S. 643, U.S.-Jordan Free Trade; An Original Committee Resolution calling for an investigation of the importation of certain steel products

*November 1, 2001*

The Committee ordered favorably reported the following business items:

The Nomination of Jo Anne Barnhart, to be Commissioner of the Social Security Administration  
S. 942, TANF Supplement Grant program for one year

*November 8, 2001*

The Committee ordered favorably reported the following business items:

S. 3090, Economic Recovery and Assistance for American Workers Act of 2001

*November 29, 2001 and December 4, 2001*

The Committee ordered favorably reported the following business items:

S. 525, The Andean Trade Preference Act  
S. 1209, Trade Adjustment Assistance Act

*December 12, 2001 and December 18, 2001*

The Committee ordered favorably reported the following business items:

H.R. 3005, Bipartisan Trade Promotion Authority Act of 2001  
The Nominations of Richard Clarida, to be Assistant Secretary of Treasury for Economic Policy, Kenneth Lawson, to be Assistant Secretary of Treasury for Enforcement, B. John Wil-

liams, Jr., to be Chief Counsel, Assistant General Counsel for the IRS, Janet Hale, to be Assistant Secretary of HHS for Management and Budget, Joan Ohl, to be Commissioner of Children, Youth and Family Administration, HHS, James Lockhart, III, to be Deputy Commissioner of the Social Security Administration, and Harold Daub, to be a Member of the Social Security Advisory Board.

*February 13, 2002*

The Committee ordered favorably reported the following business items:

S. 1979, Energy Tax Incentives Act of 2002

*June 13, 2002 and June 18, 2002*

The Committee ordered favorably reported the following business items:

H.R. 7, Charity Aid, Recovery & Empowerment Act of 2002

S. 2498, Tax Shelter Transparency Act

S. 2119, Reversing the Expatriation of Profits Offshore Act

*June 26, 2002*

The Committee ordered favorably reported the following business items:

H. R. 4737, Work, Opportunity, and Responsibility for Kids Act of 2002

*July 11, 2002*

The Committee ordered favorably reported the following business items:

S. 321, Family Opportunity Act

S. 724, Mothers and Newborns Health Insurance Act of 2002

S. 1971, National Employee Savings and Trust Equity Guarantee Act.

*August 1, 2002*

The Committee ordered favorably reported the following business items:

The Nomination of Pamela Olson, to be Assistant Secretary of Treasury for Tax Policy.

*September 5, 2002 and September 12, 2002*

The Committee ordered favorably reported the following business items:

H.R. 5063, Armed Services Tax Fairness Act of 2002.

## CALENDAR OF NOMINATIONS

Jan. 5, 2001

**Frazier, Gregory M.**, of Kansas, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, to which position he was appointed during the last recess of the Senate.

Jan. 5, 2001—Received in the Senate and referred to the Committee on Finance.

Mar. 19, 2001—Received message of withdrawal of nomination from the President.

Jan. 5, 2001

**Devaney, Dennis M.**, of Michigan, to be a Member of the United States International Trade Commission for a term expiring December 16, 2009, vice Thelma J. Askey, term expired, to which position he was appointed during the last recess of the Senate.

Jan. 5, 2001—Received in the Senate and referred to the Committee on Finance.

Mar. 19, 2001—Received message of withdrawal of nomination from the President.

Jan. 20, 2001

**Thompson, Tommy G.**, of Wisconsin, to be Secretary of Health and Human Services.

Jan. 20, 2001—Received in the Senate and referred to the Committee on Finance.

Jan. 23, 2001—Senate Committee on Finance discharged by Unanimous Consent.

Jan. 23, 2001—Placed on Senate Executive Calendar. Calendar No. 11.

Jan. 24, 2001—Confirmed by the Senate by Yea-Nay Vote. 100–0. Record Vote Number: 4.

Jan. 29, 2001

**Zoellick, Robert B.**, of Virginia, to be United States Trade Representative, with the rank of Ambassador Extraordinary and Plenipotentiary.

Jan. 29, 2001—Received in the Senate and referred to the Committee on Finance.

Jan. 30, 2001—Committee on Finance. Hearings held.

Feb. 6, 2001—Senate Committee on Finance discharged by Unanimous Consent. Agreement of February 1, 2001.

Feb. 6, 2001—Considered by Senate pursuant to the order of February 1, 2001.

Feb. 6, 2001—Confirmed by the Senate by Yea-Nay Vote. 98–0. Record Vote Number: 9.

Feb. 26, 2001

**Weinberger, Mark A.**, of Maryland, to be an Assistant Secretary of the Treasury, vice Jonathan Talisman, resigned.

Feb. 26, 2001—Received in the Senate and referred to the Committee on Finance.

Feb. 28, 2001—Committee on Finance. Ordered to be reported favorably.

Feb. 28, 2001—Reported to the Senate by Mr. Grassley.

Feb. 28, 2001—Placed on Senate Executive Calendar. Calendar No. 17. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Mar. 1, 2001—Confirmed by the Senate by Voice Vote.

Feb. 28, 2001

**Aufhauser, David**, of the District of Columbia, to be General Counsel for the Department of the Treasury, vice Neal S. Wolin, resigned.

Feb. 27, 2001—Received in the Senate and referred to the Committee on Armed Services.

Feb. 28, 2001—Received in the Senate and referred to the Committee on Finance.

Mar. 29, 2001—Committee on Finance. Hearings held.

May 1, 2001—Committee on Finance. Ordered to be reported favorably.

May 1, 2001—Reported to the Senate by Mr. Grassley.

May 1, 2001—Placed on Senate Executive Calendar. Calendar No. 58. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

May 26, 2001—Confirmed by the Senate by Voice Vote.

Feb. 28, 2001

**Duncan, John M.**, of the District of Columbia, to be a Deputy Under Secretary of the Treasury, vice Ruth Martha Thomas.

Feb. 28, 2001—Received in the Senate and referred to the Committee on Finance.

Feb. 28, 2001—Committee on Finance. Ordered to be reported favorably.

Feb. 28, 2001—Reported to the Senate by Mr. Grassley.

Feb. 28, 2001—Placed on Senate Executive Calendar. Calendar No. 18. Subject to nominee's commitment to respond to re-

quests to appear and testify before any duly constituted committee of the Senate.

Feb. 28, 2001—Confirmed by the Senate by Yea-Nay Vote. 94–0. Record Vote Number: 14.

Mar. 8, 2001

**Dam, Kenneth W.**, of Illinois, to be Deputy Secretary of the Treasury, vice Stuart E. Eizenstat, resigned.

Mar. 8, 2001—Received in the Senate and referred to the Committee on Finance.

Mar. 29, 2001—Committee on Finance. Hearings held.

May 1, 2001—Committee on Finance. Ordered to be reported favorably.

May 1, 2001—Reported to the Senate by Mr. Grassley.

May 1, 2001—Placed on Senate Executive Calendar. Calendar No. 59. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Aug. 3, 2001—Confirmed by the Senate by Voice Vote.

Mar. 22, 2001

**Shirzad, Faryar**, of Virginia, to be an Assistant Secretary of Commerce, vice Troy Hamilton Cribb, resigned.

Mar. 22, 2001—Received in the Senate and referred to the Committee on Finance.

Mar. 29, 2001—Committee on Finance. Hearings held.

May 1, 2001—Committee on Finance. Ordered to be reported favorably.

May 1, 2001—Reported to the Senate by Mr. Grassley.

May 1, 2001—Placed on Senate Executive Calendar. Calendar No. 62. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

May 1, 2001—Confirmed by the Senate by Voice Vote.

Mar. 22, 2001

**Davis, Michele A.**, of Virginia, to be an Assistant Secretary of the Treasury, vice Michelle Andrews Smith, resigned.

Mar. 22, 2001—Received in the Senate and referred to the Committee on Finance.

Mar. 29, 2001—Committee on Finance. Hearings held.

May 1, 2001—Committee on Finance. Ordered to be reported favorably.

May 1, 2001—Reported to the Senate by Mr. Grassley.

May 1, 2001—Placed on Senate Executive Calendar. Calendar No. 60. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Aug. 3, 2001—Confirmed by the Senate by Voice Vote.

Mar. 29, 2001

**Aldonas, Grant D.**, of Virginia, to be Under Secretary of Commerce for International Trade, vice Robert S. LaRussa.

Mar. 29, 2001—Received in the Senate and referred jointly to the Committees on Banking, Housing, and Urban Affairs; Finance.

Apr. 24, 2001—Committee on Banking, Housing, and Urban Affairs. Hearings held.

Apr. 26, 2001—Committee on Finance. Hearings held.

May 1, 2001—Committee on Finance. Ordered to be reported favorably.

May 1, 2001—Reported to the Senate by Mr. Grassley.

May 10, 2001—Committee on Banking, Housing, and Urban Affairs. Ordered to be reported favorably.

May 10, 2001—Reported to the Senate by Senator Gramm, Committee on Banking, Housing, and Urban Affairs, without printed report.

May 10, 2001—Placed on Senate Executive Calendar. Calendar No. 74. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

May 10, 2001—Confirmed by the Senate by Voice Vote.

Apr. 4, 2001

**Taylor, John B.**, of California, to be an Under Secretary of the Treasury, vice Timothy F. Geithner.

Apr. 4, 2001—Received in the Senate and referred to the Committee on Finance.

Apr. 26, 2001—Committee on Finance. Hearings held.

May 1, 2001—Committee on Finance. Ordered to be reported favorably.

May 1, 2001—Reported to the Senate by Mr. Grassley.

May 1, 2001—Placed on Senate Executive Calendar. Calendar No. 61. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

May 26, 2001—Confirmed by the Senate by Voice Vote.

Apr. 6, 2001

**Jindal, Piyush**, of Louisiana, to be an Assistant Secretary of Health and Human Services, vice Margaret Ann Hamburg, resigned.

Apr. 6, 2001—Received in the Senate and referred to the Committee on Finance.

May 16, 2001—Committee on Finance. Hearings held.

May 24, 2001—Reported to the Senate by Mr. Grassley.

May 24, 2001—Placed on Senate Executive Calendar. Calendar No. 157. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

May 25, 2001—Confirmed by the Senate by Voice Vote.

Apr. 6, 2001

**Horn, Wade F.**, of Maryland, to be Assistant Secretary for Family Support, Department of Health and Human Services, vice Olivia A. Golden, resigned.

Apr. 6, 2001—Received in the Senate and referred to the Committee on Finance.

June 21, 2001—Committee on Finance. Hearings held.

July 17, 2001—Committee on Finance. Ordered to be reported favorably.

July 17, 2001—Reported to the Senate by Mr. Grassley.

July 17, 2001—Placed on Senate Executive Calendar. Calendar No. 235. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

July 25, 2001—Considered by Senate pursuant to the order of July 24, 2001.

July 25, 2001—Confirmed by the Senate by Voice Vote.

Apr. 6, 2001

**Whitaker, Scott**, of Virginia, to be an Assistant Secretary of Health and Human Services, vice Richard J. Tarplin, resigned.

Apr. 6, 2001—Received in the Senate and referred to the Committee on Finance.

Apr. 26, 2001—Committee on Finance. Hearings held.

May 1, 2001—Committee on Finance. Ordered to be reported favorably.

May 1, 2001—Reported to the Senate by Mr. Grassley.

May 1, 2001—Placed on Senate Executive Calendar. Calendar No. 63. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

May 1, 2001—Confirmed by the Senate by Voice Vote.

Apr. 23, 2001

**Allgeier, Peter F.**, of Virginia, to be a Deputy United States Trade Representative, with the rank of Ambassador, vice Richard W. Fisher, resigned.

Apr. 23, 2001—Received in the Senate and referred to the Committee on Finance.

May 16, 2001—Committee on Finance. Hearings held.

May 26, 2001—Senate Committee on Finance discharged by Unanimous Consent.

May 26, 2001—Confirmed by the Senate by Voice Vote.

Apr. 25, 2001

**Allen, Claude A.**, of Virginia, to be Deputy Secretary of Health and Human Services, vice Kevin L. Thurm, resigned.

Apr. 25, 2001—Received in the Senate and referred to the Committee on Finance.

May 16, 2001—Committee on Finance. Hearings held.

May 24, 2001—Reported to the Senate by Mr. Grassley.

May 24, 2001—Placed on Senate Executive Calendar. Calendar No. 158. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

May 26, 2001—Confirmed by the Senate by Voice Vote.

Apr. 30, 2001

**Gurule, James**, of Michigan, to be Under Secretary of the Treasury for Enforcement, vice James E. Johnson, resigned.

Apr. 30, 2001—Received in the Senate and referred to the Committee on Finance.

May 16, 2001—Committee on Finance. Hearings held.

May 24, 2001—Reported to the Senate by Mr. Grassley.

May 24, 2001—Placed on Senate Executive Calendar. Calendar No. 159. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Aug. 3, 2001—Confirmed by the Senate by Voice Vote.

Apr. 30, 2001

**Keane, Kevin**, of Wisconsin, to be an Assistant Secretary of Health and Human Services, vice Melissa T. Skolfield, resigned.

Apr. 30, 2001—Received in the Senate and referred to the Committee on Finance.

June 21, 2001—Committee on Finance. Hearings held.

July 17, 2001—Committee on Finance. Ordered to be reported favorably.

July 17, 2001—Reported to the Senate by Mr. Baucus.

July 17, 2001—Placed on Senate Executive Calendar. Calendar No. 236. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

July 19, 2001—Confirmed by the Senate by Voice Vote.

Apr. 30, 2001

**Scully, Thomas**, of Virginia, to be Administrator of the Health Care Financing Administration, vice Nancy-Ann Min Deparle.

Apr. 30, 2001—Received in the Senate and referred to the Committee on Finance.



- May 16, 2001—Committee on Finance. Hearings held.
- May 24, 2001—Reported to the Senate by Mr. Grassley.
- May 24, 2001—Placed on Senate Executive Calendar. Calendar No. 160. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.
- May 25, 2001—Confirmed by the Senate by Voice Vote.

Apr. 30, 2001

**Fisher, Peter R.**, of New Jersey, to be an Under Secretary of the Treasury, vice Gary Gensler, resigned.

- April 30, 2001—Received in the Senate and referred to the Committee on Finance.
- May 10, 2001—Committee on Banking, Housing, and Urban Affairs. Hearings held.
- May 16, 2001—Committee on Finance. Hearings held.
- May 24, 2001—Reported to the Senate by Mr. Grassley.
- May 24, 2001—Placed on Senate Executive Calendar. Calendar No. 161. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.
- Aug. 3, 2001—Confirmed by the Senate by Voice Vote.

Apr. 30, 2001

**Deily, Linnet F.**, of California, to be a Deputy United States Trade Representative, with the Rank of Ambassador, vice Rita D. Hayes, resigned.

- Apr. 30, 2001—Received in the Senate and referred to the Committee on Finance.
- May 16, 2001—Committee on Finance. Hearings held.
- May 26, 2001—Senate Committee on Finance discharged by Unanimous Consent.
- May 26, 2001—Confirmed by the Senate by Voice Vote.

May 8, 2001

**Lash III, William Henry**, of Virginia, to be an Assistant Secretary of Commerce, vice Patrick A. Mulloy, resigned.

- May 8, 2001—Received in the Senate and referred to the Committee on Finance.
- June 21, 2001—Committee on Finance. Hearings held.
- July 17, 2001—Committee on Finance. Ordered to be reported favorably.
- July 17, 2001—Reported to the Senate by Mr. Baucus.
- July 17, 2001—Placed on Senate Executive Calendar. Calendar No. 237. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.
- July 19, 2001—Confirmed by the Senate by Voice Vote.

May 14, 2001

**Roseboro, Brian Carlton**, of New Jersey, to be an Assistant Secretary of the Treasury, vice Lewis Andrew Sachs, resigned.

May 14, 2001—Received in the Senate and referred to the Committee on Finance.

June 21, 2001—Committee on Finance. Hearings held.

July 17, 2001—Committee on Finance. Ordered to be reported favorably.

July 17, 2001—Reported to the Senate by Mr. Baucus.

July 17, 2001—Placed on Senate Executive Calendar. Calendar No. 238. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

July 19, 2001—Confirmed by the Senate by Voice Vote.

May 17, 2001

**Johnson, Allen Frederick**, of Iowa, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, vice Gregory M. Frazier.

May 17, 2001—Received in the Senate and referred to the Committee on Finance.

June 21, 2001—Committee on Finance. Hearings held.

July 17, 2001—Committee on Finance. Ordered to be reported favorably.

July 17, 2001—Reported to the Senate by Mr. Baucus.

July 17, 2001—Placed on Senate Executive Calendar. Calendar No. 239. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

July 19, 2001—Confirmed by the Senate by Voice Vote.

May 22, 2001

**Hale, Janet**, of Virginia, to be an Assistant Secretary of Health and Human Services, vice John Joseph Callahan, resigned.

May 22, 2001—Received in the Senate and referred to the Committee on Finance.

Aug. 3, 2001—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

June 5, 2001

**Rehnquist, Janet**, of Virginia, to be Inspector General, Department of Health and Human Services, vice June Gibbs Brown, resigned.

June 5, 2001—Received in the Senate and referred sequentially to the Committee on Finance, and if and when reported, be further referred to the Governmental Affairs for not to ex-

ceed 20 days pursuant to an order of the Senate of January 5, 2001.

July 31, 2001—Committee on Finance. Hearings held.

Aug. 3, 2001—Senate Committee on Finance discharged by Unanimous Consent. Order of August 3, 2001.

Aug. 3, 2001—Confirmed by the Senate by Voice Vote.

June 7, 2001

**Azar II, Alex**, of Maryland, to be General Counsel of the Department of Health and Human Services, vice Harriet S. Rabb, resigned.

June 7, 2001—Received in the Senate and referred to the Committee on Finance.

July 31, 2001—Committee on Finance. Hearings held.

Aug. 3, 2001—Senate Committee on Finance discharged by Unanimous Consent. Order of August 3, 2001.

Aug. 3, 2001—Confirmed by the Senate by Voice Vote.

June 21, 2001

**Huntsman, Jon M., Jr.**, of Utah, to be a Deputy United States Trade Representative, with the rank of Ambassador, vice Susan G. Esserman, resigned.

June 21, 2001—Received in the Senate and referred to the Committee on Finance.

July 31, 2001—Committee on Finance. Hearings held.

Aug. 3, 2001—Senate Committee on Finance discharged by Unanimous Consent. Order of August 3, 2001.

Aug. 3, 2001—Confirmed by the Senate by Voice Vote.

June 26, 2001

**Bonner, Robert C.**, of California, to be Commissioner of Customs, vice Raymond W. Kelly, resigned.

June 26, 2001—Received in the Senate and referred to the Committee on Finance.

July 31, 2001—Committee on Finance. Hearings held.

Aug. 3, 2001—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

June 26, 2001

**Marin, Rosario**, of California, to be Treasurer of the United States, vice Mary Ellen Withrow, resigned.

June 26, 2001—Received in the Senate and referred to the Committee on Finance.

July 31, 2001—Committee on Finance. Hearings held.

Aug. 3, 2001—Senate Committee on Finance discharged by Unanimous Consent. Order of August 3, 2001.

Aug. 3, 2001—Confirmed by the Senate by Voice Vote.

Aug. 3, 2001

**Williams, B. John, Jr.**, of Virginia, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury, vice Stuart L. Brown, resigned.

Aug. 3, 2001—Received in the Senate and referred to the Committee on Finance.

Aug. 3, 2001—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

July 17, 2001

**Barnhart, Jo Anne**, of Delaware, to be Commissioner of Social Security for the term expiring January 19, 2007, vice Kenneth S. Apfel, term expired.

July 17, 2001—Received in the Senate and referred to the Committee on Finance.

Aug. 3, 2001—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Sept. 4, 2001

**Williams, B. John, Jr.**, of Virginia, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury, vice Stuart L. Brown, resigned.

Sept. 4, 2001—Received in the Senate and referred to the Committee on Finance.

Nov. 15, 2001—Committee on Finance. Hearings held.

Dec. 18, 2001—Committee on Finance. Ordered to be reported favorably.

Dec. 18, 2001—Reported to the Senate by Mr. Baucus.

Dec. 18, 2001—Placed on Senate Executive Calendar. Calendar No. 654. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Sept. 4, 2001

**Bonner, Robert C.**, of California, to be Commissioner of Customs, vice Raymond W. Kelly, resigned.

Sept. 4, 2001—Received in the Senate and referred to the Committee on Finance.

Sept. 19, 2001—Senate Committee on Finance discharged by Unanimous Consent.

Sept. 19, 2001—Confirmed by the Senate by Voice Vote.

Sept. 4, 2001

**Hale, Janet**, of Virginia, to be an Assistant Secretary of Health and Human Services, vice John Joseph Callahan, resigned.

Sept. 4, 2001—Received in the Senate and referred to the Committee on Finance.

Nov. 15, 2001—Committee on Finance. Hearings held.

Dec. 18, 2001—Committee on Finance. Ordered to be reported favorably.

Dec. 18, 2001—Reported to the Senate by Mr. Baucus.

Dec. 18, 2001—Placed on Senate Executive Calendar. Calendar No. 655. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Sept. 4, 2001

**Barnhart, Jo Anne**, of Delaware, to be Commissioner of Social Security for the term expiring January 19, 2007, vice Kenneth S. Apfel, term expired.

Sept. 4, 2001—Received in the Senate and referred to the Committee on Finance.

Oct. 4, 2001—Committee on Finance. Hearings held.

Nov. 1, 2001—Committee on Finance. Ordered to be reported favorably.

Nov. 1, 2001—Reported to the Senate by Mr. Baucus.

Nov. 1, 2001—Placed on Senate Executive Calendar. Calendar No. 529. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Nov. 2, 2001—Confirmed by the Senate by Voice Vote.

Sept. 4, 2001

**Ohl, Joan E.**, of West Virginia, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services, vice Patricia T. Montoya, resigned.

Sept. 4, 2001—Received in the Senate.

Sept. 5, 2001—Referred to the Committee on Finance.

Nov. 15, 2001—Committee on Finance. Hearings held.

Dec. 18, 2001—Committee on Finance. Ordered to be reported favorably.

Dec. 18, 2001—Reported to the Senate by Mr. Baucus.

Dec. 18, 2001—Placed on Senate Executive Calendar. Calendar No. 656. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Sept. 10, 2001

**Wells, Thomas B.**, of Maryland, to be a Judge of the United States Tax Court for a term expiring fifteen years after he takes office. (Reappointment)

Sept. 10, 2001—Received in the Senate and referred to the Committee on Finance.

Oct. 2, 2001—Senate Committee on Finance discharged by Unanimous Consent.

Oct. 2, 2001—Confirmed by the Senate by Voice Vote.

Sept. 14, 2001

**Lockhart, James B., III**, of Connecticut, to be Deputy Commissioner of Social Security for a term of six years, vice William A. Halter.

Sept. 14, 2001—Received in the Senate and referred to the Committee on Finance.

Nov. 15, 2001—Committee on Finance. Hearings held.

Dec. 18, 2001—Committee on Finance. Ordered to be reported favorably.

Dec. 18, 2001—Reported to the Senate by Mr. Baucus.

Dec. 18, 2001—Placed on Senate Executive Calendar. Calendar No. 659. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Sept. 25, 2001

**Daub, Harold**, of Nebraska, to be a Member of the Social Security Advisory Board for the remainder of the term expiring September 30, 2006, vice Mark A. Weinberger, resigned.

Sept. 25, 2001—Received in the Senate and referred to the Committee on Finance.

Nov. 15, 2001—Committee on Finance. Hearings held.

Dec. 18, 2001—Committee on Finance. Ordered to be reported favorably.

Dec. 18, 2001—Reported to the Senate by Mr. Baucus.

Dec. 18, 2001—Placed on Senate Executive Calendar. Calendar No. 660. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Oct. 31, 2001

**Clarida, Richard**, of Connecticut, to be an Assistant Secretary of the Treasury, vice David W. Wilcox, resigned.

Oct. 31, 2001—Received in the Senate and referred to the Committee on Finance.

Nov. 15, 2001—Committee on Finance. Hearings held.

Dec. 18, 2001—Committee on Finance. Ordered to be reported favorably.

Dec. 18, 2001—Reported to the Senate by Mr. Baucus.

Dec. 18, 2001—Placed on Senate Executive Calendar. Calendar No. 657. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Oct. 31, 2001

**Lawson, Kenneth**, of Florida, to be an Assistant Secretary of the Treasury, vice Elizabeth Bresee, resigned.

Oct. 31, 2001—Received in the Senate and referred to the Committee on Finance.

Nov. 15, 2001—Committee on Finance. Hearings held.

Dec. 18, 2001—Committee on Finance. Ordered to be reported favorably.

Dec. 18, 2001—Reported to the Senate by Mr. Baucus.

Dec. 18, 2001—Placed on Senate Executive Calendar. Calendar No. 658. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Nov. 15, 2001

**Kingman, Edward, Jr.**, of Maryland, to be an Assistant Secretary of the Treasury, vice Lisa Gayle Ross, resigned.

Nov. 15, 2001—Received in the Senate and referred to the Committee on Finance.

Nov. 28, 2001

**Cramer, Francis L., III**, of New Hampshire, to be a Judge of the United States Tax Court for a term expiring fifteen years after he takes office, vice Julian L. Jacobs, term expired.

Nov. 28, 2001—Received in the Senate and referred to the Committee on Finance.

Dec. 5, 2001

**Quarles, Randal**, of Utah, to be a Deputy Under Secretary of the Treasury, vice Edwin M. Truman, resigned.

Dec. 5, 2001—Received in the Senate and referred to the Committee on Finance.

June 7, 2002

**Lane, Charlotte A.**, to be Member of the United States International Trade Commission, United States International Trade Commission; vice Dennis M. Devaney.

June 7, 2002—Received in the Senate and referred to the Committee on Finance.

June 27, 2002—Committee on Finance. Hearings held.

Aug. 1, 2002—Committee on Finance. Ordered to be reported favorably.

Aug. 1, 2002—Reported to the Senate by Mr. Baucus.

Aug. 1, 2002—Placed on Senate Executive Calendar. Calendar No. 1001. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

July 18, 2002

**Olson, Pamela F.**, to be Assistant Secretary of the Treasury, Department of the Treasury; vice Mark A. Weinberger, resigned.

July 18, 2002—Received in the Senate and referred to the Committee on Finance.

Aug. 1, 2002—Committee on Finance. Hearings held.

Aug. 1, 2002—Committee on Finance. Ordered to be reported favorably.

Aug. 1, 2002—Reported to the Senate by Mr. Baucus.

Aug. 1, 2002—Placed on Senate Executive Calendar. Calendar No. 1000. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Sept. 5, 2002—Confirmed by the Senate by Voice Vote.

Sept. 12, 2002

**Bower, Glen L.**, to be Judge of the United States Tax Court, The Judiciary; vice Carolyn Miller Parr, term expired.

Sept. 12, 2002—Received in the Senate and referred to the Committee on Finance.

Nov. 14, 2002

**Pearson, Daniel**, to be Member of the United States International Trade Commission, United States International Trade Commission; vice Lynn M. Bragg, term expired.

Nov. 14, 2002—Received in the Senate and referred to the Committee on Finance.

Nov. 20, 2002—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Nov. 12, 2002

**Wagner, Raymond T., Jr.**, to be Member of the Internal Revenue Service Oversight Board, Department of the Treasury; vice Oversight Board for the remainder of the term expiring September 14, 2004, vice George L. Farr.

Nov. 12, 2002—Received in the Senate and referred to the Committee on Finance.

Nov. 20, 2002—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.



## **REPORTS, PRINTS AND STUDIES**

- Report on the Activities of the Committee on Finance during the 106th Congress
- S. 763, Affordable Education Act of 2001
- S. J. Res. 16, Approving the Extension of Nondiscriminatory Treatment (Normal Trade Relations) to the Products of the Socialist Republic of Vietnam
- S. 643, United States-Jordan Free Trade Area Implementation Act
- S. 942, TANF Supplement Grants Act of 2001
- H.R. 3009, Andean Trade Preference Expansion Act
- S. 1209, Trade Adjustment Assistance for Workers, Farmers, Fishermen, Communities, and Firms Act of 2002
- H.R. 3005, Bipartisan Trade Promotion Authority Act of 2002
- S. 1979, Energy Tax Incentives Act of 2002
- S. 2119, Reversing the Expatriation of Profits Offshore Act
- S. 2498, the Tax Shelter Transparency Act
- H.R. 7, CARE Act of 2002
- H.R. 4737, Work, Opportunity, and Responsibility for Kids Act of 2002
- S. 724, Mothers and Newborns Health Insurance Act of 2002
- S. 1971, National Employee Savings and Trust Equity Guarantee Act
- S. 321, Family Opportunity Act of 2002
- H.R. 5063, Armed Forces Tax Fairness Act of 2002

### **OFFICIAL COMMUNICATIONS**

During the 107th Congress, a total of 935 official communications were submitted to the Committee. Of these, 13 were Presidential Messages; 862 were Executive Communications—these communications include reports to advise and inform the Congress, required annual or semi-annual agency budget and activities summaries, and requests for legislative action. The committee also received 60 petitions and memorials.