

113TH CONGRESS }
1st Session

SENATE

{ REPORT
113-5

R E P O R T
ON THE ACTIVITIES
OF THE
COMMITTEE ON FINANCE
OF THE
UNITED STATES SENATE
DURING THE
112TH CONGRESS
PURSUANT TO
Rule XXVI of the Standing Rules
OF THE
UNITED STATES SENATE



MARCH 21, 2013.—Ordered to be printed

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¹ Resigned from the Senate May 3, 2011.

² Joined committee May 11, 2011.

³ Appointed May 11, 2011.

LETTER OF TRANSMITTAL

U.S. SENATE,
COMMITTEE ON FINANCE,
Washington, DC, March 31, 2013.

Honorable NANCY ERICKSON,
Secretary, U.S. Senate,
Washington, DC.

DEAR MADAM SECRETARY: 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 112th Congress.

Sincerely,

MAX BAUCUS, *Chairman.*

CONTENTS

	Page
112th Congress—Committee Membership	ii
Letter of Transmittal	v
Committee Jurisdiction	1
Rules of Procedure	2
Tax—Summary of Activities	5
Full Committee Hearings	7
Bicameral Hearings	14
Roundtable, Joint Committee on Taxation	15
Full Committee Executive Meetings	15
Senators’ Only Meetings	16
Subcommittee on Energy, Natural Resources, and Infrastructure	16
Subcommittee on Fiscal Responsibility and Economic Growth	17
Trade—Summary of Activities	19
Full Committee Hearings	21
Full Committee Executive Meetings	22
Subcommittee on International Trade, Customs, and Global Competitive- ness	22
Health—Summary of Activities	25
Full Committee Hearings	27
Full Committee Legislative Activities	30
Roundtable Discussions	30
Subcommittee on Health Care	32
Social Security—Summary of Activities	33
Full Committee Hearings	33
Oversight and Investigations—Summary of Activities	35
TARP Oversight	35
Health Care Conflicts of Interest	35
Staff Report on Medtronic’s Influence on Peer-Reviewed Medical Journal Articles	35
Staff Report on For-Profit Home Health Companies Gaming Medicare Payment System	35
Investigation into Narcotic Painkiller Manufacturers’ Ties to Medical Groups	36
Staff Report on Sanofi-Aventis Use of Third Parties to Lobby the FDA	36
Potential Conflicts of Interest Among Medicare Contractors	36
Non-Profit Tax Oversight	37
Investigation of Disabled Veterans National Foundation	37
Letter to the IRS Concerning Non-Profit Campaign Activity	37
Medical Device Industry	38
GAO Report on Medical Device Pricing Transparency	38
Nominations	39
Bills and Resolutions Referred to the Committee	47
Reports, Prints, and Studies	49
Official Communications	51

REPORT ON THE ACTIVITIES OF THE COMMITTEE ON
FINANCE DURING THE 112TH CONGRESS

MARCH 21, 2013.—Ordered to be printed

Mr. BAUCUS, from the Committee on Finance,
submitted the following

REPORT

This report reviews the legislative and oversight activities of the Committee on Finance during the 112th 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.

COMMITTEE RULES

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 suit-

ability, 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 10 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.

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

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

(g) Subcommittee meeting times shall be coordinated by the staff director to ensure 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.

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

(i) 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. A transcript, 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. Not later than 21 business days after the meeting occurs, the committee shall make publicly available through the Internet—

(a) a video recording;

(b) an audio recording; or

(c) after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements, a corrected transcript;

and such record shall remain available until the end of the Congress following the date of the meeting.

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

SUMMARY OF ACTIVITIES

During the 112th Congress, the Senate Finance Committee played a critical role in passing legislation to make permanent the tax cuts enacted in 2001 and 2003 for most taxpayers, provide permanent AMT relief, and provide permanent estate tax relief. It also played a critical role in extending tax cuts enacted in 2009 related to children, work and education, the payroll tax rate reduction, excise taxes that finance transportation-related trust funds, and expiring tax provisions for individuals, businesses, and the energy sector.

A series of hearings held by the Senate Finance Committee during the 112th Congress evaluated a number of options related to deficit reduction and tax reform. For example, hearings evaluated tax reform options related to business and international tax reform, and incentives for investment, innovation, homeownership, charitable giving, and education.

2011 Legislation

On February 8, 2011, the committee considered and reported a Chairman's Mark entitled, "Airport and Airway Trust Fund Reauthorization Act of 2011." Portions of this bill passed the Senate as H.R. 1079, the "Airport and Airway Extension Act of 2011," on March 29, 2011. The act extends the increased excise taxes on aviation fuels and the excise tax on air transportation of persons and property. It became law on March 31, 2011 (Pub. L. No. 112-7).

On April 5, 2011, H.R. 4, the "Comprehensive 1099 Taxpayer Protection and Repayment of Exchange Subsidy Overpayments Act of 2011," was passed in the Senate. The act repeals information reporting requirements for payments made by businesses for goods and property, and payments made to corporations. It also increases the amounts required for repayment on reconciliation of advance premium assistance tax credits associated with health insurance exchanges. It became law on April 14, 2011 (Pub. L. No. 112-9).

On May 24, 2011, H.R. 1893, the "Airport and Airway Extension Act of 2011, Part II," was passed in the Senate. The act extends the increased excise taxes on aviation fuels and the excise tax on air transportation of persons and property. It became law on May 31, 2011 (Pub. L. No. 112-16).

On June 27, 2011, H.R. 2279, the "Airport and Airway Extension Act of 2011, Part III," was passed in the Senate. The act extends the increased excise taxes on aviation fuels and the excise tax on air transportation of persons and property. It became law on June 29, 2011 (Pub. L. No. 112-21).

On August 5, 2011, H.R. 2553, the "Airport and Airway Extension Act of 2011, Part IV," was passed in the Senate. The act ex-

tends the increased excise taxes on aviation fuels and the excise tax on air transportation of persons and property. It became law on August 5, 2011 (Pub. L. No. 112–27).

On September 15, 2011, H.R. 2887, the “Surface and Air Transportation Programs Extension Act of 2011,” was passed in the Senate. The act extends excise taxes on gasoline and other fuels, certain heavy vehicles, and tires. The act also extends the increased excise taxes on aviation fuels and the excise tax on air transportation of persons and property. It became law on September 16, 2011 (Pub. L. No. 112–30).

On October 12, 2011, H.R. 3080, the “United States-Korea Free Trade Agreement Implementation Act,” was passed in the Senate. Tax provisions in the act increase penalties on paid preparers who fail to comply with earned income credit due diligence requirements, require additional information related to prison inmates, increase certain customs user fees, extend user fees for certain customs services, and increase required estimated tax payments for certain corporations. It became law on October 21, 2011 (Pub. L. No. 112–41).

On November 10, 2011, H.R. 674, a bill to “To amend the Internal Revenue Code of 1986 to repeal the imposition of 3 percent withholding on certain payments made to vendors by government entities, to modify the calculation of modified adjusted gross income for purposes of determining eligibility for certain healthcare-related programs, and for other purposes” was passed in the Senate. It became law on November 21, 2011 (Pub. L. No. 112–56).

On December 23, 2011, H.R. 3765, the “Temporary Payroll Tax Cut Continuation Act of 2011,” was passed in the Senate. The act extends the 2 percentage point reduction in employment tax rates for employees and self-employed individuals. It became law on December 23, 2011 (Pub. L. No. 112–78).

2012 Legislation

On January 26, 2012, H.R. 3800, the “Airport and Airway Extension Act of 2012,” was passed in the Senate. The act extends the increased excise taxes on aviation fuels and the excise tax on air transportation of persons and property. It became law on January 31, 2012 (Pub. L. No. 112–91).

On February 6, 2012, H.R. 658, the “FAA Modernization and Reform Act of 2012,” was passed in the Senate. The act extends excise taxes collected for the Airport and Airway Trust Fund and extends the authorization to make expenditures from the fund. The act also clarifies the taxation of aircraft operating on a non-established line, fixed wing emergency aircraft, as well as fractional aircraft while also imposing an additional surtax on fractional aircraft. Finally, the act allows airline workers to rollover bankruptcy settlements into a traditional individual retirement account and limits the ability to take a deduction for stock purchases for certain indirect ownership structures. It became law on February 14, 2012 (Pub. L. No. 112–95).

On February 7, 2012, the committee considered and reported a Chairman’s Mark entitled, “The Highway Investment, Job Creation, and Economic Growth Act of 2012.” Portions of this bill were later passed in the Senate on June 29, 2012, in H.R. 4348, the

“Moving Ahead for Progress in the 21st Century Act.” The act extends highway excise taxes, provides for pension funding interest rate stabilization, enhances the ability of employers to transfer excess pension assets to fund retiree health benefits, and expands the definition of a tobacco manufacturer to include businesses operating roll-your-own cigarette machines. It became law on July 6, 2012 (Pub. L. No. 112–141).

On February 17, 2012, H.R. 3630, the “Middle Class Tax Relief and Job Creation Act of 2012,” was passed in the Senate. The act extends the 2 percentage point reduction in employment tax rates for employees and self-employed individuals. It became law on February 22, 2012 (Pub. L. No. 112–96).

On March 29, 2012, H.R. 4281, the “Surface Transportation Extension Act of 2012,” was passed in the Senate. The act extends excise taxes on gasoline and other fuels, certain heavy vehicles, and tires. It became law on March 30, 2012 (Pub. L. No. 112–102).

On June 29, 2012, H.R. 6064, the “Temporary Surface Transportation Extension Act of 2012,” passed in the Senate. The act extends excise taxes on gasoline and other fuels, certain heavy vehicles, and tires. It became law on June 29, 2012 (Pub. L. No. 112–140).

On August 28, 2012, S. 3521, the “Family and Business Tax Cut Certainty Act of 2012,” was reported to the Senate out of the Committee on Finance. The act extends through 2013 numerous expiring provisions for individuals, including AMT relief, as well as expiring provisions for businesses and the energy sector. It became part of the American Taxpayer Relief Act of 2012, passed on January 2, 2013.

On January 1, 2013, H.R. 8, the “American Taxpayer Relief Act of 2012,” was passed in the Senate. The act permanently extends the tax cuts enacted in 2001 and 2003 for most taxpayers, provides permanent AMT relief, and provides permanent estate tax relief. It also extends other tax cuts expiring in 2011 and 2012, through the end of 2013, including bonus depreciation for businesses and those provisions contained in the Family and Business Tax Cut Certainty Act. The bill also extended through 2017 certain expiring provisions enacted in 2009, including the American Opportunity Tax Credit and modifications to the Child Tax Credit and the Earned Income Tax Credit. It became law on January 2, 2013 (Pub. L. No. 112–240).

FULL COMMITTEE HEARINGS

2011

February 3, 2011—“Status of the Airport and Airway Trust Fund.”

The purpose of this hearing was to examine the state of the Airport and Airway Trust Fund (AATF), and provide background on tax issues related to FAA reauthorization. Testimony was received from Gerald Dillingham, Director of Physical Infrastructure Issues, U.S. Government Accountability Office, Washington, DC.

February 16, 2011—“The President’s Budget for Fiscal Year 2012.”

The purpose of this hearing was to examine the plans in the President’s 2013 budget proposal to continue the economic recov-

ery, create jobs, reform the tax code and reduce the deficit. Testimony was heard from Honorable Timothy Geithner, Secretary of the Treasury, United States Department of the Treasury, Washington, DC.

March 1, 2011—"How Did We Get Here? Changes in the Law and Tax Environment Since the Tax Reform Act of 1986." The purpose of the hearing was to discuss how the tax law and the environment in which the tax system operates have changed since the passage of the Tax Reform Act of 1986. Testimony was received from Honorable Fred Goldberg, Jr., Former Assistant Secretary of the Treasury for Tax Policy, 1992, United States Department of the Treasury, Washington, DC, and Former Commissioner, 1989–1992, Internal Revenue Service, Washington, DC; Honorable Jonathan Talisman, Former Assistant Secretary of the Treasury for Tax Policy, 2000–2001, United States Department of the Treasury, Washington, DC; Honorable Mark Weinberger, Former Assistant Secretary of the Treasury for Tax Policy, 2001–2002, United States Department of the Treasury, Washington, DC; Honorable Pamela Olson, Former Assistant Secretary of the Treasury for Tax Policy, 2002–2004, United States Department of the Treasury, Washington, DC; and Honorable Eric Solomon, Former Assistant Secretary of the Treasury for Tax Policy, 2006–2009, United States Department of the Treasury, Washington, DC.

March 8, 2011—"Does the Tax System Support Economic Efficiency, Job Creation, and Broad-Based Economic Growth?" The purpose of the hearing was to analyze to what extent the current tax system distorts the economic decisions of individuals, families and businesses, and how these distortions affect economic efficiency, including job creation and broad-based economic growth. Testimony was received from Alan Auerbach, Robert D. Burch Professor of Economics and Law, University of California Berkeley, Berkeley, CA; R. Glenn Hubbard, Dean and Russell L. Carson Professor of Finance and Economics, Columbia University Graduate School of Business, New York, NY; James K. Galbraith, Lloyd M. Bentsen, Jr. Chair in Government/Business Relations and Professor of Government, The University of Texas at Austin, Austin, TX; and Michael Graetz, Isidor and Seville Sulzbacher Professor of Law, Columbia Law School, New York, NY.

March 30, 2011—"How Do Complexity, Uncertainty, and Other Factors Impact Responses to Tax Incentives?" This hearing focused on factors that affect how taxpayers (both businesses and individuals) understand and respond to incentives intentionally created in the tax code. Some factors affecting responsiveness that the hearing addressed included: how complex or uncertain a tax incentive is, how they are framed and administered, and whether they are delivered in a timely manner and marketed. Testimony was heard from Raj Chetty, Professor, Department of Economics, Harvard University, Cambridge, MA; Robert Carroll, Principal, Quantitative Economics and Statistics, Ernst and Young LLP, Washington, DC; and Eric J. Toder, Institute Fellow, Urban Institute, and Co-Director, Urban Institute-Brookings Institution Tax Policy Center, Washington, DC.

April 12, 2011—"Best Practices in Tax Administration: A Look Across the Globe." The purpose of the hearing was to discuss how various revenue authorities are improving tax administration—what is working well, how new approaches have been implemented, and what are best practices. Testimony was received from Michael Brostek, Director, Tax Policy and Administration, Strategic Issues, U.S. Government Accountability Office, Washington, DC; Brian Erard, B.E. and Associates, Reston, VA; and Michael Gaffney, Tax Partner, PricewaterhouseCoopers, New York, NY.

April 13, 2011—"Perspectives on Deficit Reduction." The purpose of this hearing was to examine and discuss several different plausible strategies of deficit reduction. Testimony was heard from J.D. Foster, Norman B. Ture Senior Fellow, Economics of Fiscal Policy, The Heritage Foundation, Washington, DC; Honorable David Walker, Former U.S. Comptroller General, Founder and CEO, Comeback America Initiative, Bridgeport, CT; and Alan S. Blinder, Gordon S. Rentschler Memorial Professor of Economics and Public Affairs, Princeton University, and Vice-Chairman, Promontory Interfinancial Network, Princeton, NJ.

May 3, 2011—"Is the Distribution of Tax Burdens and Tax Benefits Equitable?" The purpose of the hearing was to provide the committee with some background on the distribution of tax burdens and tax benefits on individuals and whether such distribution of income is equitable in light of broader socioeconomic, historical, and comparative trends. Testimony was heard from Daniel Shaviro, Wayne Perry Professor of Taxation, New York University School of Law, New York, NY; Scott Hodge, President, Tax Foundation, Washington, DC; Aviva Aron-Dine, Ph.D. Candidate, Department of Economics, Massachusetts Institute of Technology, Cambridge, MA; and Alan Reynolds, Senior Fellow, Cato Institute, Washington, DC.

May 4, 2011—"Budget Enforcement Mechanisms." The purpose of this hearing was to evaluate the need for and potential efficacy of a budget enforcement mechanism as a deficit reduction strategy. Testimony was received from Susan J. Irving, Director for Federal Budget Analysis, Strategic Issues, U.S. Government Accountability Office, Washington, DC; Paul Van de Water, Senior Fellow, Center on Budget and Policy Priorities, Washington, DC; and Honorable Phil Gramm, Vice Chairman, UBS Investment Bank, UBS AG, New York, NY.

May 12, 2011—"Oil and Gas Tax Incentives and Rising Energy Prices." The purpose of this hearing was to evaluate current tax provisions pertaining to the oil and gas industry in the context of rising energy prices. Testimony was received from John Watson, Chairman of the Board and Chief Executive Officer, Chevron Corporation, San Ramon, CA; Marvin Odum, U.S. President, Shell Oil Company, Houston, TX; H. Lamar McKay, Chairman and President, BP America Inc., Houston, TX; James Mulva, Chairman and Chief Executive Officer, ConocoPhillips, Houston, TX; and Rex Tillerson, Chairman and Chief Executive Officer, Exxon Mobil Corporation, Irving, TX.

May 17, 2011—"Financing 21st-Century Infrastructure." The purpose of the hearing was to examine the current state of public

financing of transportation infrastructure and discuss options to improve our infrastructure funding system in light of the expiration of the highway trust fund on September 30, 2011. Testimony was heard from Joseph Kile, Assistant Director for Microeconomic Studies, Congressional Budget Office, Washington, DC; Honorable Ed Rendell, Co-Chair, Building America's Future Educational Fund, Washington, DC; Matthew Posner, Director, Municipal Market Advisors, Chicago, IL; and Gabriel Roth, Civil Engineer and Transport Economist, Chevy Chase, MD.

June 28, 2011—"Complexity and the Tax Gap: Making Tax Compliance Easier and Collecting What's Due." This hearing examined the burden faced by individuals and small businesses in complying with our Nation's tax laws. Additionally, it focused on how large these compliance burdens are, who bears the burdens, and the major sources of compliance costs. The hearing also addressed the tax gap, including the major sources of noncompliance and evasion, the extent to which the tax gap is related to tax complexity and the effect of the tax gap on the economy in general and the fairness of the tax system specifically. Testimony was heard from Michael Brostek, Director, Tax Policy and Administration, Strategic Issues, U.S. Government Accountability Office, Washington, DC; Nina E. Olson, National Taxpayer Advocate, Internal Revenue Service, Washington, DC; David Kirkham, President, Kirkham Motorsports, Provo, UT; and Kris Carpenter, Founder/CEO, Sanctuary Spa and Salon, Billings, MT.

July 26, 2011—"Perspectives on Deficit Reduction: A Review of Key Issues." This hearing covered a range of pertinent political and policy-related issues and strategies pertaining to deficit reduction. Testimony was heard from Robert Greenstein, President, Center on Budget and Policy Priorities, Washington, DC; Lawrence B. Lindsey, President and Chief Executive Officer, The Lindsey Group, and former Director of the National Economic Council 2001–2002, Fairfax, VA; Michael Ettlinger, Vice President for Economic Policy, Center for American Progress, Washington, DC; and Chris Edwards, Director, Tax Policy Studies, Cato Institute, Washington, DC.

July 27, 2011—"CEO Perspectives on How the Tax Code Affects Hiring, Business, and Economic Growth." The purpose of the hearing was to examine how the tax laws affect business decisions, including hiring, investment in capital assets, and other business transactions. Testimony was heard from Michael T. Duke, President and Chief Executive Officer, Wal-Mart Stores, Inc., Bentonville, AR; Thomas J. Falk, Chairman and Chief Executive Officer, Kimberly-Clark Corporation, Irving, TX; Gregory S. Lang, President and Chief Executive Officer, PMC-Sierra, Inc., Sunnyvale, CA; and Larry J. Merlo, President and Chief Executive Officer, CVS Caremark Corporation.

September 8, 2011—"Tax Reform Options: International Issues." The purpose of the hearing was to examine potential improvements to the tax laws affecting international business, investment, and employment, including both investment by U.S. businesses in foreign countries (outbound investment) and investment by foreign businesses in the U.S. (inbound investment). Testimony was heard from Philip R. West, Partner, Steptoe and

Johnson LLP, Washington, DC; James R. Hines, Jr., L. Hart Wright Collegiate Professor of Law, University of Michigan Law School, Ann Arbor, MI; Scott Naatjes, Vice President and General Tax Counsel, Cargill, Incorporated, Wayzata, MN; and Reuven S. Avi-Yonah, Irwin I. Cohn Professor of Law, University of Michigan Law School, Ann Arbor, MI.

September 14, 2011—"Tax Reform Options: Marginal Rates on High-Income Taxpayers, Capital Gains, and Dividends." The purpose of the hearing was to examine tax reform options related to marginal tax rates for high-income taxpayers, capital gains, and dividends. Testimony was received from Dennis Mehiel, Chairman of the Board, U.S. Corrugated, Inc., Valhalla, NY; Stephen J. Entin, President and Executive Director, Institute for Research on the Economics of Taxation, Washington, DC; Bill Rys, Tax Counsel, National Federation of Independent Business, Washington, DC; and Leonard E. Burman, Daniel Patrick Moynihan Professor of Public Affairs at the Maxwell School of Syracuse University, Syracuse, NY.

September 15, 2011—"Tax Reform Options: Promoting Retirement Security." The purpose of the hearing was to discuss how the incentives to save for retirement in the tax code are functioning and potential adjustments to these incentives in the context of comprehensive tax reform. Testimony was heard from Jack VanDerhei, Research Director, Employee Benefit Research Institute, Washington, DC; William G. Gale, Senior Fellow, Brookings Institution, Washington, DC; Judy A. Miller, Chief of Actuarial Issues/Director of Retirement Policy, American Society of Pension Professionals and Actuaries, Arlington, VA; and Karen Friedman, Executive Vice President and Policy Director, Pension Rights Center, Washington, DC.

September 20, 2011—"Tax Reform Options: Incentives for Innovation." The purpose of the hearing was to discuss tax reform options related to the proper and most effective role of government in incentivizing R&D. Testimony was received from Scott Wallsten, Vice President for Research and Senior Fellow, Technology Policy Institute and Senior Policy Fellow, Georgetown Center for Business and Public Policy, Washington, DC; Michael D. Rashkin, Author, Practical Guide to Research and Development Tax Incentives: Federal, State, and Foreign, Saratoga, CA; Annette Nellen, Professor, Department of Accounting and Finance, College of Business at San Jose State University, San Jose, CA; and Dirk Pilat, Head, Structural Policy Division, Organization for Economic Cooperation and Development Directorate for Science, Technology, and Industry, Paris, France.

October 6, 2011—"Tax Reform Options: Incentives for Homeownership." The purpose of the hearing was to examine the effectiveness of tax incentives for homeownership and potential reforms of these incentives in the context of comprehensive tax reform. Testimony was heard from Honorable John B. Breaux, Senior Counsel, Patton Boggs LLP, Washington, DC; Karl "Chip" Case, Professor of Economics Emeritus, Wellesley College and Senior Fellow, Joint Center for Housing Studies, Harvard University, Wellesley, MA; Robert D. Dietz, Assistant Vice President for Tax and Policy Issues, National Association of Home Builders, Wash-

ington, DC; Richard Green, Director of Lusk Center for Real Estate, University Southern California, Los Angeles, CA; and Gregory M. Nelson, Vice President and Assistant Secretary, Pulte Group, Inc., Bloomfield, MI.

October 18, 2011—"Tax Reform Options: Incentives for Charitable Giving." The purpose of the hearing was to examine the effectiveness of the tax deduction for charitable giving in incentivizing contributions and potential reform options in the context of comprehensive tax reform. Testimony was received from Frank Sammartino, Assistant Director for Tax Analysis, Congressional Budget Office, Washington, DC; Elder Dallin H. Oaks, The Quorum of the Twelve Apostles, The Church of Jesus Christ of Latter-day Saints, Salt Lake City, UT; Eugene Steuerle, Richard B. Fisher Chair and Institute Fellow, The Urban Institute, Washington, DC; Brian A. Gallagher, President and CEO, United Way Worldwide, Alexandria, VA; and Roger Colinvaux, Associate Professor, The Catholic University of America, Columbus School of Law, Washington, DC.

2012

January 31, 2012—"Extenders and Tax Reform: Seeking Long-Term Solutions." The purpose of the hearing was to examine how best to approach the traditional tax extenders in order to create certainty and allow businesses to invest confidently and create jobs. The hearing also evaluated traditional extenders through the lens of tax reform. Testimony was received from Rosanne Altshuler, Professor and Chair of the Economics Department, Rutgers University, New Brunswick, NJ; Jason J. Fichtner, Senior Research Fellow, Mercatus Center, George Mason University, Arlington, VA; Calvin H. Johnson, Andrews and Kurth Centennial Professor of Law, The University of Texas School of Law, Austin, TX; and Caroline L. Harris, Chief Tax Counsel and Director of Tax Policy, U.S. Chamber of Commerce, Washington, DC.

February 14, 2012—"President's Budget for Fiscal Year 2013." The purpose of this hearing was to discuss job creation and the President's budget for Fiscal Year 2013. Testimony was received from Honorable Timothy Geithner, Secretary of the Treasury, United States Department of the Treasury, Washington, DC.

March 6, 2012—"Tax Reform Options: Incentives for Capital Investment and Manufacturing." The purpose of the hearing was to examine the effectiveness of existing tax incentives for capital investment and manufacturing, and potential reform options in the context of comprehensive tax reform. Testimony was received from Jane G. Gravelle, Senior Specialist in Economic Policy, Congressional Research Service, Library of Congress, Washington, DC; Ike Brannon, Director of Economic Policy and Congressional Relations, American Action Forum, Washington, DC; Robert D. Atkinson, President, Information Technology and Innovation Foundation, Washington, DC; J.D. Foster, Norman B. Ture Senior Fellow, Economics of Fiscal Policy, The Heritage Foundation, Washington, DC; and Michelle Hanlon, Associate Professor of Accounting, Massachusetts Institute of Technology, Sloan School of Management, Cambridge, MA.

April 25, 2012—"Tax Reform: What It Means for State and Local Tax and Fiscal Policy." The purpose of the hearing was to examine the effects of Federal tax reform on state and local tax and fiscal policy. Testimony was received from Frank Sammartino, Assistant Director for Tax Analysis, Congressional Budget Office, Washington, DC; Kim Rueben, Senior Fellow, Urban-Brookings Tax Policy Center, Washington, DC; Walter Hellerstein, Francis Shackelford Distinguished Professor of Taxation Law, University of Georgia School of Law, Athens, GA; Joseph Henchman, Vice President of Legal and State Projects, Tax Foundation, Washington, DC; and Sanford Zinman, Owner, Zinman Accounting, White Plains, NY.

April 26, 2012—"Tax Filing Season: Improving the Taxpayer Experience." The purpose of the hearing was to examine the hurdles taxpayers face during tax filing season and discuss ways to simplify and improve the taxpayer experience. Testimony was received from James White, Director, Tax Issues, U.S. Government Accountability Office, Washington, DC; Troy Lewis, Lewis and Associates, CPAs LLC, Draper, UT; Beth Tucker, Deputy Commissioner, Operations Support, Internal Revenue Service, Washington, DC; and Teresa Thompson, Local Taxpayer Advocate for Montana, Taxpayer Advocate Service, Helena, MT.

May 15, 2012—"Tax Reform: What it Could Mean for Tribes and Territories." The purpose of the hearing was to review how tax reform could affect U.S. territories and tribes. Testimony was received from Sarah Hall Ingram, Commissioner, Tax Exempt and Government Entities, Internal Revenue Service, Washington, DC; Honorable Robert Odawi Porter, President, Seneca Nation of Indians, Salamanca, NY; Lindsay G. Robertson, Professor of Law, University of Oklahoma College of Law, Norman, OK; and Steven Maguire, Specialist in Public Finance, Congressional Research Service, Washington, DC.

June 12, 2012—"Tax Reform: Impact on U.S. Energy Policy." The purpose of the hearing was to discuss three issues: the impact the U.S. tax code has on energy policy, given that the tax code provides 85 percent of government support for energy in the U.S.; the role the U.S. tax code should play in U.S. energy policy; and options for energy tax reform. Testimony was received from Honorable Don Nickles, Chairman and CEO, The Nickles Group, LLC, Washington, DC; Honorable Phillip Sharp, President, Resource for the Future, Washington, DC; Dale Jorgenson, Samuel W. Morris University Professor, Harvard University, Cambridge, MA; and Harold Hamm, Chief Executive Officer, Continental Resources Inc., Oklahoma City, OK.

June 19, 2012—"Confronting the Looming Fiscal Crisis." The purpose of this hearing was to discuss plans for deficit reduction and the year-end fiscal crisis. Testimony was received from Honorable Pete Domenici, Senior Fellow and Co-Chair, Debt Reduction Task Force, Bipartisan Policy Center, Washington, DC; and Honorable Alice Rivlin, Co-Chair, Debt Reduction Task Force, Bipartisan Policy Center, and Senior Fellow in the Economic Studies Program, Brookings Institution, Washington, DC.

July 10, 2012—"Boosting Opportunities and Growth Through Tax Reform: Helping More Young People Achieve the American

Dream.” The purpose of the hearing was to explore the ways tax reform can boost economic opportunity and help secure the American Dream for young people and future generations. Testimony was heard from Katherine S. Newman, James B. Knapp Dean of The Zanvyl Krieger School of Arts and Sciences, The Johns Hopkins University, Baltimore, MD; Miles Corak, Graduate School of Public and International Affairs, University of Ottawa, Ottawa, Ontario, Canada; Lars J. Lefgren, Associate Professor, Department of Economics, Brigham Young University, Salt Lake City, UT; Erin Currier, Project Manager, Economic Mobility Project, The Pew Charitable Trusts, Washington, DC; and Eugene Steuerle, Richard B. Fisher Chair and Institute Fellow, The Urban Institute, Washington, DC.

July 25, 2012—“Education Tax Incentives and Tax Reform.” The purpose of the hearing was to examine how education tax incentives should be treated in tax reform. Testimony was received from Waded Cruzado, President, Montana State University, Bozeman, MT; Lynne Munson, President and Executive Director, Common Core, Washington, DC; Susan Dynarski, Professor, University of Michigan, Ann Arbor, MI; Scott Hodge, President, Tax Foundation, Washington, DC; and James White, Director, Tax Issues, U.S. Government Accountability Office, Washington, DC.

August 1, 2012—“Tax Reform: Examining the Taxation of Business Entities.” The purpose of the hearing was to examine the different taxation of business entities structured as corporations versus pass-throughs and to consider proposals to alter those rules. Testimony was received from Harrison T. LeFrak, Vice Chairman, The LeFrak Organization, New York, NY; Dana L. Trier, Adjunct Professor in Taxation, University of Miami School of Law and Columbia Law School, New York, NY; Alvin C. Warren, Ropes and Gray Professor of Law, Harvard Law School, Cambridge, MA; and Fred C. De Hosson, Partner, Baker and McKenzie, Amsterdam, The Netherlands.

BICAMERAL HEARINGS

2011

July 13, 2011—Joint Hearing with U.S. House Committee on Ways and Means on “Tax Reform and the Tax Treatment of Debt and Equity.” The purpose of the hearing was to review the tax treatment of debt and equity and the potential impacts of such treatment on the economy, job creation and household and business debt levels. Testimony was received from Thomas Barthold, Chief of Staff, Joint Committee on Taxation, Washington, DC; Honorable Pamela Olson, Partner, Skadden, Arps, Slate, Meagher, and Flom, and former Assistant Secretary of the Treasury for Tax Policy, Washington, DC; Victor Fleischer, Associate Professor of Law, University of Colorado Law School, Boulder, CO; Mihir A. Desai, Mizuho Financial Group Professor of Finance, Harvard Business School, Boston, MA; and Simon Johnson, Ronald A. Kurtz Professor of Entrepreneurship, and former Economic Counsellor and Director of the Research Department at the International Monetary Fund, Massachusetts Institute of Technology, Sloan School of Management, Cambridge, MA.

December 6, 2011—Joint Hearing with U.S. House Committee on Ways and Means on “Tax Reform and the Tax Treatment of Financial Products.” The purpose of the hearing was to review the tax treatment of financial products. Testimony was received from Thomas Barthold, Chief of Staff, Joint Committee on Taxation, Washington, DC; Alex Raskolnikov, Charles Evans Gerber Professor of Law and Co-chair of the Charles E. Gerber Transactional Studies Program, Columbia Law School, New York, NY; Andrea S. Kramer, Partner, McDermott Will and Emery LLP, Chicago, IL; and David S. Miller, Partner, Cadwalader, Wickersham, and Taft LLP, New York, NY.

2012

September 20, 2012—Joint Hearing with U.S. House Committee on Ways and Means on “Tax Reform and the Tax Treatment of Capital Gains.” The purpose of the hearing was to examine the tax treatment of capital gains in the context of broad tax reform. Testimony was received from David H. Brockway, Partner, Bingham McCutchen LLP, Washington, DC; Lawrence B. Lindsey, President and CEO, The Lindsey Group, Fairfax, VA; Leonard E. Burman, Daniel Patrick Moynihan Professor of Public Affairs, Maxwell School, University of Syracuse, Syracuse, NY; David L. Verrill, Founder, Hub Angels Investment Group LLC, Cambridge, MA; and William D. Stanfill, General Partner, Montegra Capital Income Fund, Denver, CO.

ROUNDTABLE, JOINT COMMITTEE ON TAXATION

2011

April 6, 2011—U.S. Joint Committee on Taxation hearing on “Ideas on Reforming the U.S. Internal Revenue Code.” The purpose of this hearing was to examine lessons from the 1986 tax reform for comprehensive tax reform today. Testimony was received from Honorable James Baker III, Former Secretary of the Treasury 1985–1988, United States Department of the Treasury, Houston, TX; and Honorable Richard A. Gephardt, Former Minority Leader, United States House of Representatives, Washington, DC.

FULL COMMITTEE EXECUTIVE MEETINGS

2011

February 8, 2011—Open Executive Session to consider a Chairman’s Mark entitled “Airport and Airway Trust Fund Reauthorization Act of 2011.”

2012

January 24, 2012—Conference Committee on H.R. 3630: Temporary Payroll Tax Cut Continuation Act of 2011.

February 1, 2012—Continuation of the Conference Committee on H.R. 3630: Temporary Payroll Tax Cut Continuation Act of 2011.

February 2, 2012—Continuation of the Conference Committee on H.R. 3630: Temporary Payroll Tax Cut Continuation Act of 2011.

February 7, 2012—Continuation of the Conference Committee on H.R. 3630: Temporary Payroll Tax Cut Continuation Act of 2011.

February 7, 2012—Open Executive Session to consider a Chairman’s Mark entitled, “The Highway Investment, Job Creation, and Economic Growth Act of 2012.”
 August 2, 2012—Open Executive Session to consider the Family and Business Tax Cut Certainty Act of 2012.

SENATORS’ ONLY MEETINGS

2011

December 1, 2011—Senators’ Meeting to discuss year-end legislation.

2012

February 1, 2012—Senators’ Meeting to discuss transportation issues.

February 25, 2012—Senators’ Meeting to discuss tax extenders.

June 12, 2012—Senators’ Meeting to discuss Russia permanent normal trade relations (PNTR), tax extenders, and other committee matters.

July 30, 2012—Senators’ Meeting to discuss tax extenders.

July 31, 2012—Senators’ Meeting to discuss tax extenders.

September 19, 2012—Senators’ Meeting with Tom Barthold to discuss fiscal cliff.

SUBCOMMITTEE ON ENERGY, NATURAL RESOURCES, AND INFRASTRUCTURE

2011

December 14, 2011—“Alternative Energy Tax Incentives: The Effect of Short-Term Extensions on Alternative Technology Investment, Domestic Manufacturing, and Jobs.” This hearing focused on the frequent short-term extensions and expiration of alternative energy tax policies as well as the effect this has had on the alternative energy industry including manufacturing facilities, supply chain issues and employment. Testimony was heard from Molly Sherlock, Analyst Economics, Congressional Research Service, Washington, DC; Will Coleman, Partner, Mohr Davidow Ventures, Menlo Park, CA; Martha Wyrsh, President, Vestas-American Wind Technology, Portland, OR; Paul Soanes, President and CEO, Renewable Biofuels, Houston, TX; and Margo Thorning, Senior Vice President and Chief Economist, American Council for Capital Formation, Washington, DC.

2012

March 27, 2012—“Renewable Energy Tax Incentives: How Have the Recent and Pending Expirations of Key Incentives Affected the Renewable Energy Industry in the United States?” This hearing focused on how the recent and pending expirations of energy tax policies affects deployment of renewable energy facilities, energy efficiency measures, and advanced biofuels. Testimony was heard from Ethan Zindler, Head of Policy Analysis, Bloomberg New Energy Finance, Washington, DC; John Purcell, Vice President—Wind Energy, Leeco Steel, Lisle, IL; Benjamin Zycher, Visiting Scholar, American Enterprise Institute, Wash-

ington, DC; and John P. Ragan, Vice President of Business Development and Government Affairs, TPI Composites, Scottsdale, AZ.

December 12, 2012—“Tax Reform and Federal Energy Policy: Incentives to Promote Energy Efficiency.” This hearing focused on understanding the opportunities presented to our economy, our energy infrastructure, and to the environment that result from the efficient use of our resources; considering if creating incentives through the tax code is a sensible and efficient way of promoting energy efficiency investments; and examining how we can improve our existing incentives to make them more effective, easier to use, and less expensive to the federal government. Testimony was heard from Dan Arvizu, Director, National Renewable Energy Laboratory, Golden, CO; Steve Nadel, Executive Director, American Council for an Energy-Efficient Economy, Washington, DC; Mark F. Wagner, Vice President Government Relations, Johnson Controls, Inc., Washington, DC; and Matt Golden, Principal, Efficiency.org, Policy Chair, Efficiency First, San Francisco, CA.

SUBCOMMITTEE ON FISCAL RESPONSIBILITY AND ECONOMIC GROWTH

2011

May 25, 2011—“The Spread of Tax Fraud by Identity Theft: A Threat to Taxpayers, A Drain on the Public Treasury.” This hearing focused on the growing problem of tax fraud through identity theft and allowed members of the subcommittee to hear firsthand from taxpayers who have fallen victim to complex, identity-related tax scams. The hearing explored the scope and magnitude of identity theft in the tax system; common fact patterns in tax fraud and ID theft cases; and laws, regulations, and administrative practices in place to prevent the processing of fraudulent tax returns and protect victims. Testimony was heard from Sharon Hawa, victim of tax-related identity theft, Bronx, NY; Terry McClung, Jr., victim of tax-related identity theft, Finksburg, MD; Anonymous Witness, victim of tax-related identity theft, Miami, FL; Nina Olsen, National Taxpayer Advocate, Internal Revenue Service, Washington, DC; James White, Director, Tax Issues, United States Government Accountability Office, Washington, DC; and Beth Tucker, Deputy Commissioner, Operations Support, Internal Revenue Service, Washington, DC.

September 13, 2011—“Examining Whether There is a Role for Tax Reform in Comprehensive Deficit Reduction and U.S. Fiscal Policy.” This hearing focused on whether tax reform should play a role in any “grand bargain” to bring down the federal budget deficit. Testimony was heard from Alan C. Greenspan, President, Greenspan Associates LLC, Washington, DC; John B. Taylor, Mary and Robert Raymond Professor of Economics and George P. Shultz Senior Fellow in Economics, Stanford University, Hoover Institution, Stanford, CA; Martin S. Feldstein, George F. Baker Professor of Economics, Harvard University, Cambridge, MA; The Honorable John M. Engler, President, Business Roundtable, Washington, DC; and Edward D. Kleinbard, Professor of Law, USC Gould School of Law, Los Angeles, CA.

2012

March 20, 2012—“Tax Fraud by Identity Theft, Part 2: Status, Progress, and Potential Solutions.” This hearing focused on evaluating the IRS’s response to the increasing problem of tax fraud through identity theft and examining what more could be done to help victims and protect taxpayer money. Testimony was heard from Steven T. Miller, Deputy Commissioner for Services and Enforcement, Internal Revenue Service, Washington, DC; Ronald A. Cimino, Deputy Assistant Attorney General for Criminal Matters, Tax Division, United States Department of Justice, Washington, DC; Nina E. Olson, National Taxpayer Advocate, Internal Revenue Service, Washington, DC; Sal Augeri, Detective, Criminal Intelligence Bureau, Tampa Police Department, Tampa, FL; Bernard F. McKay, Vice President, Global Corporate Affairs, Intuit, Inc., Washington, DC; and Kirsten Trusko, President and Executive Director, Network Branded Prepaid Card Association, Montvale, NJ.

TRADE

SUMMARY OF ACTIVITIES

During the 112th Congress, the committee exercised its oversight responsibilities and enacted important legislation related to international trade and customs law and the American economy. A brief summary of the committee's activity is provided below.

During the first session, the committee held several hearings including a hearing on the 2011 trade agenda, receiving testimony from U.S. Trade Representative Ronald Kirk. The committee also convened a hearing on Asia-Pacific Economic Cooperation (APEC), which the United States hosted in 2011. The hearing focused on creating economic growth by removing barriers to trade. During that hearing, testimony was received from the Office of the United States Trade Representative and manufacturing and services industry representatives. The committee also held hearings on three free trade agreements: the U.S.-Colombia Trade Promotion Agreement, the U.S.-Panama Trade Promotion Agreement, and the U.S.-Korea Free Trade Agreement. During these hearings, the committee received testimony from the Office of the United States Trade Representative, the Department of Labor, and other stakeholders, including agricultural, manufacturing and labor union representatives. The committee also conducted a hearing to consider four trade nominees.

The committee convened in open executive session to consider, review, and make recommendations on proposed legislation implementing the U.S.-Colombia Trade Promotion Agreement, the U.S.-Panama Trade Promotion Agreement, and the U.S.-Korea Free Trade Agreement. The committee held a second open executive session to consider S. 1641, S. 1642, and S. 1643, the bills to implement the three free trade agreements, as well as the associated Statements of Administrative Action. During this executive session the committee also considered the nominations of Michael W. Punke to be a Deputy United States Trade Representative, Islam A. Siddiqui to be Chief Agricultural Negotiator in the Office of the United States Trade Representative, Paul Piquado to be an Assistant Secretary of Commerce, and David S. Johanson to be a Commissioner of the United States International Trade Commission.

The Chairman and Ranking Member worked together to pass, on October 21, 2011, the U.S.-Colombia Trade Promotion Agreement (Pub. L. 112-42), which also renewed and extended the Andean Trade Promotion Act through July 31, 2013, the U.S.-Panama Trade Promotion Agreement (Pub. L. 112-43), and the U.S.-Korea Free Trade Agreement (Pub. L. 112-41). The committee also extended Trade Adjustment Assistance (TAA) through December 31, 2013, and the Generalized System of Preferences (GSP) through July 31, 2013 (Pub. L. 112-40).

In the second session, the committee held a hearing on the 2012 trade agenda, receiving testimony from U.S. Trade Representative Ronald Kirk. The committee also convened two hearings on Russia's World Trade Organization accession. The first focused on manufacturing, agriculture, intellectual property rights, and transparency concerns and featured testimony from private sector representatives. The second Russia hearing focused on the administration's views of the implications of Russia's WTO accession for the United States. At this hearing, testimony was received from the Office of the United States Trade Representative and the Departments of Agriculture and State. In addition, the committee held a hearing on the confirmation of Meredith M. Broadbent to be a Member of the United States International Trade Commission.

The committee convened in open executive session to consider the Chairman's mark of the Enforcing Orders and Reducing Customs Evasion (ENFORCE) Act; the Citrus, Cotton, and Wool Trust Funds; the African Growth and Opportunity Act (AGOA) third-country fabric Amendments, Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) Technical Corrections, and Burma Sanctions extension; and Russia Permanent Normal Trade Relations (PNTR) and Moldova PNTR. The updated ENFORCE Act would establish specific procedures for Customs and Border Protection (CBP) to follow when investigating allegations of evasion of antidumping or countervailing duties, and it would increase the ability of CBP to obtain information and collect such duties. Russia and Moldova PNTR authorized the extension of permanent nondiscriminatory treatment to the products of Russia and Moldova so that the United States could secure the full benefits of their accessions to the WTO. The legislation includes strong enforcement tools to ensure Russia lives up to its international trade obligations, and provisions to help advance human rights and the rule of law in Russia including the imposition of sanctions on persons responsible for gross violations of human rights.

The Chairman and Ranking Member worked together to pass trade legislation on August 2, 2012 to extend until September 2015 the AGOA provision allowing duty-free access to the U.S. market for apparel produced in sub-Saharan African countries made from third-country fabric, to make technical corrections and modifications to the rules of origin for certain textile and apparel products under CAFTA-DR, and to renew import sanctions against Burma for one year and reauthorize for three years a fast-track process for Congress to approve annual renewal of sanctions (Pub. L. 112-163).

The Chairman and Ranking Member also worked together to pass trade legislation on December 6, 2012 to authorize the extension of permanent nondiscriminatory treatment to the products of Russia and Moldova, require reports on the compliance of the Russian Federation with its obligations as a member of the World Trade Organization (WTO), and impose sanctions on persons responsible for gross violations of human rights (Pub. L. 112-208).

FULL COMMITTEE HEARINGS

2011

March 9, 2011—"President's 2011 Trade Agenda." Received testimony from Ambassador Ronald Kirk, United States Trade Representative.

March 31 2011—"APEC 2011: Breaking Down Barriers, Creating Economic Growth." Received testimony from Ambassador John Veroneau, Partner, Covington and Burling, Washington DC; Ambassador Peter Scher, Executive Vice President for Global Government Relations and Public Policy, JPMorgan Chase, Washington DC; Bert Robins, Vice President and Co-Founder, SeaCast, Inc.; Butte, MT and Richard M. Hartvigsen, Vice President, Global Government Affairs, Nu Skin International, Inc., Provo, UT.

May 11, 2011—"The U.S.-Colombia Trade Promotion Agreement." Received testimony from Ambassador Miriam Sapiro, Deputy United States Trade Representative; Sandra Polaski, Deputy Under Secretary for International Labor Affairs, United States Department of Labor; General James T. Hill, U.S. Army (Ret.) and former commander of the United States Southern Command, Coral Gables, FL; Jeff Vogt, Deputy Director, International Affairs Department,, AFL-CIO, Washington, DC; and Gordon Stoner, President, Montana Grain Growers Association, Great Falls, MT.

May 25, 2011—"The U.S.-Panama Trade Promotion Agreement." Received testimony from Ambassador Miriam Sapiro, Deputy U.S. Trade Representative for Europe, the Middle East, and the Americas; Jason Speer, Vice President, Quality Float Works, Inc., Schaumburg, IL; and Garry Niemeyer, First Vice President, National Corn Growers Association, Auburn, IL.

May 26, 2011—"The U.S.-Korea Free Trade Agreement." Received testimony from Ambassador Demetrios Marantis, Deputy U.S. Trade Representative; Errol Rice, Executive Vice President, Montana Stockgrowers Association, Helena, MT; Thea Lee, Deputy Chief of Staff, AFL-CIO, Washington, DC; and Timothy Guertin, President and Chief Executive Officer, Varian Medical Systems, Palo Alto, CA.

2012

March 7, 2012—"The President's 2012 Trade Agenda." Received testimony from Ambassador Ronald Kirk, United States Trade Representative.

March 15, 2012—"Russia's WTO Accession: Implications for the United States." Received testimony from Samuel Allen, Chairman and CEO, Deere and Company, Moline, IL; Ronald Pollett, President and CEO, GE Russia/CIS, Moscow, Russia; Watty Taylor, President, Montana Stockgrowers Association, Helena, MT; Paul Williams, President and Chairman of the Board, American Society of Composers, Authors and Publishers, New York, NY; and The Honorable Alan Larson, Chairman of the Board, Transparency International USA, Washington, DC.

June 21, 2012—"Russia's WTO Accession: Administration's Views on the Implications for the United States." Received testimony

from Ambassador Ronald Kirk, United States Trade Representative; The Honorable Tom Vilsack, Secretary of Agriculture; and The Honorable William J. Burns, Deputy Secretary of State.

FULL COMMITTEE EXECUTIVE MEETINGS

2011

July 7, 2011—Open Executive Session to review and make recommendations on proposed legislation implementing the U.S.-Korea Free Trade Agreement, the U.S.-Panama Trade Promotion Agreement, the U.S.-Colombia Trade Promotion Agreement, as well as the Associated Proposed Statements of Administrative Action.

October 11, 2011—Open Executive Session to consider S. 1641, a bill to implement the U.S.-Colombia Trade Promotion Agreement; S. 1642, a bill to implement the U.S.-Korea Free Trade Agreement; S. 1643, a bill to implement the U.S.-Panama Trade Promotion Agreement; as well as the associated Statements of Administrative Action; and to consider favorably reporting the nominations of Michael W. Punke, of Montana, to be a Deputy United States Trade Representative, with the rank of Ambassador, Executive Office of the President; Islam A. Siddiqui, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, Executive Office of the President; Paul Piquado, of the District of Columbia, to be an Assistant Secretary of Commerce, United States Department of Commerce; and David S. Johanson, of Texas, to be a Member of the United States International Trade Commission, for a term expiring December 16, 2018.

2012

July 18, 2012—Open Executive Session to consider the Enforcing Orders and Reducing Customs Evasion (ENFORCE) Act; Citrus, Cotton, and Wool Trust Funds; African Growth and Opportunity Act (AGOA) Amendments, Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR) Technical Corrections, Burma Sanctions; and Russia Permanent Normal Trade Relations (PNTR) and Moldova PNTR.

SUBCOMMITTEE ON INTERNATIONAL TRADE, CUSTOMS, AND GLOBAL COMPETITIVENESS

2011

May 5, 2011—"Enforcing America's Trade Laws in the Face of Customs Fraud and Duty Evasion." Received testimony from the Honorable Sherrod Brown, Senator from Ohio; The Honorable Claire McCaskill, Senator from Missouri; The Honorable Roy Blunt, Senator from Missouri; Robert Mahoney, President, Tubular Products Group, Northwest Pipe Company, Portland, OR; Richard Adee, Owner, Chairman, Adee Honey Farms, American Honey Producers Associate Legislative Committee, Bruce, SD; Karl Glassman, Executive Vice President and Chief Operating Officer, Leggett and Platt Incorporated, Carthage, MO; Marguerite E. Trossevin, Jochum Shore and Trossevin on behalf of

the Retail Industry Leaders Association, Alexandria, VA; Roger Schagrin, Chairman, Government Affairs Committee, Committee to Support U.S. Trade Laws, Annapolis, MD; J. Scott Ballman, Deputy Assistant Director, Homeland Security Investigations, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security; Allen Gina, Assistant Commissioner of International Trade, U.S. Customs and Border Protection; Ronald Lorentzen, Deputy Assistant Secretary for Import Administration, U.S. Department of Commerce.

2012

April 18, 2012—"The Asia Pacific: Trade Opportunities for Agriculture and Food Producers from the Great Plains to the Pacific Northwest." Received testimony from Ambassador Isi Siddiqui, Chief Agriculture Negotiator, Office of the United States Trade Representative; The Honorable Robert Hormats, Under Secretary for Economic Growth, Energy and the Environment, U.S. Department of State; Darci Vetter, Deputy Under Secretary, Farm and Foreign Agriculture Services, U.S. Department of Agriculture; Mark Powers, Vice President, Northwest Horticultural Council, Yakima, WA; Paul Casper, President, South Dakota Soybean Association, Lake Preston, SD; Steve Crider, International Sales Manager, Amy's Kitchen, Burlington, WA; and Steve Thomson, Executive Vice President, King Estate Winery, Eugene, OR.

HEALTH

SUMMARY OF ACTIVITIES

Throughout the 112th Congress, the committee acted several times to prevent significant reductions in Medicare physician payments. H.R. 3765, the Temporary Payroll Tax Cut Continuation Act of 2011. The bill included two-month extensions of the 1.0 floor in the Work Geographic Index for any locality in which the Index is less than 1.0, the exceptions process for therapy caps, direct payments to independent laboratories for physician pathology services, ambulance add-on payments, the outpatient hold harmless provision, the minimum payment for bone mass measurement, the Transitional Medical Assistance program, the Qualified Individual program, and of the Section 508 hospital program, and the mental health add-on payment. The bill also prevented, for two months, a schedule reduction in Medicare physician payments. H.R. 3765 passed the Senate by unanimous consent on December 23, 2011. The House passed the identical bill on December 23, 2011.

The committee further extended certain Medicare and Medicaid provisions in the Conference Report for H.R. 3630, the Middle Class Tax Relief and Job Creation Act of 2012. The bill included a provision extending the 1.0 floor in the Work Geographic Index for any locality in which the Index is less than 1.0 for ten months, an extension of the outpatient hold harmless provision for ten months, an extension of the exceptions process for therapy caps for ten months, a provision continuing direct payments to independent laboratories for physician pathology services for ten months, an extension of ambulance add-on payments for ten months, an extension of the Transitional Medical Assistance program for ten months, and an extension of the Qualified Individual program for ten months. The bill phased out the Section 508 hospital program and the mental health add-on payment after four month extensions of both. The bill also prevented, for ten months, a schedule reduction in Medicare physician payments. A number of health-related offsets were part of the bill including, a reduction of bad debt treated as an allowable cost in Medicare, rebasing Medicare clinical laboratory payment rates, rebasing Medicaid Disproportionate Share Hospital allotments for fiscal year 2021, a technical correction to the disaster recovery Federal Medical Assistance Percentage (FMAP) provision of the Affordable Care Act, and a reduction of the Prevention and Public Health Fund. The Conference Report was agreed to by the Senate on February 17, 2012. The House also agreed to the Conference Report on February 17, 2012.

H.R. 674, the 3% Withholding Repeal and Job Creation Act, used a health provision as an off-set. The bill required the definition of modified adjusted gross income (MAGI) to include Social Security benefits for Medicaid eligibility and Exchange tax credits starting

in 2014. H.R. 674 passed in the Senate on November 10, 2011. The House passed the bill on November 16, 2011.

H.R. 2832, the Trade Adjustment Assistance Extension Act of 2011, also included a health provision as an off-set. The bill expanded the geographic scope of Medicare Quality Improvement Organization (QIO) state contracts to include national entities and multiple QIOs within a geographic area. H.R. 2832 was passed in the Senate on September 22, 2011. The House passed an identical bill on October 12, 2011.

In H.R. 4348, the Moving Ahead for Progress in the 21st Century Act, another health off-set was used. The bill required that the corrected disaster-recovery FMAP be applied in October of 2012 rather than October of 2013. The Conference Report was agreed to in the Senate and the House on June 29, 2012.

The committee also achieved multiple extensions of the Temporary Assistance to Needy Families (TANF) program. H.R. 2943, the Short-Term TANF Extension Act, extended basic TANF funding for three months, through December 31, 2011. H.R. 2943 was passed in the Senate on September 23, 2011. The House passed the identical bill on September 21, 2011.

H.R. 3765, the Temporary Payroll Tax Cut Continuation Act of 2011, extended basic TANF funding for two months through February 29, 2012.

H.R. 3630, the Middle Class Tax Relief and Job Creation Act of 2012, extended basic TANF funding until September 30, 2012, and prevented electronic benefit transaction access to TANF cash at liquor stores, casinos, and adult entertainment clubs. The bill also required states to report TANF data in a manner that facilitates the exchange of that data with other programs' data systems.

H.J. Res 117, Continuing Appropriations Resolution, 2013, extended TANF funding through March 2013 at fiscal year 2012 levels. The Senate passed the Continuing Resolution on September 22, 2012. The House passed the Continuing Resolution on September 13, 2012.

The committee was also very active on Unemployment Insurance during the 112th Congress. H.R. 2832, the Trade Adjustment Assistance Extension Act of 2011, added new federal requirements for state Unemployment Compensation programs related to overpayment penalties for employers and claimants, as well as to the reporting of rehired employees.

H.R. 3765, the Temporary Payroll Tax Cut Continuation Act of 2011, extended the Emergency Unemployment Compensation (EUC) program through March 6, 2012 and postponed the termination of the program until August 15, 2012. The bill also extended requirements that federal payments to states cover 100 percent of EUC, and the three-year lookback trigger option for emergency benefits.

H.R. 3630, the Middle Class Tax Relief and Job Creation Act of 2012, extended the EUC program through December 2012, while reducing the duration and availability of EUC benefits over calendar year 2012. The bill also made reforms to state Unemployment Compensation programs, provided EUC claimants with additional reemployment services, and expanded programs to provide alternatives to Unemployment Insurance benefits.

The committee also achieved an extension of child welfare programs. H.R. 2883, the Child and Family Services Improvement and Innovation Act, extended funding authorization for the Stephanie Tubbs Jones Child Welfare Services Program and the Promoting Safe and Stable Families Program for five years. The bill was passed in the Senate on September 22, 2011. The House passed an identical bill on September 21, 2011.

FULL COMMITTEE HEARINGS

2011

February 15, 2011—"The President's Fiscal Year 2012 Budget Proposal." The purpose of this hearing was to introduce to the committee the President's FY2012 proposed budget. Testimony was received from the Honorable Kathleen Sebelius, Secretary of Health and Human Services, Washington, DC.

March 2, 2011—"Preventing Health Care Fraud: New Tools and Approaches to Combat Old Challenges." This hearing focused on recent activities by the Centers for Medicare and Medicaid Services and the Department of Health and Human Services Inspector General related to preventing health care fraud as well as receiving an update on the implementation of Medicare and Medicaid program integrity policies enacted as part of the Affordable Care Act. Testimony was received by the Honorable Daniel R. Levinson, Inspector General of the Department of Health and Human Services, Washington, DC; and Peter Budetti, MD, J.D., Deputy Administrator, Centers for Medicare and Medicaid Services, Washington, DC.

March 10, 2011—"Innovations in Child Welfare Waivers: Starting on the Pathway to Reform." The objective of this hearing was to explore the ways in which state innovation, facilitated by an expansion of child welfare waivers, can improve outcomes for youth in foster care or at risk of entering foster care. The witnesses included Charlie McNeely, a former foster youth from Oregon; Joscelynn Murdock, a former foster youth and an active advocate for youth in foster care from California; Crystal Ward Allen, MSW, LSW, the Executive Director of Public Children Services Associate of Ohio; and William C. Bell, Ph.D., the President and Chief Executive Officer of Casey Family Programs.

March 16, 2011—"Health Reform: Lessons Learned During the First Year." This hearing focused on the progress of implementing the health reform law. The hearing marked the one-year anniversary of enactment of the Affordable Care Act, and witnesses discussed progress made in implementing the law as well as highlighting benefits. The witnesses included the Honorable Kathleen Sebelius, Secretary of Health and Human Services, Washington, DC; Paul Van de Water, Ph.D., Senior Fellow, Center on Budget and Policy Priorities, Washington, DC; and Douglas Holtz-Eakin, Ph.D., President, American Action Forum, Washington, DC.

June 22, 2011—"Preserving Integrity, Preventing Overpayments, and Eliminating Fraud in the Unemployment Insurance System." This hearing examined ways to reduce inefficiency and errors in the Unemployment Insurance system and to assure that benefits

- are targeted to those who are entitled to receive benefits. The witnesses included Jane Oates, M.Ed., the Assistant Secretary for Employment and Training, United States Department of Labor, Washington, DC; Kristen Cox, the Executive Director of the Utah Department of Workforce Services, Salt Lake City, UT; Paul Trause, the Commissioner of the Washington Employment Security Department, Olympia, WA; and Mike Cullen, the Managing Director of On Point Technology, Inc., Oak Brook, Illinois.
- June 23, 2011—"Health Care Entitlements: The Road Forward." This hearing focused on the effects Medicare and Medicaid have on federal spending and their impact on the federal budget deficit. Testimony was received from the Honorable Deval Patrick, Governor of Massachusetts; the Honorable Ernie Fletcher, former Governor of Kentucky; the Honorable Bruce Vladeck, former Administrator of the Health Care Financing Administration (now known as the Centers for Medicare and Medicaid Services); and Douglas Holtz-Eakin, former Director of the Congressional Budget Office.
- July 14, 2011—Field Hearing on "Perspectives on Medicaid from Select Governors." The Finance Committee held a field hearing at the Utah State Capitol. The hearing focused on program administration and state budgets, highlighting some of the challenges governors face in designing and running their Medicaid programs. The witnesses were the Honorable Gary Herbert, Governor of Utah; and the Honorable Haley Barbour, Governor of Mississippi.
- September 21, 2011—"Dually-Eligible Beneficiaries: Improving Care While Lowering Costs." The Finance Committee held a hearing focused on dually-eligible beneficiaries, those who are eligible for both Medicare and Medicaid. The hearing was held to: (1) highlight the work of the Medicare-Medicaid Coordination Office (MMCO), which was created by the Affordable Care Act to streamline the administration of Medicare and Medicaid and (2) identify next steps for Congress and the Administration that would further improve care for these beneficiaries. Melanie Bella, the Director of MMCO at the Centers for Medicare and Medicaid Services, was the sole witness.
- November 10, 2011—"Unemployment Insurance: The Path Back to Work." The purpose of this hearing was to serve as a catalyst for changing the Unemployment Insurance conversation from a discussion focused solely on benefit extensions, to a conversation that also included policies that would assist unemployed Americans return to work. The witnesses were Stephen Wander, Ph.D., a Visiting Fellow from The Urban Institute, Washington, DC; Larry Temple, the Executive Director of the Texas Workforce Commission, Austin, TX; Charles J. Fogarty, the Director of Rhode Island Department of Labor and Training, Cranston, RI; and Don Peitersen, the Director of Unemployment Insurance and Workforce Projects from the American Institute for Full Employment, Aurora, CO.
- December 7, 2011—"Drug Shortages: Why They Happen and What They Mean." The purpose of this hearing was to examine the causes of drug shortages, how drug shortages affect federal health care programs and what, if any, tools are available to pol-

icy makers to prevent or alleviate drug shortages. Testimony was received from Kasey Thompson, PharmD, Vice President of the American Society of Health-System Pharmacists, Bethesda, MD; Patrick Cobb, MD, Oncologist with the Frontier Cancer Center and Blood Institute, Billings, MT; Scott Gottlieb, MD, Resident Fellow at the American Enterprise Institute for Public Policy Research, Washington, DC; and Rena Conti, Ph.D., Assistant Professor at the University of Chicago, Chicago, IL.

2012

February 15, 2012—"The President's Budget for Fiscal Year 2013." The purpose of this hearing was to introduce to the committee the President's FY2013 proposed budget. Testimony was received from the Honorable Kathleen Sebelius, Secretary of Health and Human Services, Washington, DC.

April 24, 2012—"Anatomy of a Fraud Bust: From Investigation to Conviction." The purpose of this hearing was to walk through how a health care fraud and abuse case is developed from the initial discovery of aberrant activity all the way through to investigation and prosecution. The hearing focused on an investigation that resulted, at the time, in the largest prosecution for false Medicare and Medicaid billing. Testimony was received from the Honorable Daniel R. Levinson, Inspector General, Department of Health and Human Services, Washington, DC; Peter Budetti, MD, J.D., Deputy Administrator, Centers for Medicare and Medicaid Services, Washington, DC; the Honorable Wifredo A. Ferrer, United States Attorney, Southern District of Florida, Department of Justice, Miami, FL; and Kathleen King, Director, Health Care, United States Government Accountability Office, Washington, DC.

May 23, 2012—"Progress in Health Care Delivery: Innovations from the Field." This hearing focused on health care delivery reforms. The witnesses discussed innovative efforts throughout the health care system to improve quality and lower costs to patients and to payers. The hearing also highlighted collaboration within the provider community, and collaboration between providers and the federal government. The witnesses were Richard Migliori, MD, Executive Vice President of Health Services, UnitedHealth Group, Minnetonka, MN; Lee Sacks, MD, Executive Vice President and Chief Medical Officer, Advocate Health Care, Oak Brook, IL; Marc Malloy, Chief Executive Officer, Renaissance Medical Management Company, Wayne, PA; and Paul Diaz, J.D., Chief Executive Officer, Kindred Healthcare, Louisville, KY.

June 5, 2012—"Combating Poverty: Understanding New Challenges for Families." The purpose of this hearing was to facilitate a broad conversation focused on poverty in the United States. In addition, this hearing offered an opportunity for committee members to learn about the state of the Temporary Assistance for Needy Families program, which was scheduled to expire on September 30, 2012. The witnesses were Ron Haskins, Ph.D., a Senior Fellow in the Economic Studies Program and Co-Director of the Center on Children and Families at the Brookings Institution, Washington, DC; Laura Lein, Ph.D., Dean of the University

of Michigan School of Social Work, Ann Arbor, MI; and Kay Brown, MPA, the Director of the United States Government Accountability Office's Education, Workforce and Income Security team, Washington, DC.

August 8, 2012—"Healing in Indian Country: Ensuring Access to Quality Health Care." The Finance Committee held a field hearing at the Crow-Northern Cheyenne Hospital on the Crow Reservation in Montana. The hearing was held to explore solutions for improving health care in Indian Country. The witnesses explained why American Indians and Alaska Natives have a life expectancy that is five years shorter than that of the general population and why it is so difficult to recruit and retain doctors and nurses on reservations. The hearing also focused on a response plan compiled by the Centers for Medicare and Medicaid Services as an important source of solutions at the Crow-Northern Cheyenne Hospital. The witnesses were Cedric Black Eagle, Chairman, Crow Nation, Crow Agency, MT; Henry Pretty On Top, Cabinet Head, Crow Agency Health and Human Services, Crow Agency, MT; and Robert McSwain, MPA, Deputy Director for Management Operations, Indian Health Service, Rockville, MD.

FULL COMMITTEE LEGISLATIVE ACTIVITIES

2011

September 20, 2011—Mark-Up: "The Child and Family Services Improvement and Innovation Act of 2011." The purpose of this mark-up was to review a bill designed to reauthorize funding for Promoting Safe and Stable Families and the ability of states to receive child welfare waivers. This Act extends funding authorization for the Stephanie Tubbs Jones Child Welfare Services Program and the Promoting Safe and Stable Families Program for five years (FY2012–FY2016). The programs are authorized under Title IV–B of the Social Security Act and received combined funding of \$709 million in FY2011. On September 20, 2011, the committee held a markup of S. 1542 and unanimously agreed to favorably report S. 1542 (without amendment) to the full Senate. On September 22, 2011, the full Senate passed H.R. 2883 (same bill as S. 1542) by unanimous consent. The House passed the identical bill on September 21, 2011.

ROUNDTABLE DISCUSSIONS

2012

May 10, 2012—Roundtable Discussion on "Medicare Physician Payments: Understanding the Past So We Can Envision the Future." This was the first of three roundtables that examined potential changes to Medicare physician payment policies. The four participants, former administrators of the Centers for Medicare and Medicaid Services (CMS) and its predecessor, the Health Care Financing Administration (HCFA), discussed the history of the sustainable growth rate (SGR) formula, which has mandated significant reductions to Medicare physician payments over the past several years. Congress has overridden these reductions through legislation. The former Administrators discussed the history of

the SGR as well as potential short- and long-term solutions to reforming the Medicare physician payment system. Their suggestions included developing alternatives to the current fee-for-service system that focus on reducing spending growth while supporting patient-centered, coordinated care. The panelists were Gail Wilensky, Ph.D., Senior Fellow, Project Hope, Bethesda, MD; Bruce Vladeck, Ph.D., Senior Advisor, Nexera, New York, NY; Thomas Scully, J.D., Senior Counsel, Alston and Bird, Washington, DC; and Mark McClellan, MD, Ph.D., Director of the Engelberg Center for Health Reform, Brookings Institution, Washington, DC.

June 14, 2012—Roundtable Discussion on “Medicare Physician Payment Policy: Lessons from the Private Sector.” This roundtable addressed efforts the private sector is undertaking to incentivize physicians to provide high quality care at lower costs. Participants were representatives from health insurance companies and an independent physician association. They discussed their respective organization’s successes and challenges and how their experiences could inform changes to the Medicare physician payment system. Participants emphasized the need for timely data to provide feedback and incentives for physicians based upon quality and cost metrics. The panelists were Dana Safran, ScD, Senior Vice President, Blue Cross Blue Shield of Massachusetts, Boston, MA; Peter Edwards, President of Provider Development, Humana, Lexington, KY; Lonny Reisman, MD, Senior Vice President and Chief Medical Officer, Aetna, Hartford, CT; Chet Burrell, President and Chief Executive Officer, CareFirst Blue Cross Blue Shield of Maryland, Washington, DC; and Darryl Cardoza, Chief Executive Officer, Hill Physician Medical Group, San Ramon, CA.

July 11, 2012—Roundtable Discussion on “Medicare Physician Payments: Perspectives from Physicians.” This roundtable engaged committee members in a discussion with representatives of the physician community about changes to the Medicare payment system that would incentivize physicians to provide high quality, high value care. In addition to the American Medical Association (AMA), the participants represented a diversity of physician specialties: family medicine, general surgery, cardiology, and oncology. The group discussed the need to move away from a volume-based system to one that rewards quality. They stressed the need for Medicare to provide timely, reliable data to help physicians improve their performance. The panelists were Ardis Hoven, MD, Board of Trustees, AMA, Lexington, KY; Glen Stream, MD, President, American Academy of Family Physicians, Spokane, WA; W. Douglas Weaver, MD, MACC, Vice President, Henry Ford Health System, Detroit, MI; Frank Opelka, MD, FACS, Vice Chancellor of Clinical Affairs and Professor of Surgery, Louisiana State University Health Science Center, New Orleans, LA; and Barbara McAneny, MD, Chief Executive Officer, New Mexico Oncology Hematology Consultants, Albuquerque, NM.

SUBCOMMITTEE ON HEALTH CARE

2012

March 22, 2012—"Prescription Drug Abuse: How are Medicare and Medicaid Adapting to the Challenge." The Subcommittee on Health Care held a hearing on the devastating epidemic of prescription drug abuse in West Virginia and throughout the country, and the role that Medicare and Medicaid can play in preventing and treating prescription drug overdose and addiction. The hearing examined what Medicare and Medicaid can do to give doctors, nurses, and pharmacists better tools and training so they can help avoid overprescribing, misuse or diversion of prescription drugs. Testimony was heard from Jeffrey Coben, MD, Director, Injury Control Research Center, West Virginia University, Charleston, WV; Timothy C. Schwab, MD, FACP, Chief Medical Officer, SCAN Health Plan, Long Beach, CA; Billy Millwee, MHA, Medicaid Director, State of Texas; and Alex Cahana, MD, Chief of Anesthesiology and Pain Medicine, University of Washington, Seattle, WA.

SOCIAL SECURITY

SUMMARY OF ACTIVITIES

During the 112th Congress, the committee held hearings about how Social Security benefits should be considered in efforts to reduce the federal budget deficit and how the Agency is administering the Social Security and SSI programs.

FULL COMMITTEE HEARINGS

May 10, 2011—"Perspectives on Deficit Reduction: Social Security."

This hearing featured the testimony of James Roosevelt, Jr., J.D., President and Chief Executive Officer, Tufts Health Plan, Watertown, MA; Charles Blahous, Ph.D., Research Fellow, Hoover Institute, Washington, DC; Nancy Altman, Chair, Pension Rights Center, and Co-Chair, Strengthen Social Security Campaign, Washington, DC; and Alex Brill, Research Fellow, American Enterprise Institute, Washington, DC. The testimony focused on how the Social Security program should be considered in the context of legislative efforts to reduce the federal deficit. Some panel members testified that Social Security should not be addressed as a part of deficit reduction because Social Security is funded by a dedicated payroll tax and has sufficient resources in the Social Security trust fund to pay full benefits until 2036. Others felt that since Social Security is currently paying out more in benefits than its dedicated sources of revenue, changes to Social Security should be considered in efforts to reduce the federal deficit.

May 17, 2012—"The Social Security Administration: Is it Meeting its Responsibilities to Save Taxpayer Dollars and Serve the Public?" This hearing featured the testimony of The Honorable Michael Astrue, Commissioner, United States Social Security Administration, Baltimore, MD. The hearing focused on whether or not the Agency has made sufficient progress on the backlog of disability claims and how the level of administrative funding the Agency receives directly impacts the Agency's ability to process claims while also conducting program integrity work.

OVERSIGHT AND INVESTIGATIONS

SUMMARY OF ACTIVITIES

TARP OVERSIGHT

Chairman Baucus is continuing to monitor quarterly reports from the Special Inspector General for the Troubled Asset Relief Program (SIGTARP) which performs audits and investigations to safeguard the TARP program. In addition to bringing transparency and accountability to the TARP program through its auditing work, SIGTARP has assisted in delivering criminal charges and civil cases against companies and individuals attempting to defraud the program. Chairman Baucus fought to include the Special Inspector General for the Troubled Asset Relief Program (TARP) requirement in the Emergency Economic Stabilization Act of 2008 to protect taxpayer interests and guard against waste, fraud and abuse in the Treasury's financial rescue program.

HEALTH CARE CONFLICTS OF INTEREST

Staff Report on Medtronic's Influence on Peer-Reviewed Medical Journal Articles

In June 2011, Chairman Baucus and Senator Grassley initiated an investigation into Medtronic's financial relationship with its physician consultants concerning INFUSE, a product used in spinal fusion surgery, after it was reported that peer reviewed medical journal articles authored by Medtronic consultants did not report dangerous side effects experienced by patients. After analyzing thousands of documents provided to the committee by Medtronic, Senators Baucus and Grassley published a staff report in October 2012 showing that Medtronic employees collaborated with physician authors to edit and write segments of the medical journal articles without disclosure. In addition, the investigation found that physicians who authored studies about INFUSE received \$210 million in payments from Medtronic over a 15-year period.

Staff Report on For-Profit Home Health Companies Gaming Medicare Payment System

In October 2011, Chairman Baucus and Senator Grassley released a Finance Committee staff report showing tactics used by major for-profit home health companies to game Medicare. The result has been waste of taxpayer dollars and the delivery of what could be medically-unnecessary patient care to increase the companies' profits. The Senators initiated the investigation into the improper practices as part of the committee's oversight role of the Medicare and Medicaid programs and the Senators' ongoing commitment to protect patients and taxpayer dollars from waste, fraud,

and abuse. Senators Baucus and Grassley began their investigation into home health therapy practices in May 2010 in response to a media report that these home health companies took advantage of the Medicare therapy payment system by providing medically unnecessary patient care. The committee staff report examines documents provided by home health companies which show how therapists were encouraged to target the most profitable number of therapy visits, even when patient need may not have required such visits. In addition, therapy visit records for each company showed concentrated numbers of therapy visits at or just above the point at which a “bonus” payment was triggered by the Medicare program.

Investigation into Narcotic Painkiller Manufacturers’ Ties to Medical Groups

In May 2012, Chairman Baucus and Senator Grassley initiated an ongoing investigation into the connections of drug manufacturers Purdue Pharma, Endo Pharmaceuticals, and Johnson and Johnson with medical groups and physicians who have advocated the increased use of narcotic painkillers, or opioids. The Senators also asked seven other medical groups to produce information about their financial ties and collaborations with opioid manufacturers. The inquiry will help to establish whether they have promoted misleading information about the risks and benefits of opioids while receiving financial support from opioid manufacturers. Senators Baucus and Grassley requested documents and financial information from the companies and noted that deaths resulting from opioid overdoses have recently skyrocketed, growing nearly 400 percent between 1999 and 2008. They also highlighted news reports suggesting the increase may be driven by misinformation and dubious marketing practices used by the pharmaceutical companies and the medical organizations they fund.

Staff Report on Sanofi-Aventis Use of Third Parties to Lobby the FDA

In May 2011, an investigation led by Chairman Baucus and Senator Grassley found that the pharmaceutical company Sanofi planned a coordinated strategy to delay generic alternatives to its blockbuster blood-thinner drug Lovenox. The strategy took advantage of the FDA’s citizen petition process, which allows individuals and experts to raise concerns about the alternatives. The Senators requested records from Sanofi following reports that it had financial ties with two medical groups, the Society of Hospital Medicine and the North American Thrombosis Forum, along with a Duke University medical professor, Dr. Victor Tapson. The documents reviewed by the committee staff showed that the groups involved each participated in the petition process following encouragement from Sanofi. And, the Society of Hospital Medicine and the North American Thrombosis Forum received more than two million dollars each from Sanofi, while Dr. Tapson received more than \$200,000.

Potential Conflicts of Interest Among Medicare Contractors

In March 2011, Chairman Baucus joined Senator Carper and Senator McCaskill in examining potential conflicts of interest

among Medicare contracts. A survey by congressional staff found that some Medicare Administrative Contractors, which handle Medicare reimbursements, have financial relationships with Zone Program Integrity Contractors, which perform oversight on the work of the Medicare Administrative Contractors. Also, some of these oversight contractors have financial relationships with Medicare providers. In response to these concerns, the Senators requested that the HHS Inspector General conduct a review of relevant contracts to ensure compliance with federal regulations. In July 2012, the IG released a report finding that CMS did not have an adequate conflict of interest policy in place, which is standard practice among federal agencies. Many contractors' bids contained incomplete or inconsistent information, with some contractor bids failing to provide all relevant and required information regarding financial interests with other contractors. As a result of the Inspector General's review, CMS has improved its contractor bids review process, requiring contractors to provide more complete conflict of interest documents and information, as well as more consistent bid reviews. Additionally, the agency will implement its first written conflict of interest policy.

NON-PROFIT TAX OVERSIGHT

Investigation of Disabled Veterans National Foundation

In May 2012, Chairman Baucus and Senator Burr initiated an investigation into the potential abuses of tax-exempt nonprofit status by the Disabled Veterans National Foundation (DVNF), following reports of questionable financial ties between DVNF and Quadriga Art, a marketing firm that handles its direct mail. According to tax records, DVNF raised tens of millions of dollars over a two year period, yet reports indicate very little of the money went to directly help disabled veterans. Instead, DVNF apparently paid large sums to Quadriga Art in 2009 and 2010. In a letter sent to DVNF President Precilla Wilkewitz, Baucus and Burr requested documents and information relating to DVNF's fundraising and marketing activities, services provided to disabled veterans, and connections to Quadriga. In addition, Chairman Baucus and Senator Burr sent a letter to Quadriga Art in September 2012 asking for additional information about the company's financial relationship with DVNF.

Letter to the IRS Concerning Non-Profit Campaign Activity

In November 2010, Chairman Baucus asked the IRS to examine major 501(c)(4), 501(c)(5), and 501(c)(6) non-profit organizations to ensure that political activity was not their primary purpose and that they were not acting as a conduit to advance private interests. In early 2012, the IRS sent detailed questionnaires to some non-profit applicants to certify compliance with the requirement that political activity was not the groups' primary purpose. In addition the IRS briefed committee staff about the review process to ensure compliance with non-profit tax laws.

MEDICAL DEVICE INDUSTRY

GAO Report on Medical Device Pricing Transparency

In February 2012, Chairman Baucus released the results of a GAO report he requested that found both a lack of medical device pricing transparency and hospital bargaining power and a lack of information presented to Medicare regarding the implantable devices. The report also found wide discrepancy in the prices hospitals paid for implantable medical devices. GAO noted that for one particular device, the difference between the lowest and highest price hospitals reported paying was as high as \$9,000. In another example, one hospital paid 83 percent more than another for the exact same knee implant. Chairman Baucus said the next step should be to find an effective mechanism to increase transparency that would help contain costs, preserve high-quality care and save taxpayer dollars.

NOMINATIONS

F. Scott Kieff, of Illinois, to be a Member of the United States International Trade Commission for the term expiring June 16, 2020, vice Daniel Pearson, term expired.

Sept. 11, 2012—Received in the Senate and referred to the Committee on Finance.

Jan. 3, 2013—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Christopher J. Meade, of New York, to be General Counsel for the Department of the Treasury, vice George Wheeler Madison, resigned.

Aug. 2, 2012—Received in the Senate and referred to the Committee on Finance.

Dec. 20, 2012—Committee on Finance. Hearings held.

Jan. 3, 2013—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

William B. Shultz, of the District of Columbia, to be General Counsel of the Department of Health and Human Services, vice Daniel Meron.

Apr. 18, 2012—Received in the Senate and referred to the Committee on Finance.

Dec. 20, 2012—Committee on Finance. Hearings held.

Jan. 3, 2013—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Marilyn B. Tavenner, of Virginia, to be Administrator of the Centers for Medicare and Medicaid Services, vice Donald M. Berwick, resigned.

Dec. 1, 2011—Received in the Senate and referred to the Committee on Finance.

Jan. 3, 2013—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

Mark J. Mazur, of New Jersey, to be an Assistant Secretary of the Treasury, vice Michael F. Mundaca, resigned.

Nov. 15, 2011—Received in the Senate and referred to the Committee on Finance.

May 8, 2012—Committee on Finance. Hearings held.

June 29, 2012—Committee on Finance. Ordered to be reported favorably.

June 29, 2012—Reported by Senator Baucus, Committee on Finance, without printed report.

June 29, 2012—Placed on Senate Executive Calendar. Calendar No. 827. Subject to nominee's commitment to respond to re-

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

Aug. 2, 2012—Confirmed by the Senate by Voice Vote.

Meredith M. Broadbent, of Virginia, to be a Member of the United States International Trade Commission for a term expiring June 16, 2017, vice Deanna Tanner Okun, term expired.

Nov. 8, 2011—Received in the Senate and referred to the Committee on Finance.

May 8, 2012—Committee on Finance. Hearings held.

June 29, 2012—Committee on Finance. Ordered to be reported favorably.

June 29, 2012—Reported by Senator Baucus, Committee on Finance, without printed report.

June 29, 2012—Placed on Senate Executive Calendar. Calendar No. 826. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Aug. 2, 2012—Confirmed by the Senate by Voice Vote.

Matthew S. Rutherford, of Illinois, to be an Assistant Secretary of the Treasury, vice Mary John Miller.

Sept. 23, 2011—Received in the Senate and referred to the Committee on Finance.

May 8, 2012—Committee on Finance. Hearings held.

June 29, 2012—Committee on Finance. Ordered to be reported favorably.

June 29, 2012—Reported by Senator Baucus, Committee on Finance, without printed report.

June 29, 2012—Placed on Senate Executive Calendar. Calendar No. 825. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Alastair M. Fitzpayne, of Maryland, to be a Deputy Under Secretary of the Treasury, vice Kim N. Wallace.

Sept. 15, 2011—Received in the Senate.

Sept. 15, 2011—Placed on Senate Executive Calendar in the Privileged Nomination section with nominee information requested by the Committee on Finance, pursuant to S. Res. 116, 112th Congress.

Oct. 17, 2011—Referred to the Committee on Finance pursuant to S. Res. 116, 112th Congress as requested by Senator Grassley.

Nov. 17, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–657.

Dec. 17, 2011—Committee on Finance. Ordered to be reported favorably.

Dec. 17, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Dec. 17, 2011—Placed on Senate Executive Calendar. Calendar No. 544. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Mar. 29, 2012—Confirmed by the Senate by Voice Vote.

Ronald Lee Buch, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years, vice David Laro, term expired.

Sept. 15, 2011—Received in the Senate and referred to the Committee on Finance.

Dec. 11, 2012—Committee on Finance. Hearings held.

Dec. 21, 2012—Committee on Finance. Ordered to be reported favorably.

Dec. 21, 2012—Reported by Senator Baucus, Committee on Finance, without printed report.

Dec. 21, 2012—Placed on Senate Executive Calendar. Calendar No. 959. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Jan. 1, 2013—Confirmed by the Senate by Voice Vote.

Joseph H. Gale, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years. (Reappointment)

July 11, 2011—Received in the Senate and referred to the Committee on Finance.

Sept. 12, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–580.

Sept. 20, 2011—Committee on Finance. Ordered to be reported favorably.

Sept. 20, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Sept. 20, 2011—Placed on Senate Executive Calendar. Calendar No. 370. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Sept. 26, 2011—Confirmed by the Senate by Voice Vote.

Mary John Miller, of Maryland, to be an Under Secretary of the Treasury, vice Jeffrey Alan Goldstein.

July 5, 2011—Received in the Senate and referred to the Committee on Finance.

Nov. 17, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–657.

Dec. 17, 2011—Committee on Finance. Ordered to be reported favorably.

Dec. 17, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Dec. 17, 2011—Placed on Senate Executive Calendar. Calendar No. 541. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Mar. 29, 2012—Confirmed by the Senate by Voice Vote.

Albert G. Lauber, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years, vice Stephen J. Swift, resigned.

May 26, 2011—Received in the Senate and referred to the Committee on Finance.

Dec. 11, 2012—Committee on Finance. Hearings held.

Dec. 21, 2012—Committee on Finance. Ordered to be reported favorably.

- Dec. 21, 2012—Reported by Senator Baucus, Committee on Finance, without printed report.
- Dec. 21, 2012—Placed on Senate Executive Calendar. Calendar No. 958. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.
- Jan. 1, 2013—Confirmed by the Senate by Voice Vote.
- Kathleen Kerrigan**, of Massachusetts, to be a Judge of the United States Tax Court for a term of fifteen years, vice Harry A. Haines, term expired.
- May 26, 2011—Received in the Senate and referred to the Committee on Finance.
- Nov. 17, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–657.
- Dec. 17, 2011—Committee on Finance. Ordered to be reported favorably.
- Dec. 17, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.
- Dec. 17, 2011—Placed on Senate Executive Calendar. Calendar No. 543. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.
- Mar. 29, 2012—Confirmed by the Senate by Voice Vote.
- Janice Eberly**, of Illinois, to be an Assistant Secretary of the Treasury, vice Alan B. Krueger, resigned.
- May 4, 2011—Received in the Senate and referred to the Committee on Finance.
- July 28, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–573.
- Sept. 20, 2011—Committee on Finance. Ordered to be reported favorably.
- Sept. 20, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.
- Sept. 20, 2011—Placed on Senate Executive Calendar. Calendar No. 367. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.
- Oct. 21, 2011—Confirmed by the Senate by Voice Vote.
- David S. Johanson**, of Texas, to be a Member of the United States International Trade Commission for a term expiring December 16, 2018, vice Charlotte A. Lane, term expired.
- Apr. 8, 2011—Received in the Senate and referred to the Committee on Finance.
- Sept. 12, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–580.
- Oct. 11, 2011—Committee on Finance. Ordered to be reported favorably.
- Oct. 11, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.
- Oct. 11, 2011—Placed on Senate Executive Calendar. Calendar No. 420. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.
- Oct. 31, 2011—Confirmed by the Senate by Voice Vote.

Paul Piquado, of the District of Columbia, to be an Assistant Secretary of Commerce, vice David M. Spooner, resigned.

Mar. 4, 2011—Received in the Senate and referred to the Committee on Finance.

Sept. 12, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–580.

Oct. 11, 2011—Committee on Finance. Ordered to be reported favorably.

Oct. 11, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Oct. 11, 2011—Placed on Senate Executive Calendar. Calendar No. 419. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Oct. 21, 2011—Confirmed by the Senate by Voice Vote.

Henry J. Aaron, of the District of Columbia, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2014, vice Jeffrey Robert Brown, term expired.

Feb. 14, 2011—Received in the Senate and referred to the Committee on Finance.

Nov. 17, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–657.

Dec. 17, 2011—Committee on Finance. Ordered to be reported favorably.

Dec. 17, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Dec. 17, 2011—Placed on Senate Executive Calendar. Calendar No. 542. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Jan. 3, 2013—Returned to the President under the provisions of Senate Rule XXXI, paragraph 6 of the Standing Rules of the Senate.

David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes, vice Stuart Levey, resigning.

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

Apr. 7, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–462.

Apr. 13, 2011—By unanimous consent agreement, nomination to be sequentially referred to the Committee on Banking, Housing, and Urban Affairs.

Apr. 14, 2011—Committee on Finance. Ordered to be reported favorably.

Apr. 14, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Apr. 14, 2011—Referred sequentially to the Committee on Banking, Housing, and Urban Affairs under authority of the order of the Senate of April 13, 2011.

May 3, 2011—Committee on Banking, Housing, and Urban Affairs. Hearings held. Hearings printed: S. Hrg. 112–115.

May 12, 2011—Committee on Banking, Housing, and Urban Affairs. Ordered to be reported favorably.

May 12, 2011—Reported by Senator Johnson (SD), Committee on Banking, Housing, and Urban Affairs, without printed report.

May 12, 2011—Placed on Senate Executive Calendar. Calendar No. 120. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

June 30, 2011—Confirmed by the Senate by Voice Vote.

Timothy Charles Scheve, of Pennsylvania, to be a Member of the Internal Revenue Service Oversight Board for a term expiring September 14, 2015, vice Nancy Killefer, term expired.

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

Jan. 24, 2012—Received message of withdrawal of nomination from the President.

Richard Sorian, of New York, to be an Assistant Secretary of Health and Human Services, vice Christina H. Pearson, resigned.

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

Dec. 16, 2011—Received message of withdrawal of nomination from the President.

Juan F. Vasquez, of Texas, to be a Judge of the United States Tax Court for a term of fifteen years. (Reappointment)

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

July 28, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–573.

Sept. 20, 2011—Committee on Finance. Ordered to be reported favorably.

Sept. 20, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Sept. 20, 2011—Placed on Senate Executive Calendar. Calendar No. 369. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Sept. 26, 2011—Confirmed by the Senate by Voice Vote.

Islam A. Siddiqui, of Virginia, to be Chief Agricultural Negotiator, Office of the United States Trade Representative, with the rank of Ambassador, vice Richard T. Crowder.

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

Sept. 12, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–580.

Oct. 11, 2011—Committee on Finance. Ordered to be reported favorably.

Oct. 11, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Oct. 11, 2011—Placed on Senate Executive Calendar. Calendar No. 418. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Oct. 21, 2011—Confirmed by the Senate by Voice Vote.

Michael W. Punke, of Montana, to be a Deputy United States Trade Representative, with the Rank of Ambassador, vice Peter F. Allgeier, resigned.

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

Sept. 12, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–580.

Oct. 11, 2011—Committee on Finance. Ordered to be reported favorably.

Oct. 11, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Oct. 11, 2011—Placed on Senate Executive Calendar. Calendar No. 417. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

Oct. 21, 2011—Confirmed by the Senate by Voice Vote.

Michael F. Mundaca, of New York, to be an Assistant Secretary of the Treasury, vice Eric Solomon, resigned.

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

July 29, 2011—Received message of withdrawal of nomination from the President.

Alan D. Bersin, of California, to be Commissioner of Customs, Department of Homeland Security, vice W. Ralph Basham.

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

Feb. 1, 2012—Received message of withdrawal of nomination from the President.

Donald M. Berwick, of Massachusetts, to be Administrator of the Centers for Medicare and Medicaid Services, vice Mark B. McClellan.

Jan. 26, 2011—Received in the Senate and referred to the Committee on Finance.

Dec. 1, 2011—Received message of withdrawal of nomination from the President.

Jenni Rane LeCompte, of the District of Columbia, to be an Assistant Secretary of the Treasury, vice Michele A. Davis, resigned.

Jan. 5, 2011—Received in the Senate and referred to the Committee on Finance.

Apr. 7, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–462.

Apr. 14, 2011—Committee on Finance. Ordered to be reported favorably.

Apr. 14, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.

Apr. 14, 2011—Placed on Senate Executive Calendar. Calendar No. 102. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

June 30, 2011—Confirmed by the Senate by Voice Vote.

Maurice B. Foley, of Maryland, to be a Judge of the United States Tax Court for a term of fifteen years. (Reappointment)

- Jan. 5, 2011—Received in the Senate and referred to the Committee on Finance.
- July 28, 2011—Committee on Finance. Hearings held. Hearings printed: S. Hrg. 112–573.
- Sept. 20, 2011—Committee on Finance. Ordered to be reported favorably.
- Sept. 20, 2011—Reported by Senator Baucus, Committee on Finance, without printed report.
- Sept. 20, 2011—Placed on Senate Executive Calendar. Calendar No. 368. Subject to nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.
- Sept. 26, 2011—Confirmed by the Senate by Voice Vote.

**BILLS AND RESOLUTIONS REFERRED
TO THE COMMITTEE**

There were 1349 Senate bills and 11 House bills referred to the committee for consideration during the 112th Congress. In addition, 20 Senate and House resolutions (joint, concurrent or simple resolutions) were referred to the committee.

REPORTS, PRINTS, AND STUDIES

During the 112th Congress, the committee and supporting joint committees, prepared and issued 15 reports, special prints, and studies on the following topics:

Title	Document no.	To accompany
A BILL TO CREATE A CITRUS TRUST FUND, TO RENEW AND MODIFY THE COTTON TRUST FUND, AND TO MODIFY AND EXTEND THE WOOL TRUST FUND.	112-227	S. 3568
RUSSIA AND MOLDOVA JACKSON-VANIK REPEAL AND MAGNITSKY RULE OF LAW ACCOUNTABILITY ACT.	112-226	S. 3406
AMENDING THE AFRICAN GROWTH AND OPPORTUNITY ACT TO EXTEND THE THIRD-COUNTRY FABRIC PROGRAM AND TO ADD SOUTH SUDAN TO THE LIST OF COUNTRIES ELIGIBLE FOR DESIGNATION UNDER THE ACT, TO MAKE TECHNICAL CORRECTIONS TO THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES RELATING TO THE TEXTILE AND APPAREL RULES OF ORIGIN FOR THE DOMINICAN REPUBLIC-CENTRAL AMERICA-UNITED STATES FREE TRADE AGREEMENT, AND TO APPROVE THE RENEWAL OF IMPORT RESTRICTIONS CONTAINED IN THE BURMESE FREEDOM AND DEMOCRACY ACT OF 2003.	112-225	S. 3326
UNITED STATES-PANAMA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT.	112-224	S. 1643
UNITED STATES-KOREA FREE TRADE AGREEMENT IMPLEMENTATION ACT.	112-223	S. 1642
UNITED STATES-COLOMBIA TRADE PROMOTION AGREEMENT IMPLEMENTATION ACT.	112-222	S. 1641
ENFORCING ORDERS AND REDUCING CUSTOMS EVASION ACT OF 2012.	112-209	S. 3524
FAMILY AND BUSINESS TAX CUT CERTAINTY ACT OF 2012.	112-208	S. 3521
HIGHWAY INVESTMENT, JOB CREATION, AND ECONOMIC GROWTH ACT OF 2012.	112-152	S. 2132
STAFF REPORT ON MEDTRONIC'S INFLUENCE ON INFUSE CLINICAL STUDIES.	112-38	
STAFF REPORT ON HOME HEALTH AND THE MEDICARE THERAPY THRESHOLD.	112-24	

Title	Document no.	To accompany
STAFF REPORT ON SANOFF'S STRATEGIC USE OF THIRD PARTIES TO INFLUENCE THE FDA.	112-20	
REPORT ON THE ACTIVITIES OF THE COM- MITTEE ON FINANCE OF THE UNITED STATES SENATE DURING THE 111TH CON- GRESS PURSUANT TO RULE XXVI OF THE STANDING RULES OF THE UNITED STATES SENATE.	112-11	
RULES OF PROCEDURE, SENATE COM- MITTEE ON FINANCE.	112-8	
AIRPORT AND AIRWAY TRUST FUND REAU- THORIZATION ACT OF 2011.	112-1	S. 340

OFFICIAL COMMUNICATIONS

During the 112th Congress, a total of 634 official communications were submitted to the committee. Of these, 12 were Presidential Messages; 609 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 13 Petitions and Memorials.

