

1 EXECUTIVE COMMITTEE ORGANIZATIONAL MEETING, AND TO
2 CONSIDER THE NOMINATION OF MICHAEL O. LEAVITT, TO BE
3 SECRETARY, DEPARTMENT OF HEALTH AND HUMAN SERVICES
4 TUESDAY, JANUARY 25, 2005
5 U.S. Senate,
6 Committee on Finance,
7 Washington, DC.

8 The meeting was convened, pursuant to notice, at
9 10:06 am., in room SD-215, the Dirksen Senate Office
10 Building, Hon. Charles E. Grassley (chairman of the
11 committee) presiding.

12 Also present: Senators Hatch, Lott, Snowe, Kyl,
13 Thomas, Santorum, Smith, Bunning, Crapo, Baucus,
14 Rockefeller, Conrad, Jeffords, Bingaman, Wyden, and
15 Schumer.

16 Also present: Kolan Davis, Republican Staff Director
17 and Chief Counsel; Russ Sullivan, Democratic Staff
18 Director; Dean Zerbe, Tax Counsel and Senior Counsel to
19 the Chairman; Carla Martin, Chief Clerk.

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1 OPENING STATEMENT OF HON. CHARLES E. GRASSLEY, CHAIRMAN,
2 COMMITTEE ON FINANCE
3

4 The Chairman. I thank all the members of the
5 committee for their kind attention to being here on time.
6 I do not know whether my staff handed out something that
7 I wanted to make sure that every member had, so I am
8 going to call it to your attention and hopefully staff
9 will get it to you, or your offices. This is not the
10 purpose of this meeting, but I do not want this to go
11 unnoticed.

12 Before we adjourned last year, on the Omnibus bill,
13 there were about 12 items in the Omnibus appropriation
14 bill that dealt with the jurisdiction of this committee.

15 So Senator Baucus and I sent a letter to the
16 Appropriations Committee that I want you to have a copy
17 of, and then be cognizant of what happened last year so
18 each one of you on this committee can help us protect the
19 jurisdiction of this committee, although Senator Baucus
20 and I would assume that it is our responsibility to do
21 that. But any help we can get from members on the
22 committee would also be helpful.

23 That letter pointed out, I think, about a dozen
24 instances in which the Omnibus bill contained things
25 within the jurisdiction of this committee. Now, some of

1 them you might read and say, well, what difference does
2 it make?

3 But the point is, we had had assurances from the
4 Appropriations Committee, before they ever considered
5 appropriation bills, that they would always consult with
6 us. I would not want to say that there was not some
7 consultation, but obviously my staff, and I think Senator
8 Baucus' staff will tell you, when it comes down to what
9 was finally put in there, there was little knowledge on
10 our part of those items.

11 So, we have got to work now to make sure that, come
12 October this year, that we have access to that document
13 so our staffs can go through it and find out what is
14 within the jurisdiction of our committee.

15 But, better than that, it would be very helpful if
16 the Appropriations Committee would do what they said they
17 were going to do and always come to us for our approval,
18 or at least our input.

19 Then Senator Conrad, one of these outstanding issues
20 was that about the privacy of income tax. Now, obviously
21 that came to our attention and we were able to take care
22 of that because some of the work that you had done. But,
23 also, our staff was on top of that, too, I think.

24 But the point being, these things do not have to
25 happen. The reason I want to point it out to you is so

1 that we can preclude those things happening again, but
2 also to ask your help.

3 Now, to today's business.

4 Senator Baucus. If I might, Mr. Chairman.

5 The Chairman. So, make sure we get that letter.

6 Senator Baucus. If I might, I fully support what
7 you are doing here. There were a couple of actions this
8 last year that border on the outrageous.

9 That is, matters were included in appropriations
10 bills that at the very least, as you say, there should
11 have been consultation, but there was none in many
12 instances, if not most instances. I appreciate what you
13 are saying, because it is the right thing to do. I
14 certainly will work with you to accomplish our objective.

15 The Chairman. So will each of you on the committee
16 make sure that you get a copy of that letter? It is my
17 responsibility to get you a copy of that letter. But
18 also, to read it, and also to discuss it with your
19 respective staff people that work with you on this
20 committee.

21 The Committee on Finance is meeting today to organize
22 for the 109th Congress and to consider favorably
23 reporting the nomination of Michael O. Leavitt to be
24 Secretary of Department of Health and Human Services.

25 On the committee's organization, we have a few items

1 to approve in just a very short period of time. These
2 matters have been worked out with the distinguished
3 Ranking Member, Senator Baucus, as well as individual
4 members.

5 The document for our meeting today is distributed to
6 members and staff as of yesterday, so if there are any
7 questions, hopefully they have been already discussed at
8 the staff level and brought to our attention.

9 We have a quorum, so with this quorum I move that we
10 adopt item number one, our committee funding resolution,
11 and order it favorably reported to the Senate.

12 Is there any discussion?

13 [No response].

14 The Chairman. Without objection, the resolution is
15 adopted.

16 Now I would like to move that we approve subcommittee
17 assignments that are reflected in a list before each
18 member. There has been no change in the structure or
19 number of subcommittees, other than to reflect the new
20 Senate ratio.

21 Again, is there any discussion of these
22 subcommittees?

23 [No response].

24 The Chairman. If there is no objection, the
25 subcommittee assignments are adopted.

1 [No response].

2 The Chairman. I would now move that the committee
3 move that the committee rules be adopted. Copies of the
4 rules are also before you. There are no changes to the
5 committee rules from the last Congress.

6 Any discussion?

7 [No response].

8 The Chairman. Without objection then, the rules are
9 adopted.

10 [No response].

11 The Chairman. I now move that the appointments of
12 the following members be approved to serve on the Joint
13 Committee on Taxation, the Congressional Trade Advisors
14 on Trade Policy and Negotiations, and also on the
15 Congressional Oversight Group. These Senators would be:
16 the Chairman and Ranking Member, Senator Hatch, and
17 Senator Lott for Republicans, and Senator Rockefeller for
18 Democrats.

19 Any discussion?

20 [No response].

21 The Chairman. Without objection, then that is
22 ordered.

23 [No response].

24 The Chairman. Now we would move to executive
25 session to approve the nomination of Michael O. Leavitt

1 to be Secretary of Health and Human Services.

2 Is there any discussion of this nomination?

3 [No response].

4 The Chairman. Those in favor of reporting the
5 nomination vote aye.

6 [Chorus of ayes].

7 The Chairman. Those opposed, nay.

8 [No response].

9 The Chairman. The ayes have it, and the nomination
10 of Michael Leavitt to be Secretary of HHS is now reported
11 to the Senate.

12 Before the committee adjourns, I have the good
13 fortune of welcoming Senator Schumer to this committee,
14 as we did a week ago, but snow kept him in New York.

15 Senator Schumer. I was several thousand feet above
16 you at that time.

17 The Chairman. All right. All right.

18 Senator Baucus. And it was the physical kind of
19 snow. It was not the Snowe on this committee that kept
20 him in New York. [Laughter].

21 The Chairman. I am meeting with the new members of
22 the committee one-on-one. I am going to have a meeting
23 next with Senator Wyden, and then I look forward to
24 sitting down with you in your office, Senator Schumer, to
25 go over with you some of the desires you have for your

1 work on this committee.

2 In previous Congresses, I have met with members one-
3 on-one. Maybe some of you were meeting with me one-on-
4 one because you wanted to be polite to me. So I am not
5 going to force myself on you this Congress, but if any of
6 you want me to come to your office very early on in the
7 next month or so to discuss the things you want to bring
8 up in this committee, call Leah Shimp, my scheduler, and
9 I will come to your office for approximately an hour to
10 visit with you about anything you want to visit about.

11 I would urge that we continue to have some of the
12 very informal rump sessions that we have had of both
13 Republicans and Democrats. Then I assume that Senator
14 Baucus and I will also do what we do occasionally, have
15 our separate caucuses of Republicans and Democrats.

16 Then, also, just so you know, in the spirit of
17 bipartisanship, Senator Baucus and I try to meet for at
18 least an hour once a week, and also sometimes our staff
19 are present, to go over the agenda of the committee and
20 to see what we can work out at our levels to make this
21 committee function smoothly. Senator Baucus and I have
22 already talked about reconvening those meetings for this
23 particular year.

24 So, those are some of the things that we do to make
25 this committee function. If any of you have any

1 suggestions about functioning otherwise, I would be glad
2 to entertain them.

3 About the only thing that I have ever participated in
4 that I thought was a waste of time in past Congresses for
5 this committee to function well, was weekend retreats of
6 this committee out in some woodland in West Virginia or
7 something.

8 I never thought they were very productive. Well, not
9 because they were West Virginia or because they were in
10 the woods. [Laughter]. Just because the environment was
11 not --

12 Senator Rockefeller. Or maybe in western
13 Pennsylvania.

14 The Chairman. Anyway, I am willing to entertain any
15 suggestions any of you have. Oh. North Dakota? Meeting
16 adjourned, before we get into a deeper hole. [Laughter].

17 [Whereupon, at 10:15 a.m. the meeting was concluded.]

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**UNITED STATES SENATE
COMMITTEE ON FINANCE
Charles E. Grassley, Chairman**

January 25, 2005

10:00 a.m.

215 Dirksen Senate Office Building

**Agenda for Organizational Meeting
Committee on Finance
109th Congress**

I. Organizational Matters

- Committee Budget
- Subcommittee Assignments
- Committee Rules
- Appointments to Joint Committee on Taxation
- Appointments to Congressional Trade Advisors on Trade Policy and Negotiations
- Appointments to the Congressional Oversight Group

II. Nomination of Michael O. Leavitt, to be Secretary, Health and Human Services

*Roll Call
Announcements*

S. RES. ___
IN THE SENATE OF THE UNITED STATES

Mr. Grassley, from the Committee on Finance, reported the following original resolution; which was referred to the Committee on Rules and Administration

Resolution

authorizing expenditures by the Committee on Finance.

Resolved, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings; reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rules XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2005, through September 30, 2005; October 1, 2005, through September 30, 2006; and October 1, 2006, through February 28, 2007, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

Sec. 2(a). The expenses of the committee for the period March 1, 2005, through September 30, 2005, under this resolution shall not exceed \$4,081,365, of which amount (1) not to exceed \$17,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$5,833 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2005, through September 30, 2006, expenses of the committee under this resolution shall not exceed \$7,165,470, of which amount (1) not to exceed \$30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2006, through February 28, 2007, expenses of the committee under this resolution shall not exceed \$3,049,982, of which amount (1) not to exceed \$12,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$4,167 may be expended for the training of the

professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946.)

Sec. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2005, respectively.

Sec. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the Chairman of the Committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

Sec. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2005, through September 30, 2005; October 1, 2005 through September 30, 2006; and October 1, 2006 through February 28, 2007, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

adopt u

**FINANCE SUBCOMMITTEE ASSIGNMENTS
109TH CONGRESS**

HEALTH		TRADE	
Republican (7)	Democrat (5)	Republican (8)	Democrat (6)
Hatch (Chair) Snowe Frist Kyl Thomas Santorum Bunning	Rockefeller (Ranking) Wyden Jeffords Bingaman Kerry	Thomas (Chair) Crapo Lott Smith Bunning Hatch Snowe Frist	Bingaman (Ranking) Baucus Rockefeller Conrad Wyden Schumer
SOCIAL SECURITY & FAMILY POLICY		TAX	
Republican (8)	Democrat (6)	Republican (8)	Democrat (6)
Santorum (Chair) Grassley Bunning Frist Lott Crapo Kyl Smith	Conrad (Ranking) Jeffords Bingaman Kerry Lincoln Rockefeller	Kyl (Chair) Lott Grassley Hatch Snowe Crapo Thomas Santorum	Jeffords (Ranking) Conrad Schumer Baucus Kerry Lincoln
LONG-TERM DEBT			
Republican	Democrat		
Smith (Chair) Grassley	Kerry (Ranking)		

Rules adopted

S. PRT. ~~100-110~~

Rules of Procedure
NINTH
ONE HUNDRED ~~THIRD~~ CONGRESS
COMMITTEE ON FINANCE

United States Senate



Printed for the Use of the Committee on Finance
Pursuant to Rule XXVI of the Standing Rules
of the Senate

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COMMITTEE ON FINANCE

I. RULES OF PROCEDURE

(Adopted February 14, 2003)

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 after consultation with the ranking minority member. 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.*—Witnesses and memoranda, documents, and records may be subpoenaed by the chairman of the committee with the agreement of the ranking minority member or by a majority vote of the committee. Subpoenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the chairman, or by any other member of the committee designated by him.

Rule 11. *Nominations.*—In considering a nomination, the Committee may conduct an investigation or review of the nominee's experience, qualifications, and suitability, to serve in the position to which he or she has been nominated. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including bio-

graphical, financial, policy, and other information which the Committee may request. The Committee may specify which items in such statement are to be received on a confidential basis. Witnesses called to testify on the nomination may be required to testify under oath.

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

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

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

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

(c) Witnesses shall observe proper standards of dignity, decorum and propriety while presenting their views to the committee. Any

witness who violates this rule shall be dismissed, and his testimony (both oral and written) shall not appear in the record of the hearing.

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

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

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

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

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

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

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

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

Rule 17. Subcommittees.—(a) The chairman, subject to the approval of the committee, shall appoint legislative subcommittees. The ranking minority member shall recommend to the chairman appointment of minority members to the subcommittees. All legislation shall be kept on the full committee calendar unless a majority of the members present and voting agree to refer specific legislation to an appropriate subcommittee.

(b) The chairman may limit the period during which House-passed legislation referred to a subcommittee under paragraph (a) will remain in that subcommittee. At the end of that period, the legislation will be restored to the full committee calendar. The period referred to in the preceding sentences should be

6 weeks, but may be extended in the event that adjournment or a long recess is imminent.

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

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

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

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

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

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

(1) no subcommittee meeting will be held when the committee is in executive session, except by unanimous consent;

(2) no more than one subcommittee will meet when the full committee is holding hearings; and

(3) not more than two subcommittees will meet at the same time.

Notwithstanding paragraphs (2) and (3), a subcommittee may meet when the full com-

mittee is holding hearings and two subcommittees may meet at the same time only upon the approval of the chairman and the ranking minority member of the committee and subcommittees involved.

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

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

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

(a) By majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

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

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

correct their remarks for grammatical errors or to accurately reflect statements made.

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

II. EXCERPTS FROM THE STANDING
RULES OF THE SENATE RELATING
TO STANDING COMMITTEES

RULE XXV

STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

* * *

(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.

* * *

RULE XXVI

COMMITTEE PROCEDURE

* * *

2. Each committee shall adopt rules (not inconsistent with the Rules of the Senate) governing the procedure of such committee. The rules of each committee shall be published in the Congressional Record not later than March 1 of the first year of each Congress, except that if any such committee is established on or after February 1 of a year, the rules of that committee during the year of establishment shall be published in the Congressional Record not later than sixty days after such establishment. Any amendment to the rules of a committee shall not take effect until the amendment is published in the Congressional Record.

* * *

5. (a) Notwithstanding any other provision of the rules, when the Senate is in session, no committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first two hours after the meeting of the Senate commenced and in no case after two o'clock post meridian unless consent therefor has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The majority leader or his designee shall announce to the

Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a closure motion.

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

(1) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(2) will relate solely to matters of committee staff personnel or internal staff management or procedure;

(3) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(4) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal of-

fense that is required to be kept secret in the interests of effective law enforcement;

(5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

(e) Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not

such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record.

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Designation of Members to Serve on the Joint Committee on Taxation

Charles E. Grassley
Orrin G. Hatch
Trent Lott
Max Baucus
John D. Rockefeller, IV

SS.
To Adv.

Designation of Members to Serve on the Congressional Trade Advisors
on Trade Policy and Negotiations

Charles E. Grassley
Orrin G. Hatch
Trent Lott
Max Baucus
John D. Rockefeller, IV

Designation of Members to Serve on the Congressional Oversight Group

Charles E. Grassley
Orrin Hatch
Trent Lott
Max Baucus
John D. Rockefeller, IV