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CONTACT: [Julia Lawless](#), [Antonia Ferrier](#)

(202) 224-4515

HATCH STATEMENT AT SENATE FINANCE COMMITTEE HEARING CONSIDERING TAX COURT & TRADE NOMINATIONS

WASHINGTON – U.S. Senator Orrin Hatch (R-Utah), Ranking Member of the Senate Finance Committee, today delivered the following remarks during a Senate Finance Committee hearing considering the nominations of Michael B. Thornton and Joseph W. Nega to serve as Judges of the U.S. Tax Court, and F. Scott Kieff to be a member of the U.S. International Trade Commission:

Thank you Mr. Chairman. I welcome the opportunity to hear from our trade and tax nominees in today's hearing. I appreciate their presence here before the committee as well as their willingness to serve.

I am pleased to welcome Scott Kieff to the Committee today.

Mr. Kieff is nominated to be a member of the United States International Trade Commission. His distinguished career includes work as a law professor at several prestigious universities. He also served as a law clerk to the Honorable Giles S. Rich of the U.S. Court of Appeals for the Federal Circuit and practiced law for over six years in Chicago and New York.

Mr. Kieff is currently a Senior Fellow at Stanford's Hoover Institution, where he directs a project studying the law, economics, and politics of innovation.

I have to say that Mr. Kieff's background is very impressive. I believe he will be an exceptional addition to the International Trade Commission.

I am particularly impressed with Mr. Kieff's extensive background in intellectual property issues.

Intellectual property is the life-blood of the U.S. economy. Providing adequate protection to intellectual property is fundamental to our continued ability to innovate and compete in the global economy.

The ITC plays an important role in administering laws designed to protect U.S. intellectual property rights. For example, the ITC's Section 337 process is a vital tool for U.S. companies that face unfair competition from foreign imports that infringe their intellectual property, and I have a longstanding interest in making sure this process operates as effectively as possible.

Senator Baucus and I recently requested that the Government Accountability Office examine the effectiveness of the enforcement of ITC Section 337 exclusion orders.

The ITC also conducts important analytical work related to intellectual property. For example, the ITC conducted an important study requested by this Committee on the effects that intellectual property rights infringement and indigenous innovation policies in China have on U.S. jobs and the economy.

The ITC is also preparing a study requested by this Committee examining digital trade in the U.S. and global economies, including the importance of effective intellectual property rights protection.

So although the ITC is not a policy making agency, I believe Mr. Kieff's background and expertise in intellectual property issues will bring an important perspective to the agency's work.

Today, we will also hear from two nominees to the United States Tax Court.

The Tax Court is very important as it is the only venue in which a taxpayer may challenge the government before paying an assessed tax liability. The court gives taxpayers a chance to be fully heard in a neutral and public forum.

One of the nominees before us today is Joseph Nega, who currently serves as Senior Legislative Counsel at the Joint Committee on Taxation. Here on the Finance Committee, we have benefitted from Mr. Nega's work for a long time, and he will leave behind big shoes to fill at the JCT.

We'll also hear from Judge Michael Thornton, who has already served a term on the Tax Court. Should he be reconfirmed, taxpayers throughout the country will continue to benefit from having his knowledge and expertise on the Tax Court.

As is customary for Tax Court Judges who are willing to continue serving after their terms expire, Chairman Baucus and I encouraged President Obama to reappoint Judge Thornton, and I'm glad that he followed our advice.

In the same letter, we also recommended to the President that he reappoint Judge L. Paige Marvel, whose term has also expired. I hope that we will be able to consider that nomination soon. It is the taxpayers who will pay the price if the Tax Court is not kept staffed

with qualified judges.

So, as you can see, we have some important positions to fill. And, from the looks of it, we've got some very qualified nominees to fill them. Thank you Mr. Chairman. I look forward to hearing from these nominees.

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