

1 EXECUTIVE COMMITTEE MEETING TO SUBMIT THE TENTATIVE
2 HEARING SCHEDULE; TO APPROVE THE COMMITTEE FUNDING
3 RESOLUTION; ADOPTION OF COMMITTEE RULES; SUBCOMMITTEES
4 AND ASSIGNMENTS; APPOINTMENTS OF MEMBERS TO SERVE ON THE
5 JOINT TAXATION COMMITTEE AND AS CONGRESSIONAL ADVISORS ON
6 TRADE POLICY AND NEGOTIATING; AND TO VOTE ON THE
7 NOMINATION OF MARK A. WEINBERGER, TO BE ASSISTANT
8 SECRETARY OF THE TREASURY (TAX POLICY); AND NOMINATION OF
9 JOHN DUNCAN, TO BE ASSISTANT SECRETARY OF THE TREASURY
10 FOR LEGISLATIVE AFFAIRS

11 WEDNESDAY, FEBRUARY 28, 2001

12 U.S. Senate,
13 Committee on Finance,
14 Washington, DC.

15 The meeting was convened, pursuant to notice, at
16 3:02 p.m., in room 215, Dirksen Senate Office Building,
17 Hon. Charles E. Grassley (chairman of the committee)
18 presiding.

19 Present: Senators Hatch, Murkowski, Gramm, Lott,
20 Jeffords, Snowe, Baucus, Breaux, Conrad, Bingaman, Kerry,
21 and Torricelli.

22 Also present: Colvin Davis, Staff Director and Chief
23 Counsel; and John Angell, Minority Chief of Staff.

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1 OPENING STATEMENT OF HON. CHARLES E. GRASSLEY, A U.S.
2 SENATOR FROM IOWA, CHAIRMAN OF THE COMMITTEE

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4 The Chairman. We are going to now divert to the
5 work that Senator Baucus and I have put together. We
6 have agreed to have John Duncan and Mark Weinberger's
7 nominations before this committee.

8 We have both known Mr. Weinberger for a long period
9 of time, and Mr. Duncan for a long period of time, so
10 there is probably nothing new there. We will not
11 actually send the nominations to the floor until after
12 their hearing today.

13 After the hearing with Secretary O'Neill, we will
14 have then a short meeting on the Duncan nomination and
15 the Weinberger nomination.

16 On the committee's organization, we have just a few
17 items to approve here. It will just take a very short
18 period of time. Each of these matters have been worked
19 out with the distinguished Ranking Member, Senator
20 Baucus, who has put forth a lot of time and effort in
21 order to get this done, the same type of cooperation and
22 hard work that it will take for us to have, working
23 together, to get this committee's work done over the next
24 several months.

25 The documents for our meeting today were distributed

1 last night, and staff meetings took place today on that
2 agenda. We put together a tentative hearing list for the
3 next couple of months, with input from all members.

4 It is an ambitious schedule that includes around 16
5 subject matter hearings. There will be a number of
6 nomination hearings as well. So, there is a great deal
7 of work to do. I would certainly appreciate the
8 cooperation and help of all the members of the committee.

9 Senator Baucus?

10 Senator Baucus. Mr. Chairman, I want to thank you
11 very much. You have been more than gracious in
12 accommodating and working out the committee business
13 matters. Also, I want to thank you very much for the
14 expeditious way in which you are handling the nominees.
15 I think this is a very efficient and fair way to do it.

16 The Chairman. All right. Thank you.

17 At this time I would like to move to the Executive
18 Session, now that we have a quorum.

19 The Chairman. First, I would move that we adopt our
20 committee funding resolution that is before you, reported
21 to the Senate. The resolution comports with Senate
22 Resolution 8 and the Rules Committee instructions. So,
23 without objection, the resolution is adopted. I wait to
24 see, is there any objection?

25 [No response]

1 The Chairman. The record will show that it has been
2 unanimously approved and will be reported.

3 Now I would like to move that we approve the
4 subcommittees and assignments that are reflected in a
5 list before each member. There has been no change in the
6 structure or numbers of subcommittees, other than to
7 reflect the 50/50 split in the Senate.

8 Again, is there any discussion?

9 [No response]

10 The Chairman. If there is no discussion, without
11 objection, I would assume that the resolution is adopted.
12 I will wait a minute for objection.

13 [No response]

14 The Chairman. No objection. So that business is
15 done. It does not have to be reported to the Senate.

16 Next, I move that the committee rules be adopted.
17 Now, we have had copies of the rules before you. There
18 are no changes to the committee rules, although Senator
19 Baucus and I have agreed to try to do things, under these
20 extraordinary and historical circumstances of the Senate
21 being divided 50/50, in a very bipartisan way as much as
22 possible.

23 For example, we have agreed that, in hearings, each
24 side will get half the witnesses, not counting an
25 appropriate number of administration witnesses. This

1 intent is set out in a memorandum of understanding
2 between Senator Baucus and me, and that memorandum is
3 before you. That memorandum will be put in the committee
4 record.

5 Is there any discussion on the rules or the
6 memorandum of understanding?

7 Senator Baucus. I move the rules.

8 The Chairman. All right. I am going to ask for an
9 aye vote. Those in favor, say aye.

10 [A chorus of ayes]

11 The Chairman. Those opposed, say no.

12 [No response]

13 The Chairman. The ayes have it. The rules are
14 adopted.

15 Last, I would move that the appointments of the
16 following members to serve on the Joint Committee on
17 Taxation and as Congressional trade advisors on Trade
18 Policy and Negotiations.

19 Those members include the chairman of the committee,
20 Senator Hatch, Senator Murkowski, Senator Baucus, and
21 Senator Rockefeller. These are the statutory positions
22 requiring three members from the Majority and two from
23 the Minority.

24 Is there any discussion?

25 Senator Baucus. Mr. Chairman, I just want to say

1 that, again, I want to thank you very much for working
2 this out.

3 Second, as is almost always is the case, particularly
4 in the Senate, and most particularly with a 50/50 ratio,
5 what this really comes down to is comity and cooperation,
6 which you have very much shown.

7 Rules are great and these are good rules, but I very
8 much appreciate and look forward to the continued
9 cooperation that we have had thus far, and I thank you
10 for it.

11 The Chairman. All right.

12 Then without objection, those committees are
13 concluded. That business is done. I thank all of you
14 for your cooperation.

15 The nominations we have for Mr. Duncan and Mr.
16 Weinberger, I think we all know these gentlemen from
17 various appearances before this committee, working with
18 the committee. They are well-suited for the job. They
19 have strong assets for the Treasury Department. On these
20 nominations for the Treasury, do you have any comments?

21 Senator Baucus. Mr. Chairman, I move the
22 nominations to be favorably reported.

23 The Chairman. All right.

24 I hope there is not a roll call needed. Is there any
25 discussion on the nominations?

1 [No response]

2 The Chairman. Then I would ask, all those in favor
3 of the nominations, say aye.

4 [A chorus of ayes]

5 The Chairman. Opposed?

6 [No response]

7 The Chairman. Let the record show that there was
8 unanimous consent to the approval of these nominations.

9 Senator Murkowski. Mr. Chairman, I would like to
10 submit for the record a statement in support of the
11 nominations of Mark Weinberger.

12 The Chairman. That statement will be included in
13 the record.

14 [The prepared statement of Senator Murkowski appears
15 in the appendix.]

16 The Chairman. The Senator from Mississippi.

17 Senator Lott. Two points. First of all, I
18 congratulate you and the Ranking Democrat on working out
19 these issues. I know they have not been easy, but to get
20 the committee funding worked out and get an agreement on
21 how to proceed is the right thing to do, and I do
22 appreciate it.

23 On these nominations, I just wanted to inquire, would
24 there be any objection to us moving these nominations
25 this afternoon in the full Senate? They are positions

1 that we need to get people in place. I do not think they
2 are controversial, and we need the business.

3 Senator Baucus. I am always looking for an
4 opportunity to accommodate the Leader. I think we have
5 no objection on this.

6 Senator Lott. Thank you very much.

7 Thank you, Mr. Chairman.

8 The Chairman. Our Executive Session is over.

9 [Whereupon, at 3:07 p.m., the meeting was concluded.]

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**UNITED STATES SENATE
COMMITTEE ON FINANCE**

**Wednesday, February 28, 2001
2:00 p.m.**

215 Dirksen Senate Office Building

Organizational Business Meeting

- I. Committee Funding Resolution
- II. Subcommittee Assignments
- III. Committee Rules
- IV. Appointment of Members to Serve on the Joint Committee on Taxation
- V. Appointment of Members to Serve on the Congressional Trade
Advisors on Trade Policy and Negotiations

107TH CONGRESS
1ST SESSION

S. RES. 8

Relative to Senate procedure in the 107th Congress.

IN THE SENATE OF THE UNITED STATES

JANUARY 5, 2001

Mr. DASCHLE (for himself and Mr. LOTT) submitted the following resolution;
which was considered and agreed to

RESOLUTION

Relative to Senate procedure in the 107th Congress.

1 *Resolved*, That notwithstanding the provisions of rule
2 XXV, or any other provision of the Standing Rules or
3 Standing Orders of the Senate, the committees of the Sen-
4 ate, including Joint and Special Committees, for the 107th
5 Congress shall be composed equally of members of both
6 parties, to be appointed at a later time by the two Leaders;
7 that the budgets and office space for such committees, and
8 all other subgroups, shall likewise be equal, with up to an
9 additional 10 percent to be allocated for administrative ex-
10 penses to be determined by the Rules Committee, with the
11 total administrative expenses allocation for all committees
12 not to exceed historic levels; and that the Chairman of

1 a full committee may discharge a subcommittee of any
2 Legislative or Executive Calendar item which has not been
3 reported because of a tie vote and place it on the full com-
4 mittee's agenda.

5 SEC. 2. *Provided*, That such committee ratios shall
6 remain in effect for the remainder of the 107th Congress,
7 except that if at any time during the 107th Congress ei-
8 ther party attains a majority of the whole number of Sen-
9 ators, then each committee ratio shall be adjusted to re-
10 flect the ratio of the parties in the Senate, and the provi-
11 sions of this resolution shall have no further effect, except
12 that the members appointed by the two Leaders, pursuant
13 to this resolution, shall no longer be members of the com-
14 mittees, and the committee chairmanships shall be held
15 by the party which has attained a majority of the whole
16 number of Senators.

17 SEC. 3. Pursuant to the provisions and exceptions
18 listed above, the following additional Standing Orders
19 shall be in effect for the 107th Congress:

20 (1) If a committee has not reported out a legis-
21 lative item or nomination because of a tie vote, then,
22 after notice of such tie vote has been transmitted to
23 the Senate by that committee and printed in the
24 Record, the Majority Leader or the Minority Leader
25 may, only after consultation with the Chairman and

1 Ranking Member of the committee, make a motion
2 to discharge such legislative item or nomination, and
3 time for debate on such motion shall be limited to
4 4 hours, to be equally divided between the two Lead-
5 ers, with no other motions, points of order, or
6 amendments in order: *Provided*, That following the
7 use or yielding back of time, a vote occur on the mo-
8 tion to discharge, without any intervening action,
9 motion, or debate, and if agreed to it be placed im-
10 mediately on the Calendar of Business (in the case
11 of legislation) or the Executive Calendar (in the case
12 of a nomination).

13 (2) Notwithstanding the provisions of rule
14 XXII, to insure that any cloture motion shall be of-
15 fered for the purpose of bringing to a close debate,
16 in no case shall it be in order for any cloture motion
17 to be made on an amendable item during its first 12
18 hours of Senate debate: *Provided*, That all other pro-
19 visions of rule XXII remain in status quo.

20 (3) Both Leaders shall seek to attain an equal
21 balance of the interests of the two parties when
22 scheduling and debating legislative and executive
23 business generally, and in keeping with the present
24 Senate precedents, a motion to proceed to any Leg-
25 islative or Executive Calendar item shall continue to

1 be considered the prerogative of the Majority Lead-
2 er, although the Senate Rules do not prohibit the
3 right of the Democratic Leader, or any other Sen-
4 ator, to move to proceed to any item.

○

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

Mr. Grassley, from the Committee on Finance, reported the following original resolution: which was _____.

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, 2001, through September 30, 2001; October 1, 2001, through September 30, 2002; and October 1, 2001, through February 28, 2003, 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, 2001, through September 30, 2001, under this resolution shall not exceed \$3,230,940, 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, 2001, through September 30, 2002, expenses of the committee under this resolution shall not exceed \$5,729,572, 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, 2002, through February 28, 2003, expenses of the committee under this resolution shall not exceed \$2,449,931, 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, 2003, 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, 2001, through September 30, 2001; October 1, 2001 through September 30, 2002; and October 1, 2002 through February 28, 2003, to be paid from the Appropriations account for "Expenses of Inquiries and Investigations."

COMMITTEE ON FINANCE

	FY-01 3/01-9/01	FY-02 10/01-9/02	FY-03 10/01-2/03
2000 S Res 8 adjusted salary baseline 7 months (3/1/01-9/30/01)	\$2,608,562		
2000 S Res 8 adjusted salary baseline 12 months (10/1/01-9/30/02)		\$4,474,820	
2000 S Res 8 adjusted salary baseline 5 months (10/1/02-2/28/03)			\$1,363,253
2000 COLA (3.8% for 07 months) (03/1/01-9/30/01)	\$99,125		
2000 COLA (3.8% for 12 months) (10/1/01-9/30/02)		\$169,929	
2000 COLA (3.8% for 05 months) (10/1/02-2/28/03)			\$73,804
2001 COLA (3.81% for 07 months) (03/1/01-9/30/01)	\$103,163		
2001 COLA (3.81% for 12 months) (10/1/01-9/30/02)		\$176,851	
2001 COLA (3.81% for 05 months) (10/1/02-2/28/03)			\$73,688
2002 COLA (4.8% for 9 months) (1/1/02-9/30/02)		\$173,470	
2002 COLA (4.8% for 05 months) (10/1/02-2/28/03)			\$96,372
2003 COLA (3.9% for 02 months) (1/1/03-2/28/03)			\$32,824
Total salary available	\$2,810,850	\$4,992,069	\$2,136,946
Official Mail	\$10,480	\$17,965	\$7,485
Prorated administrative expenses for 7, 12.5 months	\$92,556	\$158,667	\$66,111
Prorated consultant expenses for 7, 12.5 months	\$17,500	\$30,000	\$12,500
Prorated training expenses for 7, 12.5 months	\$5,833	\$10,000	\$4,167
Subtotal	\$2,937,219	\$5,208,701	\$2,227,210
107th Increment (up to 10% of subtotal)	\$293,722	\$520,870	\$222,721
Recurring Budget Authority	\$3,230,940	\$5,729,572	\$2,449,931

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UNITED STATES SENATE
 COMMITTEE ON RULES AND ADMINISTRATION
 SENATE COMMITTEE BUDGET FORMS
 (Complete applicable items)

S. Res. _____	reported by Senate Finance Committee		
	2001 (7 mo request)	2002 (12 mo request)	2003 (5 mo request)
RECURRING BUDGET AUTHORITY	\$3,230,940	\$5,729,572	\$2,449,931
STAFF SALARIES: (Itemization on pages to follow)			
Dollar amount requested for staff	<u>\$2,707,687</u>	<u>\$4,818,600</u>	<u>\$2,104,122</u>
Number of full time employees	<u>69</u>	<u>69</u>	<u>69</u>
COLA	<u>\$ 103,163</u>	<u>\$ 173,470</u>	<u>\$ 32,824</u>
CONSULTANTS (appointments contracts),	<u>\$ 17,500</u>	<u>\$ 30,000</u>	<u>\$ 12,500</u>
TRAINING OF PROFESSIONAL STAFF	<u>\$ 5,833</u>	<u>\$ 10,000</u>	<u>\$ 4,167</u>
OFFICIAL MAIL	<u>\$ 10,480</u>	<u>\$ 17,965</u>	<u>\$ 7,485</u>
ADMINISTRATIVE EXPENSES:			
Detailed employee (agency reimbursement)	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Travel (interdepartmental, witness, detailee, and reporter expenses)	<u>\$ 12,464.09</u>	<u>\$ 21,367</u>	<u>\$ 8,902.92</u>
Hearings (all expenses relating to)	<u>\$ 22,166.69</u>	<u>\$ 38,000</u>	<u>\$ 15,833.35</u>
Stationery and other office supplies	<u>\$ 11,958.34</u>	<u>\$ 20,500</u>	<u>\$ 8,541.67</u>
Communications equipment and services	<u>\$ 10,500</u>	<u>\$ 18,000</u>	<u>\$ 7,500</u>
Publications, subscriptions to books, newspapers, magazines, clipping & other information services	<u>\$ 25,375</u>	<u>\$ 43,500</u>	<u>\$ 18,125</u>
Mailing, delivery or transmitting of matters relating to official business..	<u>\$ 1,166.67</u>	<u>\$ 2,000</u>	<u>\$ 833.35</u>
Computer Systems	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Non-standard computer hardware and software	<u>\$ 583.38</u>	<u>\$ 1,000</u>	<u>\$ 416.70</u>
Non-standard items of equipment (other than computing)	<u>\$ 758.38</u>	<u>\$ 1,300</u>	<u>\$ 541.70</u>
Additional equipment above allocations	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Senate Services (photo and recording)	<u>\$ 5,833.34</u>	<u>\$ 10,000</u>	<u>\$ 4,166.67</u>
Other (identify and explain)	<u>\$ 1,750</u>	<u>\$ 3,000</u>	<u>\$ 1,250</u>
TOTAL ADMINISTRATIVE EXPENSES	<u>\$ 92,556</u>	<u>\$ 158,667</u>	<u>\$ 66,111</u>
Subtotal	<u>\$2,937,219</u>	<u>\$5,208,701</u>	<u>\$2,227,210</u>
107 th Increment (up to 10% of subtotal)	<u>\$ 293,722</u>	<u>\$ 520,870</u>	<u>\$ 222,721</u>

NOTE: this questionnaire should be signed jointly by the chairman and ranking minority member or by the staff director and minority staff director of the committee, unless the minority does not concur with the information supplied herein.

 Chairman
 or Staff Director

 Ranking Minority Member
 or Minority Staff Director

Committee on Finance
Subcommittee Memberships for the
107th Congress

Subcommittee on Taxation and IRS Oversight

Don Nickles, Chairman	Kent Conrad, Ranking Democrat
Trent Lott	Robert G. Torricelli
Orrin G. Hatch	John B. Breaux
Fred Thompson	Jeff Bingaman
Olympia J. Snowe	Blanche L. Lincoln
Frank H. Murkowski	Max Baucus

Subcommittee on International Trade

Orrin G. Hatch, Chairman	Max Baucus, Ranking Democrat
Charles E. Grassley	John D. Rockefeller, IV
Fred Thompson	Tom Daschle
Frank H. Murkowski	Kent Conrad
Phil Gramm	John F. Kerry
Trent Lott	Blanche L. Lincoln
James M. Jeffords	Bob Graham
Olympia J. Snowe	Robert G. Torricelli

Subcommittee on Social Security and Family Policy

Jon Kyl, Chairman	John B. Breaux, Ranking Democrat
Don Nickles	John D. Rockefeller, IV
Trent Lott	Jeff Bingaman
James M. Jeffords	Tom Daschle
Phil Gramm	John F. Kerry

Subcommittee on Health Care

Olympia J. Snowe, Chairwoman	John D. Rockefeller, IV, Ranking Democrat
Phil Gramm	Tom Daschle
James M. Jeffords	Jeff Bingaman
Charles E. Grassley	John F. Kerry
Jon Kyl	Robert G. Torricelli
Orrin G. Hatch	Blanche L. Lincoln
Don Nickles	John B. Breaux
Fred Thompson	Bob Graham

Subcommittee on Long-term Growth and Debt Reduction

Frank H. Murkowski, Chairman	Bob Graham, Ranking Democrat
Charles E. Grassley	Max Baucus
Jon Kyl	Kent Conrad

COMMITTEE ON FINANCE

I. RULES OF PROCEDURE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rule 14. *Witnesses at Hearings.*—(a) Each witness who is scheduled to testify at any hearing must submit his written testimony to the staff director not later than noon of the business day imme-

diately before the last business day preceding the day on which he is scheduled to appear. Such written testimony shall be accompanied by a brief summary of the principal points covered in the written testimony. Having submitted his written testimony, the witness shall be allowed not more than ten minutes for oral presentation of his statement.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

APPOINTMENT OF MEMBERS
TO SERVE ON THE
JOINT COMMITTEE ON TAXATION

FEBRUARY 28, 2001

CHARLES E. GRASSLEY

ORRIN G. HATCH

FRANK H. MURKOWSKI

MAX BAUCUS

JOHN D. ROCKEFELLER, IV

APPOINTMENT OF MEMBERS
TO SERVE ON THE
CONGRESSIONAL TRADE ADVISORS ON TRADE POLICY AND NEGOTIATIONS

FEBRUARY 28, 2001

CHARLES E. GRASSLEY

ORRIN G. HATCH

FRANK H. MURKOWSKI

MAX BAUCUS

JOHN D. ROCKEFELLER, IV

Memorandum of Understanding between Senator Charles E. Grassley and Senator Max Baucus Regarding the Organization and Operation of the Committee on Finance

February 28, 2001

The following is agreed to while S.Res 8 is in force in the 107th Congress:

Hearings

Issue. The Committee rules provide that hearings are called by the Chairman. Without officially modifying the rules, Senator Grassley and Senator Baucus have an understanding that before calling a hearing, the Chairman must consult with the Ranking Member, and together they would seek to develop a schedule that reflects an equal balance of the interests of the two parties. In establishing a witness list for a hearing, the Majority and Minority staffs shall work together to select witnesses that reflect a balanced range of views. If the staffs are not able to agree, each side may select one-half of the witnesses (an appropriate number of administration witnesses will not be charged to either side).

In scheduling subcommittee hearings, and establishing witness lists for those hearings, the chairman of a Subcommittee shall exercise authority in the same manner as described above.

Business Meetings/Germaneness

Issue. The Committee rules provide that markups are called by the chairman. Without officially changing the rules, Senator Grassley and Senator Baucus have an understanding that markups may be scheduled only after consulting with the Ranking Member, and that they would seek to develop a mark that reflects an equal balance of the interests of the two parties. The Chairman will provide the Ranking Member with the mark no fewer than two working days before the markup. The Chairman shall retain the right to modify the mark, in consultation with the Ranking Member.

Subpoena power

Issue. The Committee rules authorize the chairman to issue a subpoena. Without officially modifying the rules, Senators Grassley and Baucus have an understanding that the Chairman will not seek a subpoena until after achieving either the concurrence of the Ranking Member or a majority vote.

The following agreements shall remain in effect for the duration of the 107th Congress regardless of party control:

1. Space - Republicans will exchange space in Dirksen 250-258 for Hart 203, 210 and 204B. In addition, Democrats will obtain Hart 231A and Dirksen 216. Republicans and Democrats will retain all other space currently under their control.

2. Funding- Committee funding will remain equally divided between Republicans and Democrats, with any supplemental administrative funding remaining under the control of the Chairman for non-designated staff salaries or any other necessary strictly administrative item. The signatories to this agreement will support a committee funding resolution reflecting this agreement for the duration of the 107th Congress.

3 Parking- Parking will remain as agreed to at the time the committee budget is approved.

Signed this 28th day of February 2001,



Charles E. Grassley
Chairman



Max Baucus
Ranking Democrat