

**Union Calendar No. 31**

111th Congress, 1st Session - - - - - House Report 111-69

**OVERSIGHT PLANS**  
**FOR ALL**  
**HOUSE COMMITTEES**  
**WITH ACCOMPANYING RECOMMENDATIONS**

---

**BY THE**  
**COMMITTEE ON OVERSIGHT AND**  
**GOVERNMENT REFORM**  
**HOUSE OF REPRESENTATIVES**  
**(Required by House Rule X, Clause 2(d)(2))**



MARCH 31, 2009.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed



**OVERSIGHT PLANS FOR ALL HOUSE COMMITTEES**  
**with accompanying recommendations**



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## HOUSE COMMITTEES

WITH ACCOMPANYING RECOMMENDATIONS

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HOUSE OF REPRESENTATIVES

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**LETTER OF TRANSMITTAL**

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HOUSE OF REPRESENTATIVES,  
*Washington, DC, March 31, 2009.*

Hon. NANCY PELOSI,  
*Speaker of the House of Representatives,*  
*Washington, DC.*

DEAR MADAME SPEAKER:

In accordance with Rule X(2)(d)(2) of the Rules of the House of Representatives, I respectfully submit the oversight plans of each committee together with recommendations to ensure the most effective coordination of such plans and otherwise achieve the objectives of the House Rules.

EDOLPHUS TOWNS, *Chairman.*



## Union Calendar No. 31

111TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT  
*1st Session* } { 111-69

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### OVERSIGHT PLANS FOR ALL HOUSE COMMITTEES WITH ACCOMPANYING RECOMMENDATIONS

—————  
MARCH 31, 2009.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. EDOLPHUS TOWNS, from the Committee on Oversight and  
Government Reform submitted the following

### REPORT OVERSIGHT IN THE 111TH CONGRESS RECOMMENDATIONS OF THE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

#### I. OVERVIEW

One of Congress' main constitutional responsibilities is to conduct oversight to check abuses by the other branches of government and ensure the effective operation of our laws. As the Supreme Court recognized 50 years ago:

The power of the Congress to conduct investigations is inherent in the legislative process. That power is broad. It encompasses inquiries concerning the administration of existing laws as well as proposed or possibly needed statutes.

It includes surveys of defects in our social, economic or political system for the purpose of enabling Congress to remedy them. It comprehends probes into departments of the Federal Government to expose corruption, inefficiency or waste.<sup>1</sup>

Oversight activities have uncovered significant waste, fraud, and abuse throughout the Federal Government. The Government Accountability Office (GAO), which conducts investigations at the request of Members of Congress, reports that the financial benefits from its work in fiscal year 2008 alone totaled \$58 billion.<sup>2</sup> Vigilant and constructive oversight can identify and remedy problems in government agencies before they lead to national catastrophes.

The 111th Congress has recognized the importance of oversight through an amendment to the House rules. H. Res. 40, adopted on January 14, 2009, requires each committee to hold at least three hearings annually on waste, fraud, abuse, or mismanagement in the programs authorized by that committee. Such hearings should focus on egregious cases of waste or fraud identified by agency Inspectors General or the GAO, and on issues identified by GAO as high-risk. In addition, committees are required to hold a hearing if agencies within their jurisdiction fail to receive a clean audit of their financial statements from GAO.

House Rule X, Clause 2 recognizes Congress' critical oversight duties, establishing a process whereby each standing committee is required to adopt an oversight plan for that Congress. Under this rule, the Committee on Oversight and Government Reform is to review the various plans and, in consultation with the Speaker, the Majority Leader, and the Minority Leader, report to the House the oversight plans along with any recommendations that the House leadership and the Committee may have to ensure effective coordination.

Pursuant to this rule, the Committee on Oversight and Government Reform has reviewed and consulted with House leadership about the oversight plans of the standing House committees for the 110th Congress. These plans outline an ambitious blueprint for meeting Congress' oversight responsibilities. The Oversight Committee has several recommendations regarding coordination of oversight in the House of Representatives.

The committee first recommends that all committees draw on the wide variety of available oversight resources in their ongoing efforts to evaluate oversight needs and priorities. GAO, in particular, has vast experience both in conducting and evaluating the need for oversight. GAO also recently issued its biannual "High Risk" report, which identifies government programs that are particularly vulnerable to waste, fraud, or abuse.<sup>3</sup> Another valuable resource for congressional oversight is the agency Inspectors General, who can provide guidance to Congress through their audit plans and individual counsel. Committees should also review relevant court rulings, past committee legislative and oversight reports, and the find-

<sup>1</sup> *Watkins v. United States*, 354 U.S. 178, 187 (1957).

<sup>2</sup> U.S. Government Accountability Office, Performance and Accountability Report Fiscal Year 2008 (GAO 09-1SP) (Nov. 2008).

<sup>3</sup> U.S. Government Accountability Office, High Risk Series: An Update (GAO-09-271) (Jan. 2009).

ings of other experts. An investigation by the Committee on Oversight and Government Reform found 13,847 Inspector General recommendations, which could have saved taxpayers \$25.9 billion, had not been implemented by agencies.

In addition, in any oversight effort, the committees should seek the expertise of the Committee on House Administration and Committee on Standards of Official Conduct if any questions arise regarding appropriate use of House resources and the standards of conduct applicable to members and staff. The oversight plans submitted by these two committees reflect a commitment to ensuring that all House committees have the tools and guidance necessary to facilitate efficient and ethical oversight.

Further, the task of ensuring accountability and appropriate policies on complex issues often requires the participation of multiple committees. Based on their respective jurisdictions and experience, different committees can lend varying types of expertise to the evaluation of a given matter. The oversight plans approved by the committees for the 111th Congress recognize that a number of key issues demand scrutiny by several different committees. With respect to such issues, the committees and subcommittees should be in close communication to ensure that they share the benefits of their findings and unique expertise, as well as to avoid duplication or redundancy.

Part II below describes a few examples of important areas identified by committees on which these recommendations may be instructive.

## II. EXAMPLES OF KEY OVERSIGHT AREAS

### THE ECONOMY

The current economic situation has revealed systemic problems within the U.S. financial sector. Several committees plan to conduct historical investigations of practices that led to the current economic climate and pursue oversight of current economic rescue and recovery programs. The Committee on Financial Services will review a range of issues, including reform of the financial regulatory system and implementation of the Troubled Asset Relief Program (TARP). The Committee on Ways and Means is reviewing economic competitiveness and job creation. Other committees, including the Committee on Agriculture, Committee on Education and Labor, Committee on the Judiciary, Committee on Oversight and Government Reform, and Committee on Small Business, will review how to improve the availability of credit in the programs that they administer, as well as retirement and pension security. Additionally, committees will review executive compensation and bonus practices at firms receiving capital investments from taxpayers.

The implementation of the American Recovery and Reinvestment Act will be a major topic for oversight by nearly all House committees. The Committee on Oversight and Government Reform is planning to review accountability and transparency measures and will conduct a series of field hearings to review how stimulus spending is working in states and local communities. The Committee on Transportation and Infrastructure will conduct oversight of infra-

structure programs and the Committee on Energy and Commerce will review health information technology and energy efficiency programs, as will the Committee on Science and Technology. The scope of the stimulus package affects government programs under the jurisdiction of nearly all House committees and all plan to conduct ongoing and constructive oversight.

#### HEALTH CARE

Access to quality, affordable health care is a national priority. Several House committees will pursue an oversight agenda to address issues of uninsured Americans, health care for children, modernizing the Medicare and Medicaid system, and preventing treatable chronic disease. The Committee on Energy and Commerce is reviewing the capacity of the Food and Drug Administration to ensure the safety of prescription and over the counter drugs, as well as reviewing the safety of the nation's food supply. The Committee on Ways and Means will focus on the delivery of health care services through the Medicare program. The Committee on Foreign Affairs is reviewing global AIDS programs, and the Committee on Veterans' Affairs will examine the Department of Veterans Affairs health care delivery structure.

#### ENERGY AND ENVIRONMENT

Global climate change and energy efficiency and independence are complex and significant issues that this Congress will address through both oversight and legislative action. Accordingly, multiple committees are planning oversight activities to consider the impacts of global warming on our environment and policy options for sustainable energy. The Committee on Energy and Commerce is planning a broad review of climate change, environmental pollution and hazardous waste, and energy security. The Committee on Natural Resources is reviewing the effects of climate change on federal land, water, fish, and wildlife resources. The Committee on Oversight and Government Reform is conducting oversight of project and contract management at the Department of Energy and Nuclear Regulatory Commission. And the Committee on Transportation and Infrastructure will examine clean water infrastructure needs and water resources development projects.

#### HOUSING

Foreclosures, predatory lending, and a lack of affordable housing are a major component of the current economic situation. The House will undertake a broad review of housing policy and the role of housing in the U.S. economy and in building livable communities. The Committee on Financial Services will review mortgage lending, foreclosures, and the availability of loan modifications. The Committee on the Judiciary will review allegations of predatory lending and mortgage fraud.

#### NATIONAL SECURITY

National security continues to be a priority for oversight in the House. The Committee on Armed Services will review defense strategy and policy, including the wars in Iraq and Afghanistan

and global counter-terrorism activities. The Committee on Foreign Affairs will oversee U.S. foreign policy globally, with emphasis on critical regions including the Middle East. The Permanent Select Committee on Intelligence will review the security situation in Iraq and Afghanistan, proliferation issues, and covert action programs.

#### HOMELAND SECURITY

A number of committees will be conducting oversight to ensure the Nation is best prepared to address homeland security threats and domestic emergencies. The Committee on Homeland Security's oversight agenda includes intelligence and information sharing practices, transportation and border security, port and maritime security, and cybersecurity. The Committee on Transportation and Infrastructure will oversee aviation and rail security and the performance of the Federal Emergency Management Agency (FEMA).


#### III. CONCLUSION

The oversight plans approved by the standing House committees present a strategy for effective, sustained, and constructive oversight consistent with the constitutional mandate of Article I. The Committee on Oversight and Government Reform will continue to work with the other House committees and the House leadership throughout the 111th Congress to promote effective congressional oversight.

[The oversight plans of all House committees follow:]

**U.S. House of Representatives**  
**Committee on Agriculture**  
 Washington, DC 20515

TO: The Honorable Edolphus Towns, Chairman  
 House Committee on Oversight and Government Reform  
 The Honorable Robert A. Brady, Chairman  
 Committee on House Administration

FROM: The Honorable Collin C. Peterson, Chairman   
 House Committee on Agriculture

DATE: January 28, 2009

SUBJECT: Oversight Plan for the House Committee on  
 Agriculture for the 111<sup>th</sup> Congress

Pursuant to Rule X, clause 2(d)(1) of the Rules of the U.S. House of Representatives for the 111<sup>th</sup> Congress, I submit the following plan to fulfill the General Oversight Responsibilities reporting requirements. This outline was prepared in consultation with the Ranking Member, was presented to the full Committee for its consideration, and is now offered for your consideration relative to your responsibilities under the Rules.

The following agenda constitutes the oversight plan of the Committee on Agriculture for the 111<sup>th</sup> Congress. It includes areas in which the Committee and its subcommittees expect to conduct oversight or investigation of additional matters or programs as they arise. The Committee will consult, as appropriate, with other committees of the House that may share subject matter interest. If you have any questions regarding this outline, do not hesitate to contact me.

**OVERSIGHT PLAN**  
**HOUSE COMMITTEE ON AGRICULTURE**  
**111<sup>TH</sup> CONGRESS**

The Committee expects to exercise appropriate oversight activity with regard to the following issues:

**2008 FARM BILL AND CURRENT AGRICULTURAL CONDITIONS:**

- Review the U.S. Department of Agriculture's (USDA) implementation of the Food, Conservation, and Energy Act of 2008 (FCEA) of 2008;
- Review the current state of health of the U.S. farm economy;
- Review USDA's initial and subsequent implementation of FCEA payment limit and adjusted gross income provisions;
- Review USDA's implementation of the Fair and Equitable Tobacco Reform Act of 2004;
- Review USDA's implementation of Improper Payments Information Act of 2002;



- Review the Farm Service Agency's (FSA) management controls for Finality Rule and equitable relief decisions;
- Review the impact of weather conditions on crop production;
- Review USDA's activities regarding implementation of the U.S. Warehouse Act;
- Review of market situation, including impact of crop reports and projections;
- Review colony collapse disorder and other long term threats to pollinator health on specialty crop production;
- Review USDA's implementation of the U.S. Grain Standards Act; and
- Review the increase in agribusiness consolidation.

## **ENERGY**

- Review USDA's effort to promote the utilization of on-farm generated electricity;
- Review activities funded by the Biomass Research and Development Act (BRDA) and input from the external BRDA Advisory Board;
- Review availability of agriculture and forestry feedstocks for renewable energy production;
- Review current status of research on energy crops and feedstocks;
- Review the availability of biofuel pumps and approved fuels;
- Assess implementation of energy programs authorized in FCEA;
- Review current provisions in existing law that support agriculture-based energy production and use;
- Review implementation of the Biobased Products Program;
- Review of the roles of USDA and its agencies in promoting the reliance on renewable energy sources;
- Review the implementation of the Renewable Fuels Standard (RFA); and
- Review the current status of energy infrastructure and the ability to get electricity to the electric power grid.

## **CONSERVATION AND THE ENVIRONMENT:**

- Review the impact of regulatory activities carried out pursuant to the Endangered Species Act (ESA), or any proposed legislative changes to such Act, on agricultural producers;
- Review the impact of the Administration's regulatory activity relative to methyl bromide on production of agriculture in the U.S.;
- Review of EPA's resource needs as they pertain to the collection of pesticide user fees;
- Review any proposed legislation to implement the Stockholm Convention on Persistent Organic Pollutants, the Protocol on Persistent Organic Pollutants to the Convention on Long-Range Transboundary Air Pollution, and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in

International Trade; Review the International Treaty on Plant Genetic Resources for Food and Agriculture;

- Review budget and program activities of the Natural Resource Conservation Service (NRCS), including staffing shortages;
- Review NRCS Fiscal Year 2008 financial statement;
- Review implementation of all of USDA's conservation programs;
- Review of EPA's rule on permit trading under the Clean Water Act (CWA) and its potential benefits to U.S. agriculture;
- Review of potential impacts of EPA's Clean Air Act (CAA) regulatory program on U.S. agriculture;
- Review ongoing discussions and potential consequences for American agriculture under the United Nations Climate Change Conference, including the upcoming conference in Copenhagen, Denmark;
- Review EPA's implementation of the Food Quality Protection Act (FQPA), FIFRA and Pesticide Registration Improvement Renewal Act (PRIA II); Review the impact of litigation and rulemaking concerning FIFRA, ESA, CAA, CWA, the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and the Emergency Planning and Community Right to Know Act (EPCRA) and for impacts agricultural operations;
- Review the EPA's regulatory actions in regard to pesticide evaluations;
- Review of EPA's regulation of Animal Feeding Operations;
- Review of the non-emergency haying and grazing provisions of the Conservation Reserve Program (CRP);
- Review of the operation of the Resource, Conservation and Development Program;
- Review of easement programs and Department of Transportation and Department of Justice regulations;
- Review of Total Maximum Daily Load strategies and impacts on production agriculture;

**FEDERAL CROP INSURANCE AND RISK MANAGEMENT:**

- Review USDA's implementation of crop insurance provisions of the FCEA;
- Review the effectiveness of the Supplemental Revenue Assistance Payments Program;
- Review the role and effectiveness of the Federal Crop Insurance Program;
- Review USDA's and the Risk Management Agency's (RMA) administration and oversight of the Federal Crop Insurance Program;
- Review the availability of crop insurance as a risk management tool;
- Review USDA's activities designed to find and reduce crop insurance program waste, fraud, and abuse;
- Review RMA's combination of revenue protection crop insurance programs;
- Review the operations of the Commodity Futures Trading Commission (CFTC);
- Review the growing consolidation and internationalization of futures exchange trading;
- Review market machinations for exchange traded energy and agricultural future products;

- Review Over-the-Counter (OTC) trading and its impact on markets;
- Review enforcement and oversight capabilities of the CFTC both domestically and internationally; and
- Review the role of the CFTC in light of potential climate change legislation.

#### **AGRICULTURE TRADE AND INTERNATIONAL FOOD AID:**

- Review ongoing multilateral, regional, and bilateral trade negotiations (including WTO accession agreements) to assess their potential impact on U.S. agriculture;
- Review implementation of existing trade agreements and commitments and proposed new trade agreements and commitments to determine:
  - (1) whether they are consistent with current U.S. law;
  - (2) whether they will promote economic development in rural areas of the U.S.;
  - (3) their impact or potential impact on current production of import sensitive agricultural commodities, and on exports of U.S. agricultural products; and
  - (4) their impact or potential impact on the overall competitiveness of the U.S. agricultural sector, including the production, processing and distribution of agricultural products.
- Monitor existing trade agreements to ensure trading partners are meeting obligations and enforcing trade commitments;
- Review farm export programs to determine how well they are promoting the interests of U.S. agriculture and examine proposals to improve, modify or expand such programs;
- Assess U.S. food aid programs to determine their impact or potential impact on the reduction of world hunger. In particular, the Committee will examine the potential impact of multilateral trade negotiations on the effectiveness of U.S. food aid programs; and
- Address sanitary and phytosanitary (SPS) barriers and other technical barriers to U.S. agricultural exports and examine USDA efforts to eliminate such barriers.

#### **AGRICULTURAL RESEARCH AND PROMOTION:**

- Review implementation of biosecurity protocols at USDA Agricultural Research Service (ARS) laboratories;
- Review USDA's implementation of research, education and extension programs authorized in FCEA;
- Review the administration of the ARS research stations and worksites;
- Review USDA's continuing ability to conduct foreign animal disease research, training and diagnostic programs at the National Bio and Agro-Defense Facility following the transfer of the center to the Department of Homeland Security;
- Assess federal efforts to facilitate research and development of aquacultural enterprises, specifically focusing on the activities of the Joint Committee on Aquaculture;
- Review implementation of USDA's regulation on organic standards;

- Review implementation of USDA collection of organic production and market data;
- Review implementation of National Institute of Food and Agriculture (NIFA);
- Review coordination between ARS, Economic Research Service (ERS), NIFA and action agencies in USDA such as NRCS and FSA in order to prevent duplicative research;
- Review operation of the National Agricultural Research, Extension, Education, and Economics Advisory Board;
- Review USDA's efforts to expand research and development of pathogen reduction technologies;
- Evaluate the current mix of research funding mechanisms to ensure maximum benefits from these investments to producers, processors and consumers;
- Review administration of USDA's agricultural marketing and promotion programs;
- Review of coordination between USDA and DOE on energy research programs;
- Review of congressional appropriation process and implications on research funding under ARS, ERS, NASS and NIFA;
- Review of ARS, ERS, NASS and NIFA national program priorities;
- Oversight of research grant process to coordinate and prevent overlapping research; and
- Review the potential for research and technology transfer to address the needs of both the biofuels and livestock industries.

#### **BIOTECHNOLOGY:**

- Review current regulations and research regarding animal and plant biotechnology;
- Review the Food and Drug Administration's (FDA) findings regarding cloned animal products and regulation of genetically engineered animals;
- Assess USDA's efforts to develop and promote benefits of biotechnology for increasing agricultural productivity and combating hunger globally; and
- Review USDA's management and controls over incidents involving unapproved release of biotechnology-derived material.

#### **U.S. FOREST SERVICE ADMINISTRATION:**

- Review U.S. Forest Service (USFS) budget, with special attention to land acquisition and easement programs;
- Continue to monitor the effectiveness and efficiency of the Forest Service fire management program, including the impact of hazardous fuels management, forest health efforts and fire preparedness;
- Review the impact of fire expenses on other USFS program delivery; and
- Assess the use of research funds to inform on a long-term basis, sustainable forest practices.

#### **DAIRY:**

- Review options to improve the efficiency and effectiveness of dairy programs;
- Review efficiency of federal market order system;
- Review implementation of the Milk Income Loss Contract (MILC) Program; and
- Review implementation of the Milk Regulatory Equity Act.

#### **OUTREACH AND CIVIL RIGHTS**

- Review implementation of Section 14012 of the FCEA;
- Review the implementation of the Office of Advocacy and Outreach;
- Monitor USDA's outreach efforts to small and minority farmers/ranchers;
- Review of the operations of the office of the Assistant Secretary for Civil Rights;
- Review of the delivery of USDA services and outreach efforts on Indian reservations and tribal lands;
- Review current status of Agricultural Census and efforts to reach undercounted farmers and ranchers; and
- Review participation of minority farmers in FSA County/Local Committees as well as outreach to increase participation in County Committee elections.

#### **USDA GENERAL ADMINISTRATION:**

- Review confidentiality of information provided to USDA by agricultural producers;
- Review USDA's field office structure for the purpose of delivering commodity, conservation, energy and rural development programs; and
- Review the administrative structure of USDA for effectiveness and additional efficiencies.

#### **FARM CREDIT, RURAL DEVELOPMENT, AND THE RURAL ECONOMY:**

- Review Farm Credit Administration's (FCA) regulatory program and activities regarding the Farm Credit System (FCS) to assure the FCS' safety and soundness;
- Review of Farmer Mac activities and programs;
- Review of Beginning Farmer education efforts in FSA loan programs and graduation efforts;
- Review of FSA credit programs and participation;
- Review of the Rural Electrification Act (REA);
- Review of the farm economy and access to credit;
- Review implementation of rural development policies and authorities contained in FCEA and the Consolidated Farm and Rural Development Act;

- Oversight of the USDA's Rural Broadband Access Loan and Loan Guarantee Program;
  - Oversight of new Rural Microentrepreneur Assistance Program;
  - Oversight of the implementation of the USDA's Telecommunications Programs;
  - Review the status of the Rural Telephone Bank;
- Assess state of rural water systems and effectiveness of federal funding to build and upgrade those systems;
  - Assess rural infrastructure and business needs and effectiveness of USDA programs targeted to those needs;
  - Review of agriculture lending practices;
  - Review of definition of "rural" under rural development programs; and
  - Review of rural development loan programs and default rates.

#### **USDA FOOD AND NUTRITION PROGRAMS:**

- Review food and nutrition programs including the Supplemental Nutrition Assistance Program (SNAP), fruit and vegetable initiatives, the Emergency Food Assistance Program (TEFAP), the Food Distribution on Indian Reservations (FDPIR) and other commodity distribution programs;
- Assess the level of success and participation by states in SNAP and determine barriers to expanded SNAP participation;  
Review buying patterns of SNAP recipients and the availability of healthy foods with an emphasis on isolated rural and urban areas;
- Review efforts by state SNAP administrators to modernize and streamline their programs; and
- Review the Community Food Project Program to ensure cooperative grants are working.

#### **FOOD SAFETY:**

- Review USDA's administration of meat and poultry inspection laws and the FDA's food inspection activities to ensure the development of scientifically sound systems for food safety assurance;  
Review USDA's implementation of the new catfish inspection program;
- Review USDA's efforts to educate consumers regarding safe food handling practices and streamline the assessment and approval of food safety technologies;
- Review implementation of new protocols for meat, poultry, eggs, or seafood safety inspection; and
- Review USDA's enforcement of the Humane Methods of Slaughter Act and humane handling regulations.

**PLANT AND ANIMAL HEALTH:**

- Review enforcement of the Animal Welfare Act;
- Assess federal efforts to reduce threats to human, animal, and plant health due to predatory and invasive species; and
- Assess the national animal identification program system.

**LIVESTOCK MARKETING:**

- Assess the effectiveness of the Grain Inspection, Packers and Stockyards Administration (GIPSA) in determining market manipulation in the livestock industry;
- Review structural changes in agribusiness and the potential cost and benefits for agricultural producers;
- Review the USDA's mandatory livestock price reporting system.

**HOMELAND AND AGRICULTURAL SECURITY:**

- Oversight of USDA's preparedness against terrorist threats to agriculture production; and
- Review of agriculture inspection activities under the Department of Homeland Security.

**MISCELLANEOUS:**

- Review implementation of the Specialty Crop Competitiveness Act;
- Review of the impact of transportation infrastructure issues on agriculture and forestry;
- Review USDA's implementation and enforcement of the country of origin labeling rule; and
- Assess operation of the Fruit and Vegetable (FAV) planting prohibition.

**CONSULTATION WITH OTHER COMMITTEES TO REDUCE DUPLICATION:**

- With Natural Resources Committee on forestry issues and other public land issues;
- With Science Committee on Research;
- With Ways and Means and Education and Labor on nutrition programs;
- With Ways and Means on trade issues;
- With Homeland Security on importation of animal and plant material;
- With Judiciary on immigrant agricultural labor;
- With Energy and Commerce on food safety and biomass energy programs both existing and new; and
- With any other committee as appropriate.

111TH CONGRESS }  
*1st Session*

HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS  
HOUSE OF REPRESENTATIVES

R E P O R T

OF

OVERSIGHT PLANS  
ONE HUNDRED ELEVENTH CONGRESS

PURSUANT TO CLAUSE 2(d)(1) of Rule X



APPROVED JANUARY 21, 2009



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111th Congress

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**LETTER OF TRANSMITTAL**

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FEBRUARY 4, 2009

Hon. Edolphus Towns,  
*Chairman, Committee on Oversight and Government Reform,*  
*House of Representatives,*  
*Washington, DC.*

Hon. Robert A. Brady,  
*Chairman, Committee on House Administration,*  
*House of Representatives,*  
*Washington, DC.*

DEAR CHAIRMAN TOWNS and CHAIRMAN BRADY: On behalf of the Committee on Appropriations, I hereby transmit the Committee's plan for Oversight activities for the 111th Congress. This year, the Committee intends to conduct increased oversight of Federal programs, policies and activities, especially with regard to the on-going military activities in Iraq and intelligence programs. In addition, the Committee will carefully study the Administration's budget requests and fiscal and programmatic execution in light of changing demographics, increased needs, and the priorities of the American people.

The Committee looks forward to working with all Members of the House of Representatives in order to fulfill our responsibilities under the Rules.

With best regards,  
Sincerely,

DAVID R. OBEY, *Chairman*

111TH CONGRESS }  
*1st Session* } HOUSE OF REPRESENTATIVES

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REPORT OF OVERSIGHT PLANS OF THE HOUSE  
 COMMITTEE ON APPROPRIATIONS

APPROVED JANUARY 21, 2009

Mr. OBEY of Wisconsin, from the Committee on Appropriations,  
 submitted to the Committee on Government Reform and the  
 Committee on House Administration the following

R E P O R T

OVERSIGHT PLANS OF THE HOUSE COMMITTEE ON  
 APPROPRIATIONS

Clause 2(d)(1) of Rule X of the Rules of the House requires each standing committee of the House to adopt oversight plans at the beginning of each Congress. Specifically, the Rule states in part:

“Rule X, clause (2)(d)(1). Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration.”

JURISDICTION OF THE COMMITTEE ON APPROPRIATIONS

Rule X of the Rules of the House vests in the Committee on Appropriations broad responsibility over the Federal budget. Specifically the Rule defines the Committee’s jurisdiction, as follows:

“Rule X clause (b). Committee on Appropriations.

- (1) Appropriation of the revenue for the support of the Government.
- (2) Rescissions of appropriations contained in appropriations Acts.
- (3) Transfers of unexpended balances.

(4) Bills and joint resolutions reported by other committees that provide new entitlement authority as defined in section 3(9) of the Congressional Budget Act of 1974 and referred to the committee under clause 4(a)(2).”

\* \* \* \* \*

#### GENERAL OVERSIGHT RESPONSIBILITIES

2. (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in—

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of Federal laws; and (B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of such changes in Federal laws, and of such additional legislation, as may be necessary or appropriate.

(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis—

(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;

(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;

(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and

(D) future research and forecasting on subjects within its jurisdiction.

\* \* \* \* \*

#### SPECIAL OVERSIGHT FUNCTIONS

3. (a) The Committee on Appropriations shall conduct such studies and examinations of the organization and operation of executive departments and other executive agencies (including any agency the majority of the stock of which is owned by the United States) as it considers necessary to assist it in the determination of matters within its jurisdiction.

\* \* \* \* \*

#### ADDITIONAL FUNCTIONS OF COMMITTEES

4. (a)(1)(A) The Committee on Appropriations shall, within 30 days after the transmittal of the budget to Congress each year,

hold hearings on the budget as a whole with particular reference to—

(i) the basic recommendations and budgetary policies of the President in the presentation of the budget; and

(ii) the fiscal, financial, and economic assumptions used as bases in arriving at total estimated expenditures and receipts.

(B) In holding hearings under subdivision (A), the Committee shall receive testimony from the Secretary of the Treasury, the Director of the Office of Management and Budget, the Chairman of the Council of Economic Advisers, and such other persons as the Committee may desire.

(C) A hearing under subdivision (A), or any part thereof, shall be held in open session, except when the committee, in open session and with a quorum present, determines by record vote that the testimony to be taken at that hearing on that day may be related to a matter of national security. The committee may by the same procedure close one subsequent day of hearing. A transcript of all such hearings shall be printed and a copy thereof furnished to each Member, Delegate, and the Resident Commissioner.

(D) A hearing under subdivision (A), or any part thereof, may be held before a joint meeting of the Committee and the Committee on Appropriations of the Senate in accordance with such procedures as the two committees jointly may determine.

(2) Pursuant to section 401(b)(2) of the Congressional Budget Act of 1974, when a committee reports a bill or joint resolution that provides new entitlement authority as defined in section 3(9) of that Act, and enactment of the bill or joint resolution, as reported, would cause a breach of the committee's pertinent allocation of new budget authority under section 302(a) of that Act, the bill or joint resolution may be referred to the Committee on Appropriations with instruction to report it with recommendations (which may include an amendment limiting the total amount of new entitlement authority provided in the bill or joint resolution). If the Committee on Appropriations fails to report a bill or joint resolution so referred within 15 calendar days (not counting any day on which the House is not in session), the committee automatically shall be discharged from consideration of the bill or joint resolution, and the bill or joint resolution shall be placed on the appropriate calendar.

(3) In addition, the Committee on Appropriations shall study on a continuing basis those provisions of law that (on the first day of the first fiscal year for which the congressional budget process is effective) provide spending authority or permanent budget authority and shall report to the House from time to time its recommendations for terminating or modifying such provisions.

(4) In the manner provided by section 302 of the Congressional Budget Act of 1974, the Committee on Appropriations (after consulting with the Committee on Appropriations of the Senate) shall subdivide any allocations made to it in the joint explanatory statement accompanying the conference report on such concurrent resolution, and promptly report the subdivisions to the House as soon as practicable after a concurrent resolution on the budget for a fiscal year is agreed to.

(5)(A) There is established a Select Intelligence Oversight Panel of the Committee on Appropriations (hereinafter in this paragraph referred to as the "select panel"). The select panel shall be com-

posed of not more than 13 Members, Delegates, or the Resident Commissioner appointed by the Speaker, of whom not more than eight may be from the same political party. The select panel shall include the chairman and ranking minority member of the Committee on Appropriations, the chairman and ranking minority member of its Subcommittee on Defense, six additional members of the Committee on Appropriations, and three members of the Permanent Select Committee on Intelligence.

(B) The Speaker shall designate one member of the select panel as its chairman and one member as its ranking minority member.

(C) Each member on the select panel shall be treated as though a member of the Committee on Appropriations for purposes of the select panel.

(D) The select panel shall review and study on a continuing basis budget requests for and execution of intelligence activities; make recommendations to relevant subcommittees of the Committee on Appropriations; and, on an annual basis, prepare a report to the Defense Subcommittee of the Committee on Appropriations containing budgetary and oversight observations and recommendations for use by such subcommittee in preparation of the classified annex to the bill making appropriations for the Department of Defense.

(E) Rule XI shall apply to the select panel in the same manner as a subcommittee (except for clause 2(m)(1)(B) of that rule).

(F) A subpoena of the Committee on Appropriations or its Subcommittee on Defense may specify terms of return to the select panel.

Rule XIII of the Rules of the House prescribes special reporting requirements of the Committee on Appropriations. Specifically Rule XIII, clause 3(f) states:

\* \* \* \* \*

#### CONTENT OF REPORTS

“(f)(1) A report of the Committee on Appropriations on a general appropriation bill shall include—

(A) a concise statement describing the effect of any provision of the accompanying bill that directly or indirectly changes the application of existing law; and

(B) a list of all appropriations contained in the bill for expenditures not currently authorized by law for the period concerned (except classified intelligence or national security programs, projects, or activities) along with a statement of the last year for which such expenditures were authorized, the level of expenditures authorized for that year, the actual level of expenditures for that year, and the level of appropriations in the bill for such expenditures.

(2) Whenever the Committee on Appropriations reports a bill or joint resolution including matter specified in clause 1(b)(2) or (3) of rule X, it shall include—

(A) in the bill or joint resolution, separate headings for “Rescissions” and “Transfers of Unexpended Balances”; and

(B) in the report of the committee, a separate section listing such rescissions and transfers.”

\* \* \* \* \*

## OVERSIGHT PLAN

The Committee on Appropriations believes that rigorous oversight is essential for ensuring that Government agencies and programs effectively and efficiently serve the American people. The oversight function will be carried out by the Committee throughout the year and at many levels of examination and investigation. For the 111th Congress the Committee intends to proceed in the following manner:

1. *Subcommittee Hearings.* The Appropriations Committee holds itself to the highest standards for analysis of the President's budget and supplemental funding requests. During the 110th Congress, the Committee held 402 hearings, took testimony from 3,076 witnesses and published 184 volumes of hearings totaling 165,868 printed pages. Requests for emergency supplemental funding for Iraq will be closely scrutinized, as will earmarks proposed by the Administration within the President's budget.

The Committee will also continue to augment oversight of the U.S. intelligence community through the Select Intelligence Oversight Panel of the Committee on Appropriations. Comprised of members of the Committee and of the intelligence authorizing committee, the panel will continue to review budget requests and make recommendations for the preparation of the classified annex to the bill making appropriations for the Department of Defense.

2. *Investigations.* In addition to formal oversight, the Committee utilizes various investigative agencies to conduct in-depth analysis as it deems necessary. Many of these investigations are conducted by the Committee's Surveys and Investigations Staff, an important resource whose performance is critical to effective oversight. In the previous Congress, the Committee received 36 Surveys and Investigations studies and 360 investigative reports from the GAO. The Surveys and Investigations Staff will closely scrutinize the progress and performance of programs funded with economic recovery dollars.

3. *Appropriations Bills.* The "power of the purse" is the Committee's primary responsibility and greatest power. The manner in which the Committee chooses to provide or withhold Federal funding is undertaken with the greatest care and in compliance with all budgetary concepts and strictures. The Committee will follow the requirements of the Congressional Budget with regard to the subdivision of the budget authority and outlays to its subcommittees. Appropriations bills will be developed in accordance with the results of all the oversight activities in paragraphs 1 and 2, above and brought to the floor for consideration within all relevant budgetary constraints.

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**U.S. House of Representatives**  
 Washington, DC 20515-6035  
 ONE HUNDRED TENTH CONGRESS

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January 15, 2009

ERIN C. DONATON, STAFF DIRECTOR

Honorable Edolphus Towns  
 Chairman  
 Committee on Oversight and Government Reform  
 2157 Rayburn House Office Building  
 Washington, DC 20515

Dear Chairman Towns:

Pursuant to Rule X of the Rules of the House of Representatives, I am forwarding to you an electronic and paper copy of the Committee on Armed Services' Oversight Plan for the 111<sup>th</sup> Congress, as approved by the Committee on Wednesday, January 14, 2009.

Thank you for your attention to this important matter, and I look forward to working with you in the 111<sup>th</sup> Congress.

Very truly yours,

  
 IKE SKELTON  
 Chairman

IS:jth  
 Enclosure



**UNITED STATES HOUSE OF REPRESENTATIVES**

**COMMITTEE ON ARMED SERVICES**

**111<sup>th</sup> Congress**

**Oversight Plan**

This oversight plan is filed pursuant to clause 2(d) of rule X of the Rules of the House of Representatives that requires that, not later than February 15 of the first session of a Congress, each standing committee of the House shall adopt its oversight plan for that Congress.

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**INTRODUCTION**

The oversight responsibilities of the Committee on Armed Services are conducted throughout the calendar year. They are instrumental in the committee's consideration of the annual defense authorization bill, which covers the breadth of the operations of the Department of Defense (DOD) as well as the national security functions of the Department of Energy and other related areas. The annual national defense budget involves millions of military and civilian personnel, thousands of facilities, and hundreds of agencies, departments, and commands located throughout the world. The DOD involvement in two large ongoing contingency operations will continue to expand the range of topics requiring committee oversight including strategic, operational, and budgetary issues of great scope and complexity.

The committee has jurisdiction over laws, programs, and agencies under permanent authority in numerous titles of the United States Code, including titles 10 (Armed Forces), 32 (National Guard), 37 (Pay and Allowances of the Uniformed Services), 42 (Atomic Energy), 46 (Shipping), and 50 (War and National Defense).

The jurisdiction of the committee, pursuant to clause 1(c) of rule X of the Rules of the House of Representatives is as follows:

1. Ammunition depots; forts; arsenals; Army, Navy, and Air Force reservations and establishments.
2. Common defense generally.
3. Conservation, development, and use of naval petroleum and oil shale reserves.
4. The Department of Defense generally, including the Departments of the Army, Navy, and Air Force generally.
5. Interoceanic canals generally, including measures relating to the maintenance, operation, and administration of interoceanic canals.
6. Merchant Marine Academy, and State Merchant Marine Academies.
7. Military applications of nuclear energy.
8. Tactical intelligence and intelligence related activities of the Department of Defense.
9. National security aspects of merchant marine, including financial assistance for the construction and operation of vessels, the maintenance of the U.S. shipbuilding and ship repair industrial base, cabotage, cargo preference, and merchant marine officers' and seamen as these matters relate to national security.
10. Pay, promotion, retirement, and other benefits and privileges of members of the armed services.
11. Scientific research and development in support of the armed services.
12. Selective service.
13. Size and composition of the Army, Navy, Marine Corps, and Air Force.
14. Soldiers' and sailors' homes.

15. Strategic and critical materials necessary for the common defense.

In addition to its legislative jurisdiction and general oversight function, the committee has special oversight functions with respect to international arms control and disarmament and the education of military dependents in schools pursuant to clause 3(g) of rule X of the Rules of the House of Representatives.

**OVERSIGHT AGENDA**

The committee will continue its oversight and assessment of threats to U.S. national security as it considers the fiscal year 2010 and fiscal year 2011 defense budget requests. This effort will involve appropriate oversight hearings with the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the individual service secretaries and chiefs of staff, combatant commanders, other officials of the Department of Defense and the military departments, officials from the Office of the Director of National Intelligence, Central Intelligence Agency and other defense-related intelligence agencies, and the Secretary of Energy, the Under Secretary for Nuclear Security and other officials of the Department of Energy. In addition, the committee will invite the views and perspectives of outside experts in academia, industry, associations and advocacy organizations, and those in private life on these matters. Finally, the committee will continue its aggressive outreach program to seek the views and perspectives of service members and their families to include active duty, National Guard, and reserve members across the United States and at deployed locations overseas.

The committee carries out its oversight of the Department of Defense and its subordinate departments and agencies as well as portions of the Department of Energy through activities involving the full committee and its standing subcommittees. Each subcommittee conducts oversight of the programs within its jurisdiction as specified in the committee's rules.

During the 110<sup>th</sup> Congress, the committee reestablished the Subcommittee on Oversight and Investigations. Pursuant to Committee Rule 4, as in the 110<sup>th</sup> Congress, the subcommittee will conduct oversight and investigations regarding any matter within the jurisdiction of the committee, subject to the concurrence of the Chairman of the committee and, as appropriate, the Chairman or Chairmen of the subcommittee or subcommittees with legislative jurisdiction over the matter, and with consultation of the appropriate Ranking Minority Member or Members. The subcommittee's work will include not only its own separate subcommittee hearings and reports, but also will support the hearings and oversight responsibilities of the other subcommittees and the full committee in their authorization and legislative responsibilities.

The oversight agenda below, unless otherwise noted, is designed to support the consideration by the committee and, ultimately, the House of Representatives of the annual defense authorization bill as well as the committee's broader oversight responsibilities. The issues identified are expected to be ongoing areas of oversight activity throughout the 111<sup>th</sup> Congress. In addition, the committee will continue to pay particular attention to the mandates placed on executive departments and agencies by the Government Performance and Results Act of 1993 (Public Law 103-62). The committee will examine closely the progress of the Department of Defense, the military departments, and the Department of Energy in

implementing Public Law 103-62 to include the use of performance-based budgeting techniques and five-year strategic planning documents, for programs within its jurisdiction. In this context, pursuant to clause 2(d)(1) of rule X of the Rules of the House of Representatives, the committee will also examine relevant rules, regulations, statutes, and court decisions affecting the Department of Defense and the Department of Energy for their effects on efficiency and good management practices.

Given the unique nature of national security issues and related oversight of the armed forces, the committee reiterates that the oversight agenda is subject to the emergence of unforeseen events that may displace previously planned activities. Such events significantly complicate the ability to prescribe with great accuracy or specificity the entire oversight agenda of the committee. For instance, the oversight of defense activities by the committee has historically involved in-depth assessments of military operations and other major events that are generally difficult to predict in advance, such as emerging operational issues in the Republic of Iraq and the Islamic Republic of Afghanistan and responses to catastrophic events. These reviews can dominate committee and staff resources, sometimes at the expense of other planned activities. The committee fully expects that this type of event-driven oversight will continue to be required.

The Subcommittee on Oversight and Investigations' agenda, even more than that of the full committee, will be difficult to predict over the coming two-year time period. As appropriate, the subcommittee will continue its oversight in areas it addressed in the 110<sup>th</sup> Congress. The subcommittee also will respond to concerns brought by all members of the committee, by other Members of Congress, and by other parties, within and outside the government. The subcommittee will pursue coordinated and constructive oversight that will identify best practices and model organizations as well as those areas in need of correction and reform within the Department of Defense and the other related areas within the committee's jurisdiction.

The committee has a long tradition of translating oversight activities into prescriptive legislative action as reflected in past comprehensive efforts such as: providing for concurrent receipt of retirement and disability benefits for veterans with qualifying combat-related disabilities; reforming the military retirement system; the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99-433); the Defense Acquisition Workforce Improvement Act of 1991 (Public Law 101-510); the Federal Acquisition Streamlining Act of 1994 (Public Law 103-355); the Federal Acquisition Reform Act of 1996 (Public Law 104-106); the establishment of the National Nuclear Security Administration and related reform of the management of the national security programs of the Department of Energy; reform of the military health care system; and the Military Commissions Act of 2006 (Public Law 109-366). Additionally, in the 110<sup>th</sup> Congress, the committee played a lead role in the passage of the Wounded Warrior Assistance Act of 2007 and the Acquisition Improvement and Accountability Act of 2007 as included in the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181), the Reconstruction and Stabilization Civilian Management Act of 2008 and the Clean Contracting Act of 2008 as included in the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) and will continue to oversee these legislative provisions in the 111<sup>th</sup> Congress. In general, the committee will continue to maintain a strong linkage between formal oversight efforts and legislative initiatives.

In addition to the above, the following specific areas and subjects are identified for special attention during the 111<sup>th</sup> Congress.

#### **POLICY ISSUES**

##### **National Defense Strategy, National Military Strategy, and Related Defense Policy Issues**

The committee is committed to ensuring that the U.S. military is properly postured to meet the complex security demands of the 21<sup>st</sup> century. This will involve closely reviewing how the National Defense Strategy and the National Military Strategy articulate those demands and thoroughly evaluating how the Department of Defense (DOD) postures itself to meet those demands. The committee will pay particular attention to how the Department continues to adapt to evolving irregular warfare and stability operations-related security challenges while also ensuring that the Department remains capable of executing its traditional missions. Therefore, the committee will provide oversight to ensure that all DOD activities, capabilities and functions, including doctrine, organization, training, education, exercises, materiel, leadership, personnel, facilities, and planning appropriately reflect the necessity to meet the full range of security requirements.

Furthermore, when considering the overall posture of the Department, the committee will continue to monitor the implementation of the recommendations delineated in the 2006 Quadrennial Defense Review (QDR) and engage the Department as it embarks upon the next QDR, the report of which is due in 2010. This will include: the adequacy of active and Reserve Component force structure, and especially the continuing evolution of the National Guard into a modern, operation-oriented reserve force with an enhanced role in homeland defense; an examination of the technological, doctrinal, and other factors affecting the long-term transformation of the conduct of military operations; a review of the roles and responsibilities of the Chairman of the Joint Chiefs of Staff and of the combatant commands, including the newly created U.S. Africa Command; the evolving mission of other recently established or modified commands; an examination of the roles and missions of the armed services and their implications for modernization requirements and the development of major weapons systems; the emergence of modern piracy as a security challenge that threatens global commerce; the impact of climate change; and other relevant areas.

Most critically, the committee will conduct all the activities mentioned above within the context of a comprehensive approach to understanding the strategic risk facing the United States. In so doing, the committee will seek to determine what level of strategic risk is acceptable, what factors increase that risk, and what factors reduce it.

Through its constitutional responsibility arising from article I, section eight, to raise and support armies and to provide and maintain a Navy, the committee has a responsibility to ensure that the military can meet its future missions, as well as today's operational requirements. The committee's examination of strategic risk, in simple terms, will look to ensure that these joint forces retain the ability, regardless of present operational pressures, to deter any potential foe, respond to any contingency that threatens U.S. interests, and defeat any adversary who might

threaten America's interests, in the worst case. In this regard, the committee will closely examine the Department of Defense's range of assumptions about future threats made in strategy documents to assess the adequacy of forces, the resources available, and the likely level of strategic risk. By the same token, the committee will also look at current operational demands and whether those demands—through readiness and force strains or through other impacts such as on potential coalition partners—increase our strategic risk for meeting future challenges. The committee will continue to monitor strategic risk and take action to mitigate it when necessary.

### **The War in Afghanistan**

The war in the Islamic Republic of Afghanistan has evolved since 2001 and generated increased focus from the committee in the last two years due to the strategic importance of the region and the deteriorating security situation in Afghanistan. The committee will commensurately extend its related oversight activities in the 111<sup>th</sup> Congress on the North Atlantic Treaty Organization International Security Assistance Force (NATO-ISAF) and Operation Enduring Freedom missions, especially given likely increases in U.S. military presence, diplomatic efforts, and economic development assistance. While there has been progress in some areas, the security situation in Afghanistan is increasingly challenging, and the resources allocated to conducting the counterinsurgency campaign, building Afghan security forces, and increasing Afghan civilian capacity have proven inadequate. Most critically, the border area between Afghanistan and Pakistan remains a major front for combating al Qaeda, the Taliban, and other terrorist organizations that threaten the U.S. homeland, the stability of the Government of Afghanistan, our allies, and strategic partners in the region. The committee will closely assess potential increases in U.S. force levels and combat enablers, such as intelligence, surveillance, and reconnaissance platforms. The committee will also monitor efforts to deny sanctuary in the border area between Afghanistan and Pakistan.

The committee will examine the progress made in developing and articulating a clear, comprehensive strategy for accomplishing U.S. objectives in Afghanistan and the identification and tracking of performance metrics for measuring progress. The committee will continue its oversight efforts to ensure unity of effort among military and civilian organizations in Afghanistan. It will provide oversight of efforts to reduce civilian casualties in Afghanistan and to improve strategic communications. It will continue to examine the command and control relationships for U.S. forces in Afghanistan and related issues with ISAF, especially the national caveats of some allies that limit operational effectiveness. It will continue to pursue improvements in interagency cooperation that are particularly relevant to the war in Afghanistan.

The committee will also provide oversight to other critical efforts in Afghanistan such as the development and sustainment of effective Afghan National Security Forces, and the safety and security of U.S. and allied forces. The committee will also continue efforts to see that as increasing resources are devoted to Afghanistan, especially for reconstruction activities, appropriate accountability measures are taken.

With regard to the Department's counter-drug activities in Afghanistan, the committee will continue to monitor closely: the role that the production and trafficking of opium and other illicit narcotics is playing in supporting insurgents and terrorists; the type, scope and level of

indirect participation by United States Forces-Afghanistan (USFOR-A) in support of counter-drug efforts by other military forces and law enforcement agencies; the nascent expansion of direct participation by USFOR-A and other NATO-ISAF forces in the eradication and interdiction of narcotics trafficking; and the efforts to train and equip Afghan National Security Forces and border police to support eradication, interdiction, and other counter-drug tactics of the Afghan national and provincial governments; and the Department's coordination with other U.S. departments and agencies which work on counter-drug planning and operations in Afghanistan.

### **The War in Iraq**

The committee will continue its strong record of oversight of the war in the Republic of Iraq. While violence has decreased in Iraq over the past two years, the United States currently maintains approximately 140,000 troops in Iraq. The Bush Administration signed a Status of Forces Agreement (SOFA) in November 2008 to provide a legal basis for ongoing operations and the redeployment of U.S. forces from Iraq. The committee will continue to monitor any ongoing military activities in Iraq, seek to determine if progress made in Iraq is sustainable, and oversee the transition of responsibilities in Iraq from U.S. authorities to the Government of Iraq.

The security situation in Iraq remains inextricably linked to a complex and evolving political situation in that country. The committee will monitor political developments in Iraq, such as the forthcoming elections, in order to gauge their effect on the security situation and both the requirements for U.S. forces and how they are employed.

The SOFA may fundamentally change how U.S. forces operate in Iraq. The agreement states that operations in Iraq may only be conducted with the agreement of representatives of the Government of Iraq, mandates that U.S. combat forces be withdrawn from urban areas in Iraq by the end of June 2009, and states that all U.S. forces should be out of Iraq by the end of 2011. In addition, the agreement exposes U.S. contractors to prosecution in Iraqi courts. Furthermore, pursuant to future negotiations, the agreement potentially exposes any U.S. citizen, including members of the armed forces and Department of Defense civilians to prosecution for certain heinous crimes in Iraqi courts. The committee will closely monitor the implementation of this agreement, and its impact on U.S. forces in Iraq, particularly as planning progresses for the redeployment of U.S. forces from Iraq.

With an Iraqi mandated deadline to withdraw U.S. forces from Iraqi cities by June 30, 2009, and from the country by January 1, 2012, the committee will pursue vigorous oversight of planning and execution of the drawdown of U.S. forces and their redeployment to either home stations or other operational theaters. The committee anticipates many dynamic factors will affect this redeployment due to the sheer size of the deployed force of military and civilian personnel and equipment and their wide dispersal across more than 150 operating bases in the Republic of Iraq. The committee will address such issues as: redeployment timelines within the scope of the mandate; equipment disposition and reset including prepositioned stocks; security of personnel and equipment; port and transportation staging and capacity; continued logistical support for military and civilian personnel remaining in theater; infrastructure requirements for



restationing of troops in home stations or abroad; medical coverage including mental health care; movement of refugees; and redeployment of contractors and contractor-owned equipment.

The committee will continue to examine those factors critical to successfully transitioning security responsibilities to the Government of Iraq. Most important of these is the ongoing development of the Iraqi Security Forces (ISF). The committee will monitor how embedded U.S. training teams are used, the equipment that is provided to the ISF, and the development of institutions that support these forces. In addition, the committee will monitor how other irregular security forces, such as the "Sons of Iraq," are demobilized or integrated into the ISF.

The committee will continue to monitor reconstruction funding. The laws governing the uses of, or approvals for, some types of funds have recently been amended. The committee will examine how these amendments are implemented to ensure that funds are used properly in the reconstruction of Iraq.

Finally, the committee will continue to examine the costs of the war in Iraq, particularly as an essential element in forecasting short- and long-term funding requirements for the Department of Defense.

#### **Global Counter-Terrorism Activities**

The Department of Defense (DOD) continues to conduct military operations against terrorist groups in a number of countries around the world. These efforts have also forced the Department to consider and implement new doctrines, organizations, and capabilities in an effort to take on a mission that has historically been a non-traditional one for many DOD components. The nature of the terrorist threat has implications for the National Military Strategy and generates an increased requirement for the Department, along with other federal agencies, to work cooperatively with the security forces of other nations. The committee will focus attention on how the Department addresses the threat of terrorism in its strategic planning processes and the efficacies of authorities for counter-terrorism-focused programs. The committee will also focus attention on how the Department and the military services are prioritizing these efforts and if they are devoting the appropriate resources to match the requirement. In addition, the committee recognizes that global counter-terror efforts will be a long-term campaign. The committee will, therefore, examine the implications of the nature of this effort on the capabilities of the Department as well as the ability of the Department to contribute to the success of government-wide efforts to prevail against terrorist networks.

The full committee, and especially the Subcommittee on Terrorism, Unconventional Threats and Capabilities, will continue their oversight of the full range of unconventional threats to national security and U.S. military forces and the capabilities needed to respond. Particular attention will be given to, but not limited to: the role and involvement of U.S. Special Operations Command, especially recruiting and retention programs within the special operations community to determine challenges that confront field commanders; irregular warfare initiatives; progress in establishing a national collaborative environment for intelligence information; the conduct of information operations, including strategic communications; counter-radicalization and

countering extremist ideology; terrorism-related organizational matters; modernization requirements and processes; and unique force protection challenges, including the design of installations and facilities to address threats posed by terrorism utilizing either conventional weapons or weapons of mass destruction.

#### **Pakistan**

Security and stability in the Islamic Republic of Pakistan are vital to U.S. interests and will be a central issue for the committee in the 111<sup>th</sup> Congress. Pakistan is a nuclear-armed state with a significant role in regional security and is a critical focus for combating al Qaeda, the Taliban, and other terrorist organizations. In particular, the Pakistan-Afghanistan border region has been identified as a base for terrorists and their supporters, who are operating in the Islamic Republic of Afghanistan and pose a threat to U.S. and other ISAF forces. Compounding this problem, Pakistan faces significant challenges regarding its internal political and economic stability and has been ravaged by terrorist attacks. Pakistan's volatile relationship with India, particularly over Kashmir, also remains an area of significant concern. The committee will continue its oversight of the broad range of security issues involving Pakistan, and in particular, will carefully review the use of Coalition Support Funds provided to reimburse Pakistan for its support to U.S. military operations. The committee will also focus on Department of Defense assistance provided to train and equip the Pakistan Frontier Corps to combat terrorism in the Federally Administered Tribal Areas and assistance provided to train and equip the Pakistan Army.

#### **Nuclear Non-Proliferation and Threat Reduction**

The committee will continue its oversight of the nonproliferation and threat-reduction programs within its jurisdiction, including the Department of Defense's (DOD) Cooperative Threat Reduction Program and the Department of Energy's (DOE) defense nonproliferation programs. The committee will assess the threat posed by the proliferation of weapons of mass destruction, the effectiveness of existing programs to respond to this threat, and areas where programs can be expanded and improved. In particular, the committee will carefully review progress achieved as a result of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53) to ensure that nonproliferation and threat-reduction programs are strengthened to respond to the 9/11 Commission's recommendations regarding the prevention of weapons-of-mass-destruction proliferation and terrorism. The committee will also carefully review programs in light of the recommendations of the Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism. The committee will look at the Department of Energy's Global Threat Reduction Initiative, the Department of Defense's Cooperative Threat Reduction Program, the Proliferation Security Initiative, and other nonproliferation and threat-reduction efforts.

The committee will closely assess interagency coordination and the timely and effective use of funds for nonproliferation and threat-reduction programs, given past obstacles in these areas that have created unobligated balances. Additionally, the committee will examine how DOD and DOE programs could be strengthened to respond to emerging threats from weapons of mass destruction throughout the world, including threats from the Islamic Republic of Iran and the Democratic People's Republic of Korea, as well as better controlling critical technologies and physically securing dangerous materials in the Russian Federation and other countries. The

committee will pay close attention to new areas across the globe where nonproliferation efforts may advance U.S. security interests and examine how existing authorities that allow the use of threat-reduction-program funding in areas beyond the former Soviet Union can be helpful. The committee will review efforts to identify and establish new nonproliferation programs as past programs approach completion. The committee will also consider the impact and effectiveness of international regimes, cooperative arrangements, and national policies in addressing the threat posed by weapons of mass destruction.

#### **Counter-Proliferation Efforts**

The committee will review the Department of Defense's (DOD) initiatives for countering any proliferation of weapons of mass destruction at the strategic, organizational, and programmatic levels and across the spectrum of threats, including chemical, biological, nuclear, and radiological. Particular focus will be given to the roles of the numerous DOD offices responsible for supporting this mission, including the Defense Threat Reduction Agency and combatant commands, and to coordination with interagency partners. The committee will also continue to review closely the Chemical and Biological Defense Program.

#### **Organization and Management of the Department of Defense**

The committee will review the organization and management of the Department of Defense to ensure that it is properly postured to meet the complex and evolving security threats of the 21<sup>st</sup> century. The committee anticipates that the organization of the Office of the Secretary of Defense and the military departments will be modified, perhaps substantially so, as a new Administration assumes management of the Department. The committee also notes that the Quadrennial Roles and Missions Review may result in significant realignment of missions within the Department. The committee will carefully review any proposed organizational changes and work to ensure that the missions of the Department are appropriately aligned with organizations that have the core competency to perform them. The committee will also carefully review the Department's implementation of legislation included in the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) assigning the duties of Chief Management Officer of the Department of Defense to the Deputy Secretary and creating a Deputy Chief Management Officer. Additionally, the committee will monitor and assess the reform of joint officer management under the authorities granted by the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364).

#### **Intelligence**

The committee will continue to coordinate with the Permanent Select Committee on Intelligence on tactical intelligence matters and intelligence-related activities of the Department of Defense, and intelligence and counterintelligence activities of the Department of Energy in the course of its annual oversight of the intelligence community and the authorization of appropriations for intelligence activities shared by the two committees. In addition, the committee will monitor the reorganization of the Intelligence Community, through implementation of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458) and the creation of the Under Secretary for Intelligence position within the Department

of Defense which was authorized by the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314). The committee will also evaluate intelligence-related acquisition programs both for effectiveness and affordability. All of the committee's efforts will be focused on ensuring the highest possible quality of intelligence support to the warfighter.

#### **Detainee Policy, Military Commissions, and Related Matters**

As of the start of the 111<sup>th</sup> Congress, the Department of Defense is expected to be the custodian of thousands of detainees who are being held in the Republic of Iraq, the Islamic Republic of Afghanistan, and Guantanamo Bay, Cuba. The overwhelming majority of these detainees are being held in Iraq, with much fewer in the latter two locations. In Iraq, the Department's detainee operations will be largely governed by article 22 of the recently approved Status of Forces Agreement (SOFA). Many details of implementation, however, are not defined in the SOFA. The committee will closely monitor how the Department, in collaboration with other departments and agencies, resolves these outstanding questions, including: identifying Iraqi legal authority to detain individuals in Iraq for the purpose of maintaining security rather than as part of investigating and prosecuting crimes; determining which persons within the Iraqi government have the authority to request the release of particular individuals from U.S. military detention; and developing options for the medium- to long-term future of a limited number of detainees who pose the highest national security threats to Iraq or the United States.

With regard to detainee operations in Afghanistan, the committee primarily will focus on: the future of preventive detention for security purposes in the country; the consequences, if any, of the NATO-ISAF Commander assuming command of all United States Forces-Afghanistan on the processing of detainees captured in Afghanistan; and the construction of the new detention facility in Bagram, which is due to be completed in 2009, and the transfer of detainees into this new facility.

The committee will: work closely with the Department of Defense regarding the future of detention operations at U.S. Naval Station Guantanamo Bay, Cuba (GTMO) in expectation of new policies concerning GTMO announced by the incoming Administration; establish goals for the future of GTMO and accomplish them; consider possible changes to the Military Commission Act (Public Law 109-366) that established the current legal framework governing the operation of military tribunals to try detainees for war crimes and codified some of the procedural rights of GTMO detainees; and take other necessary actions and conduct related oversight.

#### **Building Partnership Capacity and Other Foreign Assistance-Like Authorities**

"Building Partnership Capacity" (BPC) is the phrase used to describe authorities designed to strengthen the security forces of nations critical to the national security of the United States. They reflect a general assumption that current authorities and processes governing foreign military assistance, specifically the Arms Export Control Act (AECA), and to a somewhat lesser extent, the Foreign Assistance Act of 1961 (FAA), are too inflexible to meet current security requirements or that the national security-related capabilities of civilian agencies, most notably the State Department, must be strengthened.

While there are roughly a dozen authorities that fall into the BPC category, the ones the committee considers most significant include “train and equip (“1206”),” “stability and security assistance (“1207”),” and special operations-specific “1208” authorities. Since 2006, the committee has been increasingly active in this area, and the last several national defense authorization acts have reflected what Congress considered to be the appropriate balance of providing sufficient authority for the most pressing needs of the Department of Defense while encouraging a more integrated interagency approach to building partnership capacity. During the 111<sup>th</sup> Congress, the committee will continue to examine the relationship between BPC authorities and the AECA and FAA to ensure that these authorities supplement and complement, rather than replace, Department of State programs. Furthermore, the committee will continue to closely monitor and assess the execution of these BPC authorities, both during the initial congressional notification process and those programs in progress. This will include on-site visits, as appropriate.

The committee will also focus attention on Foreign Military Sales (FMS), as the FMS system has become increasingly important in efforts to build security forces in the Republic of Iraq and the Islamic Republic of Afghanistan. While primary oversight jurisdiction lies with the Committee on Foreign Affairs, foreign military sales are an increasing component of the wars in Iraq and Afghanistan. The committee will continue to monitor whether the Department’s FMS process is appropriately tailored to enable the security assistance programs demanded by current and likely future operations.

#### **Nuclear Surety**

The committee intends to monitor carefully implementation of the Department of Defense’s plans to improve the management and security of U.S. nuclear weapons. On August 30, 2007, the Air Force performed an unauthorized transfer of nuclear weapons from Minot Air Force Base in North Dakota to Barksdale Air Force Base in Louisiana. This extremely troubling incident began a series of oversight activities focused on understanding and correcting the erosion of nuclear competence within the Air Force. On August 1, 2006, Defense Distribution Depot Hill, Utah, initiated a shipment to the Republic of China (Taiwan) of what was believed to have been four helicopter batteries in order to fill a foreign military sales order. The items shipped had been misidentified, however, and were actually four classified MK-12 Forward Section Reentry Vehicle Assemblies, which are used on the Minuteman III Intercontinental Ballistic Missile. Various investigations into the facts and circumstances surrounding these incidents have pointed to the need for fundamental changes in Air Force stewardship of nuclear weapons. During the 111<sup>th</sup> Congress, the committee will closely watch as the Air Force and the Department of Defense implement plans to reinvigorate the Air Force nuclear enterprise and improve nuclear stewardship generally.

#### **Department of Defense’s Counter-Narcotics Activities**

The committee will continue to monitor Department of Defense (DOD) activities which are related to the interdiction of illicit narcotics, particularly in and from major drug-producing and drug-transit countries. In fiscal year 2009, the Department received over \$1.0 billion in

counter-drug funding. This funding reflects the Department's role as the lead federal agency in the detection and monitoring of the aerial and maritime transit of illegal narcotics into the United States. In addition to contributing to curtailing narcotics trafficking into our country and our allies, DOD counter-narcotics efforts complement the Department's counter-terrorism campaign. A number of Foreign Terrorist Organizations, such as the Revolutionary Armed Forces of Colombia, rely on the financial and materiel networks of narcotics traffickers to amplify their capacities.

Specifically, the committee's oversight will include: a review of tactical intelligence gathering and its use for counter-drug purposes; an assessment of the Department's plans to participate indirectly in Plan Merida; a review of DOD counter-drug efforts in the Islamic Republic of Afghanistan (see section entitled "The War in Afghanistan" for greater detail); a review of the Department's capabilities to gather intelligence on the trafficking of illicit narcotics, including cocaine, methamphetamine, and opium, transiting through Mexico, Central America, the Andean region, the Caribbean Basin, and the Pacific Ocean into the United States; a review of DOD counter-narcotics funding used for developing partner nations narco-terrorism capabilities, to include a comparison to the allocation of 1206 train and equip funds; and a review of the DOD training of foreign law enforcement and other security forces for the purpose of combating the trafficking of illicit narcotics and terrorism. The committee will also carefully review the Department's comprehensive counter-drug strategies for South and Central Asia and West Africa, which are required by the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) and due in 2009.

#### **The Interagency Process and Reform**

National security issues continue to increase in complexity and increasingly are transnational in character. The United States must use all means of national power to address national security concerns. The Department is an active participant in the interagency process, and there is a growing recognition of the extent to which military problems, especially those involving homeland defense, stabilization and reconstruction activities, intelligence, and counter-insurgency operations call upon the resources and expertise of multiple federal departments and agencies, state and local governments, and international partners. The committee will work to identify ways in which the Department can be better postured to plan for, ask for, and receive necessary support from other agencies, and how the Department can be better postured to support other agencies in helping to achieve those agencies missions to ensure all departments and agencies are effectively coordinated towards achieving national objectives.

The Combatant Commands, particularly U.S. Southern Command (SOUTHCOM) and U.S. Africa Command (AFRICOM), have been at the forefront of reorganizing to integrate interagency partners better and address country-confined and transnational threats from a whole-of-government perspective. The committee will continue to monitor these reorganization efforts, including reviewing the Department's report on SOUTHCOM's development assistance activities as required by the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) and due in 2009.

#### **National Guard and Reserves**

The extended commitment of the National Guard and Reserve Components to meet wartime requirements of Operation Iraqi Freedom and Operation Enduring Freedom has highlighted longstanding pre-September 11, 2001 wartime-related equipping, manning, resourcing, and policy issues. The Commission on National Guard and Reserves (CNGR), established by Congress, completed its review of these components and has presented 95 recommendations that sought to: improve the operation of the Reserve Components; enhance the Department of Defense's role in homeland security; create a continuum of service; develop a ready and capable operational reserve force; support reserve members, families, and employers; and reform organizations and institutions to enhance the roles and missions of the Reserve Components. During the 110<sup>th</sup> Congress, the committee implemented a number of recommendations put forth by the commission, as well as other initiatives designed to enhance and improve the National Guard and Reserves. In the 111<sup>th</sup> Congress, the committee will continue its review of the CNGR recommendations that are being further evaluated by the Department of Defense for implementation. In addition, the committee will continue its oversight responsibilities to ensure that the Reserve Components have the programs and policies that are necessary to support their recruitment, retention, and transition back to their civilian communities, including implementation of the Beyond Yellow Ribbon program which was authorized by Congress. In addition, the committee will continue to consider National Guard and Reserve Component equipment readiness as an urgent and top priority. The committee will monitor and evaluate the obligation of funds provided for additional equipment for the National Guard and Reserve Components as part of a separate procurement account entitled the National Guard and Reserve Equipment Account (NGREA).

#### **Homeland Defense**

The committee will continue to focus on intra- and inter-Departmental efforts involving federal support to domestic civil authorities. In the aftermath of the September 11<sup>th</sup> attacks, the military returned to an area of competency that had not received much attention in the last century, homeland defense. The creation of U.S. Northern Command in 2002, as well as the establishment of an Assistant Secretary of Defense for Homeland Defense (ASD-HD) to oversee Department of Defense activities related to homeland defense placed renewed emphasis on domestic response versus expeditionary capabilities. The committee will continue to focus on the evolving missions and capabilities of these organizations, as well as their coordination with and integration into the response planning and exercises of the Department of Homeland Security. The August 2008 Defense Science Board report on "Defense Imperatives for the New Administration" makes a number of recommendations related to defending the homeland and providing support to domestic authorities that the committee will explore in greater detail, along with continued consideration of the recommendations of the Commission on the National Guard and Reserves (2008).

#### **Acquisition Issues**

*The Acquisition System and Acquisition Policy*

The committee will continue to provide oversight of the defense acquisition system and address growing concerns about cost growth in major defense acquisition programs and the responsiveness of the system to compelling military needs. In recent years, the committee has been especially active in the area of acquisition reform including: reforming the process for reviewing and certifying major defense acquisition programs; reforming contingency contracting; improving the acquisition workforce; protecting strategic materials; and enacting the Acquisition Improvement and Accountability Act of 2007 as part of the National Defense Authorization Act for Fiscal Year 2008 (Public law 110-181) and the Clean Contracting Act of 2008 as part of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417).

Nevertheless, the committee is still aware of and concerned about significant shortcomings in the acquisition system. The committee will carefully review the recent revision to Department of Defense Instruction 5000.02, "Operation of the Defense Acquisition System." In particular, the committee will focus on the use of configuration steering boards to control growth in requirements and costs on major weapons systems, the effects of revising the milestone process for major defense acquisition programs, and the requirement for peer review of major solicitations and requests for proposals. The committee will seek to ensure that members of the acquisition community have the tools and authorities necessary to limit requirements creep and to terminate or restructure under-performing programs.

As part of its oversight, the committee will continue to examine in depth the military requirements process that is the foundation of the acquisition system. Weapons system programs begin with the validation of a military requirement. The process by which this occurs, while lengthy and filled with multi-service consultation, continues to produce outcomes which do not reflect the jointness that the military has achieved at the operating level. The committee will also continue to review the fulfillment of urgent warfighter requirements submitted by units engaged in ongoing operations to ensure that the Department's rapid acquisition processes are responsive and their legal authorities are adequate (discussed in more detail in the section entitled "Rapid Acquisition Authority").

The committee will continue to push for accountability and integrity in contracting by closely monitoring the efforts of the Department of Defense and the Under Secretary of Defense for Acquisition, Technology, and Logistics to implement recently enacted acquisition reforms. The committee will continue to work with the Department's Panel on Contracting Integrity to eliminate contracting vulnerabilities. The committee will continue to monitor the implementation of the recommendations of the Commission on Army Acquisition and Program Management in Expeditionary Operations and will carefully review the findings of the Commission on Wartime Contracting when they are delivered to Congress. The committee will review the progress of the Department of Defense, the Department of State, and the United States Agency for International Development in implementing the memorandum of understanding between those agencies on oversight of contracting in the Republic of Iraq and the Islamic Republic of Afghanistan. The committee will also review the application of regulatory frameworks, such as the cost accounting standards, to contracts entered into and performed overseas.



Service contracting represents an increasingly large proportion of the acquisition expenditures of the Department. The committee will continue to work to reform appropriately the acquisition process to reflect this reality by: reviewing the management structure for these contracts; increasing the visibility and transparency of these contracts by reviewing service contract inventories; and monitoring efforts to prevent personal and organizational conflicts of interest. The committee will also monitor the Department's phase out of the use of contractors to perform inherently governmental functions such as serving as the lead system integrator on major defense acquisition programs.

The committee recognizes that a fundamental component in addressing most of the problems in the acquisition process is improving the composition and quality of the acquisition workforce. The committee will provide oversight to efforts to enhance career paths for military personnel working in acquisition, to the recently created Department of Defense Acquisition Workforce Development Fund, and to other efforts by the Department to expand and improve the acquisition workforce. In addition, the committee will continue to ensure the protection of the government's interest in technical data.

#### *Defense Industrial Base and Technology Transfers*

The committee will give close examination to the health of the defense industrial base. The industrial base for complex major weapons systems has shrunk dramatically in the last decade, limiting the ability of the Department to control costs and encourage innovation through the use of competition. Industry has also struggled in many cases to make the long-term investments that are vital to the health of the defense industrial base, notably so in the shipbuilding industry. The committee will examine the policies and funding tools available to the Department to ensure the health of the defense industrial base.

The committee will continue to examine the U.S. export control regime and its effectiveness in preventing the transfer of sensitive military-related technologies to potential adversaries. The consolidation of the defense industry and its increasingly global nature will increasingly challenge the capabilities of current systems for industrial security. The committee will continue to monitor the Department's plans and statutory authorities for industrial security to ensure their adequacy.

#### *Financial Management*

The Inspector General of the Department of Defense (DOD) stated in the Department of Defense Agency Financial Report 2007 that the Department's financial management problems are the single largest and most challenging impediment to the ability of the federal government to obtain a clean audit opinion on its consolidated financial statements. The Comptroller General of the United States has also consistently identified the Department's financial management as a high risk area since 1995. The Department's inability to track and account for billions of dollars in funding and tangible assets continues to undermine its financial management systems. It also creates a lack of transparency that significantly limits congressional oversight. The committee will continue to review the Department's efforts to correct the weaknesses in its financial statements and monitor closely the hundreds of millions of dollars being spent on business

systems modernization programs that the Department has proposed to address its financial management problems.

The committee will also continue to ensure that programs to modernize the business systems of the Department are coordinated across all of the military services and defense agencies, and overseen by the Department's newly created Chief Management Officer, in accordance with a sound strategic plan, and that the Department observes strict compliance with all laws relating to the use and purpose of appropriated funds.

*Rapid Acquisition Authority and Joint Urgent Operational Needs Process*

The conflicts in the Republic of Iraq and Islamic Republic of Afghanistan, and particularly the evolution of the improvised explosive device (IED) as a highly effective weapon of strategic influence, have illustrated the ability of an adaptive enemy to work to advantage inside a normal defense acquisition cycle. The committee will continue its oversight of the joint urgent operational needs (JUONS) process and continue to urge the Secretary of Defense to leverage previous efforts of the committee to take advantage of the rapid acquisition authority provided to the Department of Defense as part of section 811 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108-375), wherever necessary, in order to guarantee that military personnel receive required equipment in a timely manner.

The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417) required the Secretary of Defense to commission an independent study and report on the effectiveness of the processes used by the Department of Defense to identify, prioritize, and meet urgent operational needs. In addition to the process involved for JUONS and immediate warfighter needs, the study will review certain alleged failures by the Department of Defense to rapidly respond to, validate, and execute on JUONS, and will also review concerns regarding the possible misuse of the JUONS process for non-urgent requirements. The committee will review and analyze the findings and recommendations from this commission.

**READINESS**

**Ground Force Readiness**

Readiness problems appear to be most severe in the ground forces, particularly the Army. The committee will continue rigorous oversight of readiness focusing on Army and Marine Corps reset and training efforts. Department of Defense readiness reports indicate that every non-deployed Army and Army National Guard combat brigade would face significant challenges completing their assigned full-spectrum combat missions if they were called upon to fight. These shortfalls are due to the challenges of increased operational tempo which have reduced equipment and personnel availability and the reduction in training opportunities. Added to this is the fact that the Marine Corps and the Army are focusing heavily on counter-insurgency operations in their training, resulting in an overall reduction of full mission capability. Restoration of this lost capability must be a focus for the Army and Marines to ensure that the ground forces are ready for any emergent contingency. The committee intends to follow closely

the Department of Defense's and services' efforts to remedy these shortfalls and restore full spectrum combat capability.

#### **Naval Readiness**

The committee will engage in rigorous oversight of measures taken by the Department of the Navy to ensure its ships, sailors, Marines, and naval aviators are fully and properly trained and equipped to support sustained combat operations. The committee is concerned that the material readiness of U.S. Navy surface combatants is suffering from the high operational tempo created by current operations. Ships in the past year failed inspection and survey because of poor material condition, and two first-line surface combatants were declared unfit for sustained combat operations. Additionally, failures in the training process were cited in official Navy reports as contributing factors to major maintenance and emergency incidents during the past year, including an extensive fire aboard a nuclear-powered aircraft carrier. The committee will examine the Navy's training programs, with specific emphasis on training for surface combatant crews and an assessment of the efficacy of heavy reliance on computer based training as a cost-savings measure.

The committee also will examine ship repair concepts, such as the use of multi-ship, multi-option contracts and their impact on surface combatant availability. In addition, the committee will continue to examine the role of the Navy in augmenting contingency forces in the Republic of Iraq and the Islamic Republic of Afghanistan, where Navy participation increased by almost eight-fold in a three-year time span. The committee is concerned that the use of these naval forces outside their core Navy mission has resulted in declining readiness of critically skilled Navy personnel, particularly, civil engineer, intelligence, master at arms, medical, and information technician.

#### **Air Force Readiness**

The committee intends to increase oversight of the Air Force's air assets. Operational tempo for the Air Force has remained high since the first Gulf War, placing continued strain on the Air Force's aging aircraft fleet. Maintenance challenges have reduced overall mission capability rates below levels seen in prior years and are particularly troubling given that procurement programs for new aircraft will not fill capability gaps until the years beyond the current Future Years Defense Plan. The Air Force continues to struggle with maintaining the full mission capability of its aircraft and as a result, maintenance man hours required per flight hour continue to increase. This increase in required operational-level maintenance, compounded with personnel reductions made in previous years, drives maintenance and support personnel to work schedules that are likely unsustainable over time and increases overall risk. The Air Force's continuing support of individual augmentee and in-lieu-of force requirements further taxes units and stretches many personnel resources to near limits. The committee will continue to monitor the significant readiness challenges facing the Air Force.

#### **Prepositioned Stocks**

The committee will continue to oversee the Department's use and restoration of prepositioned combat equipment stocks. The nature of current combat operations has forced the

Army and Marine Corps to draw from overseas prepositioned and afloat equipment stocks to meet operational needs. The lack of this equipment reduces the Department's ability and flexibility to respond to emergent contingencies. Both the Army and Marine Corps have provided plans for the restoration of this forward-deployed equipment and the committee will closely follow their progress. The committee will also examine the Department of Defense's plans for the future use of these stocks and their integration in operations plans.

#### **Equipment Reset**

The committee will continue its oversight of the services' reset strategies to repair, recapitalize, and replace equipment used in ongoing operations. The committee will examine the services' strategy for performing equipment reset and the costs associated with these equipment reset programs, including visibility of funding obligation, potential impediments to execution, and the overall progress made toward resetting the force. The committee also will continue monitoring progress toward complete reconstitution of prepositioned stocks. Additionally, the committee will examine whether the services' reset strategies and resource allocation are properly focused on sustaining equipment availability for ongoing operational requirements or geared toward long-term modernization goals.

#### **Depot and Arsenal Capability**

A critical piece of equipment sustainment is the capability provided by the nation's organic arsenals and depots, including air logistics centers and shipyards. The committee is concerned that the Department of Defense continues to lack a comprehensive strategy to ensure U.S. military depots and arsenals are viably positioned and have the workforce, equipment, and facilities for efficient operations to meet the nation's current requirements, as well as those in the future. Recognizing that the workload, and associated funding, for the organic industrial base will likely decline as operations in the Republic of Iraq and the Islamic Republic of Afghanistan draw down, the Joint Explanatory Statement (Committee Print 10) accompanying the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 required the Department of Defense to contract for an independent, 22-month assessment of post-reset capability required to provide life-cycle sustainment of military systems and equipment.

Parallel to the study effort, the committee will continue oversight of depot and arsenal operations and management, focusing on capital investment in facilities and equipment, the implementation methodology and use of sustainment concepts such as performance-based logistics, the role of public-private partnerships, the use of working capital funds for timely product improvement, and the services' logistics enterprise resource planning systems. Additionally, the committee will examine the statutory framework that underpins depot and arsenal capability including those programs and initiatives designed to assure availability of critical organic manufacturing capabilities.

#### **Life-Cycle Sustainment**

The committee will examine how effectively the Department of Defense is developing and procuring weapons systems and equipment with consideration of life-cycle support and sustainment requirements and cost. In its oversight of the Department's life-cycle sustainment

efforts, the committee will examine the extent to which the acquisition community and the logistics community collaborate during system design and development. Materiel choices made during this critical phase that do not take into consideration future depot-level maintenance requirements can unnecessarily create sustainment problems that drive millions of dollars in depot-level maintenance once the system is fielded. Additionally, failure to apply proper consideration of the capabilities of the depots or shipyards where the systems will be supported may drive costly reconfiguration of depot-level facilities to adapt to support requirements. In this vein, the committee will continue its oversight of the Department of Defense Office of Corrosion Policy and Oversight and designation of corrosion executives for each of the services.

#### **ENERGY AND ENVIRONMENT**

##### **Energy Security and National Security Implications of Climate Change**

An effective energy strategy for the Department of Defense will increase the operational effectiveness of the military and will enhance our national and energy security. Therefore, the committee will review the energy strategies promulgated by the Department of Defense and will monitor trends in the Department's energy use on military installations and for military operations. The committee will continue its efforts to assess the Department's resourcing, management, oversight structure, and methodology for monitoring and reducing energy consumption. The committee also will monitor the implementation of significant legislation pertaining to energy security passed during the 110<sup>th</sup> Congress, including the establishment of a new position for the Director of Operational Energy Plans and Programs and the requirement for consideration of the fully burdened cost of fuel in systems acquisition.

The committee will also examine the growing body of information regarding the national security implications of climate change. The committee will review the Department's compliance with legislation passed during the 110<sup>th</sup> Congress requiring that certain strategic planning documents consider the impact of climate change on the Department's facilities, capabilities, and missions.

##### **Environment**

The committee will continue its oversight of the Department of Defense and military services' environmental restoration program. The committee will monitor Department of Defense funding and adherence to federal, state, and local requirements for cleanup, compliance, and pollution prevention. The committee will examine Department of Defense efforts to remediate existing contamination on federal lands with particular attention paid to Formerly Used Defense Sites and Base Closure and Realignment locations where the Department has determined contamination is a high-risk that may be affecting local populations. Additionally, the committee intends to closely monitor the activities of the Department to ensure that military training is in full compliance with applicable federal state and local environmental laws.

#### **MILITARY CONSTRUCTION AND INFRASTRUCTURE "**

##### **Basing**

The Department of Defense is undergoing a significant change in force structure both in the United States and overseas. These changes are being implemented to enhance operational efficiencies and ensure access to future contingency operations. These force structure changes are being performed by two infrastructure programs including the 2005 Base Closure and Realignment decisions and the Global Defense Posture Review. These rebasing movements affect not only U.S. global posture but also have significant repercussions on readiness, surge capability, military construction, and quality of life for military members and their families. The committee will closely monitor the conduct of the Department as it implements the 2005 Base Closure and Realignment decisions. The committee will ensure that the Department adheres to regulations and statutes governing base reuse, property disposal, and community adjustment assistance. The committee will also closely review the proposed Army force structure in Europe and in Korea, the realignments proposed by the Government of Japan including the realignment of Marine Corps forces to Guam, and the balance of the force structure modifications.

#### **Military Construction Programming**

There is increasing evidence that sufficient infrastructure in the United States may not be available to support a rapid reduction in overseas forces and concurrently sustain the Army and Marine Corps' Grow-the-Force initiatives. In the past, the Department has relied on relocatable, temporary structures to support force structure movements, but the current inventory has exceeded its lifecycle and additional temporary structures will exacerbate an unacceptable situation. The Department has also incorrectly priced military construction projects and has caused significant scope and cost reductions in budget execution. The Department recently projected that military construction projects have been reduced by 14 percent in fiscal year 2007. The Department has also endorsed modified construction techniques for the Army to reduce initial construction costs, which may actually increase overall life cycle costs of facilities. The committee will review the Department's military construction program to manage the overall capacity of the Department's infrastructure and ensure prudent long-term military construction investments are provided.

#### **Real Property Acquisition, Maintenance, and Disposal**

The real property management process requires extensive oversight to maintain more than \$650.0 billion in infrastructure at an annual cost of \$56.5 billion, or nearly 11 percent of the Department of Defense's budget. The committee is concerned that infrastructure inefficiencies result in duplicative operations and uncoordinated investment decisions. The committee has also received increasing evidence that the Department of Defense has elected to generally reduce levels of facilities maintenance and service across the Department rather than specific reductions of excess infrastructure. This type of infrastructure management results in decreased capabilities and serves to defer critical infrastructure investment. The committee is also concerned about the land acquisition requirements associated with Army and Marine Corps force structure and doctrinal growth that require an additional 5,000,000 acres to support current training requirements. The committee will review the maintenance and support infrastructure investments that represent over half of the real property management budget. The committee will also focus on the strategies to acquire land and the use of eminent domain to support valid

Defense requirements. The committee will continue to closely monitor Department of Defense decisions to enter into leasehold interests and ensure outleases conform to statutory guidance. The committee will also review the real property accounts to ensure prudent investments are maintained and encourage the Department of Defense to complete closure and transfer of 117,000 acres from prior rounds of Base Closure and Realignment.

#### **Military Infrastructure Privatization**

The Department of Defense has made extensive use of privatization of military assets including family housing, bachelor quarters, and utility-related infrastructure. The Department has leveraged available capital in Defense infrastructure and entered into long-term contracts with private property managers. The committee will review these long-term mechanisms and ensure prudent investment decisions are implemented that provide the best capabilities to the Department.

### **TOTAL FORCE, PERSONNEL, AND HEALTH CARE ISSUES**

#### **Future End Strength**

The current operational deployment schedule has placed tremendous pressure on active duty troops. The committee is concerned that if the current deployment pace continues, it will have a long-term adverse impact on our forces, particularly the ground component. The committee will continue its effort to assess the level of active and reserve end strength needed to meet current and future operational requirements. Utilization of the Reserve Components and deployment standards will also be reviewed given the shift of the Reserve Components from a strategic reserve force to an operational reserve force. End strength increases authorized during the 110<sup>th</sup> Congress will be examined to determine whether end strength levels, including those of the Reserve Components, are sufficient for the global challenges facing our nation in the future, and whether that growth can be achieved and maintained given fiscal, recruiting, and retention considerations. In addition, previous and ongoing efforts to reduce the force structure of the Air Force and Navy must be reviewed to determine if they should be continued, stabilized, or reversed given the increased operational requirements facing the nation and the fiscal constraints that the Department may face in the near future.

#### **Force Morale and Family Welfare**

As the stress on military forces and their families continues to grow fueled by multiple deployments, minimal dwell time between deployments, and increased operations tempo at home station, the committee will focus on reaching out to service members and families to better understand the challenges they confront in their daily lives and to identify the programs and policies that can be developed or modified to improve the morale of the force and safeguard the welfare of families. Programs and policies such as force utilization, health care, dependent education, compensation, leave, family support, and childcare will be explored for opportunities to expand capabilities and make improvements.

**Appropriated Funding for Morale, Welfare, and Recreation (MWR) and Military Resale Programs**

Reduced funding for installation operations and generally tight budgets among the armed services has resulted in increased evidence that funding for MWR and military resale programs is being reduced and withheld. Reduced funding for these programs has direct implications for service member and family morale and quality of life. The committee will focus on appropriated funding to support MWR programs, commissaries, and exchanges to include comparison of historic and current funding patterns, trends in the availability and quality of MWR program services, and the fiscal solvency and quality of military commissaries and exchanges.

**Funding for Nonappropriated Fund Construction Programs**

The response to a committee directed report concerning the adequacy of funding for the Department of Defense nonappropriated fund construction program has confirmed that the majority of nonappropriated fund and military resale activities do not consider their recapitalization programs to adequately reflect a level of investment that is consistent with the high standards deserved by the military community. The committee will pursue a better understanding of the standards that are needed for these facilities, the resources required to maintain those standards, and any shortfall in the resources available. The committee will also explore options to find new funding and change policies and programs to ensure that future funding for nonappropriated construction is adequate.

**Recruiting**

Although the downturn in the national economy and a reduction in the level of violence associated with the war in the Republic of Iraq may cause the recruiting environment to become more favorable for the services, there is little reason to believe that recruiting will become measurably easier given continued societal pressure to attend college, a youth population that has been found to be increasingly unqualified for military service, and a defense budget that will be highly stressed to be able to meet requirements. The committee will closely monitor the Army and Marine Corps recruiting programs as they continue to increase their end strengths. The committee is also concerned about the preparedness of the Air Force and Navy to transition from relatively low recruiting objectives during several years of force reduction to the larger objectives that will be required when the services return to force sustainment recruiting levels. The committee will focus on how the budget process may affect the adequacy of funding levels to maintain effective recruiting programs and encourage the services to maintain robust recruiting incentive and advertising programs. The committee expects to examine all aspects of recruit quality to include age, education level, test scores, and the number of waivers to recruit standards relating to conduct and medical requirements. The committee will also investigate trends in recruiter improprieties to verify that recruiters who commit crimes or are guilty of unethical conduct are held accountable.

**Retention**



The cumulative effect of the multiple tours associated with current high operations tempo will increase the pressure on retention programs throughout the military. Although service retention programs have been successful up to this point, costs have increased significantly and the services must manage retention closely and increase resources to meet new challenges as they occur. The committee will closely monitor retention trends to identify emerging problems quickly and ensure that the services are responding with the resources necessary to be successful. The committee will review the special pays and bonuses currently authorized to ensure that recent enhancements are performing as expected and requirements for new authorities are identified quickly. The committee will also seek the views of current service members to ensure that the appropriate remedies are implemented by the services. Finally, the committee will closely monitor the budget process to ensure that the services are maintaining robust programs and are not assuming unreasonable risk in retention programs.

### **Compensation**

Congress has authorized enhanced pay raises that exceed the by-law pay raise levels for 10 consecutive years in an effort to close the pay gap with private sector pay raise levels as measured by the employment cost index. The committee intends to closely review military compensation programs to ensure that service members and families receive compensation that provides a quality of life level that continues to support recruiting and retention objectives. Additionally, the committee remains concerned about the accuracy and efficiency of military pay systems that have caused military members and families so much hardship, particularly for those members of the Reserve Components who are mobilized to serve on active duty. Accordingly, the committee will continue to examine military pay systems to ensure that progress is realized.

### **Military Health Care System**

During the 111<sup>th</sup> Congress, the committee will continue to be faced with military health care challenges similar to those in the civilian sector including significant cost growth. The committee is well aware of the potential adverse impact of uncontrolled cost growth within the military health care system on the Department of Defense. The committee will continue its efforts to improve the health status of beneficiaries and control cost growth within the military health care system by improving access to quality health care for service members, retirees, and their families and elevating the role of preventive care. The committee will also examine alternatives to the current system of providing Reserve Component medical and dental readiness and continue to assess, improve, and expand programs for mental health and traumatic brain injuries. Additionally, the committee remains committed to a robust medical research and development program focused on military health issues, such as blast injury mitigation and treatment, combat trauma care, military infectious diseases, and medical biological/chemical defense.

To ensure that all of this is done as efficiently and effectively as possible, the committee will conduct oversight activities on how the military health system should be organized, programmed, and resourced.

### **Wounded Warrior Care**

The committee will continue its efforts to ensure that wounded and disabled service members and their families are afforded the support they need. Significant improvements to the programs and policies that support wounded and disabled service members have been made over the past several years. The committee will continue to ensure that these programs and policies evolve to address issues that are raised by service members and their families, and that the circumstances that led to the scandal at the Walter Reed Army Medical Center are not allowed to happen again. The committee will continue to focus its attention on improvements to the disability evaluation system with a view to authorizing revisions to improve the fairness, effectiveness, and efficiency of the program and simplify the process for service members.

#### **Sexual Harassment and Sexual Assault**

Previous congresses made significant changes in law and policy with respect to sexual harassment within the services. The committee will continue to ensure that changes to policies and programs are implemented and assessed for their effectiveness in reducing sexual harassment and assault within the Department of Defense. The committee will continue its oversight activities to include a review of victim support and advocacy, prevention, and prosecution. The committee remains strongly committed to ensuring that service members who are victims of sexual harassment and sexual assault are provided the support and care that is needed and to encourage an atmosphere within the armed services that prevents such activities from occurring.

#### **Education Benefits**

The committee will continue to ensure fairness and equity in educational benefits provided to members of the active and Reserve Components, particularly those who have been deployed. Educational benefits provided to active duty service members have helped in their transition to civilian lives and the committee will continue its efforts to ensure that all service members are afforded the opportunities to leave service with the necessary support for a smooth transition. The committee will pay particular attention to the implementation of sweeping improvements that were passed in the 110<sup>th</sup> Congress for post 9/11 GI benefits and giving oversight to the operation of reserve GI Bill programs.

#### **Uniform Code of Military Justice and Investigations**

The committee will continue its oversight of the Military Justice System to ensure that its processes are transparent and just. The committee will focus on incidents of sexual assault and on investigations into misconduct in the Republic of Iraq and the Islamic Republic of Afghanistan which may indicate other problems related to recruit screening, training deficiencies, or command responsibility.

#### **Decorations and Awards**

The committee will continue to monitor the awards and decorations process to ensure that it is consistent and that service members are publicly recognized for their heroism with the

appropriate award. The processes the services use to recognize the action of their personnel needs to ensure that it is fair and equitable to all who serve this nation in uniform.

#### **Prisoner of War and Missing in Action (POW/MIA)**

Over the past several years, the committee has maintained an active oversight of the Department of Defense's POW/MIA activities, as the committee of jurisdiction. From increasing funding for the Joint POW/MIA Accounting Command and Defense Prisoner of War Missing Personnel Office to expressing the sense of Congress that "United States should pursue every lead and otherwise maintain a relentless and thorough quest to completely account for the fates of those members of the armed forces who are missing or otherwise unaccounted for" and that the Secretary of Defense should use his authority to offer monetary rewards to those "who provide information leading to the conclusive resolution of the status of any missing member of the Armed Forces." The committee will remain committed to diligent oversight and investigation into the challenges facing the Department, particularly with respect to the recovery, identification, and return of remains that have been found.

#### **Professional Military Education**

Professional military education is the backbone in the development of the nation's armed forces and the quality of that military education distinguishes U.S. forces around the world. The committee remains committed to ensuring that the quality and availability of professional military education programs remain a priority for the services and the Department, even during times of high-operational tempo, when the Department may be tempted to shortchange educational opportunities to provide manpower in the short term. As part of its oversight responsibilities, the committee will actively engage in monitoring the rigor and relevance of the curricula being offered at all levels, including those provided to meet joint professional military educational requirements. Additionally, an important part of this program includes opportunities for service members to attend advanced civil schooling in a wide variety of disciplines, including the liberal arts, and the committee will explore innovative approaches to providing such opportunities to the widest group of service members possible.

#### **Joint General and Flag Officer Distribution**

The 110<sup>th</sup> Congress authorized special general and flag officer authority that would appreciably change the management and distribution of general and flag officers on active duty, particularly for those serving in joint duty assignments. However, many questions remained unanswered with regard to how the Department will establish and manage this program and its impact on the armed services and the Reserve Components in managing their general and flag officer development and growth. The committee remains concerned that the extent of the implications of these anticipated changes are unclear and will undertake an effort during the 111<sup>th</sup> Congress to explore these issues in further detail.

#### **Civilian Personnel**

The federal civilian workforce of the Department of Defense plays a critical role in the readiness of our military forces. Recognizing this, the committee enacted several legislative initiatives in the 110<sup>th</sup> Congress to address the challenges confronting the workforce. Through its oversight activities in the 111<sup>th</sup> Congress, the committee will review implementation of these provisions to monitor compliance with congressional intent and determine whether additional legislation is necessary.

Providing the Department with the proper tools to invest in its workforce and ensuring that the Department has the people with the right skills to contribute effectively to the success of the Department's mission will remain a focus of the committee. This will include oversight of the various tools provided to the Department to hire, retain, and train a qualified civilian workforce, such as the acquisition workforce fund (created by the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181)). The committee also will continue its oversight of the Department's implementation and management of the National Security Personnel System (NSPS), with specific focus on the reforms enacted in the last two years, along with consideration of the future direction of NSPS.

The Department has long relied on the federal civilian workforce to support its mission around the world, often requiring civilians to serve in active combat zones. Therefore, the committee will continue to monitor pay and incentives for the civilian workforce serving in such positions.

An effective and efficient process for administering security clearances is critical to military readiness, and both the Executive Branch and Congress have recently focused attention on improving the security clearance process. The committee will continue to monitor progress toward developing a revamped security clearance system.

During the 110<sup>th</sup> Congress, the committee enacted several initiatives to address a range of issues involving the proper role of contractors supporting the mission of the Department of Defense, including the extent to which contractors may be performing inherently governmental functions. The committee will review implementation of these initiatives, including the establishment of a service contracting inventory and the development of a policy to convert, where appropriate, work currently being performed by contractors to performance by civilian employees. In addition, the committee will continue its examination of the increasing reliance by the Department on private sector contractors accompanying the armed forces in both combat and contingency operations. No formal planning has been undertaken to determine the level of contractor support necessary to support such operations nor are contractor employees included in any readiness assessment reports. This hinders Congress and the Department in understanding the true readiness of all forces available. The committee's oversight will assess the need for a formal requirements process for contract support, as well as efforts to better understand the effects contractors have on overall unit and force readiness.

#### **Ongoing Reviews of Personnel Issues**

The committee will also actively monitor the status of minority members in the military services with a view to ensuring fair and equitable treatment and opportunities in a harassment-

free environment. Similarly, the committee will continue to monitor the treatment of gay men, lesbians, and bisexuals in the military to ensure a harassment-free environment. In addition, the committee will assess perspectives of service members and their leaders concerning the implications of changes to law and policy dealing with the military service by openly gay personnel.

#### **MODERNIZATION AND INVESTMENT ISSUES**

##### **Army and Marine Corps Armored Vehicle Modernization**

The committee will focus on oversight of the Army and Marine Corps' ambitious and evolving plans to recapitalize their entire fleets of heavy and medium-weight armored vehicles over the next two decades, including the M1 Abrams tank, M2 Bradley Fighting Vehicles, Stryker Vehicles, the Expeditionary Fighting Vehicle, the Marine Personnel Carrier program, upgrades for Light Armored Vehicles, upgrades to Paladin artillery systems, and replacement of Army M113 series vehicles. In particular, the committee will focus on ensuring that the existing fleet of armored vehicles is properly upgraded and reset after very heavy use in the Republic of Iraq and the Islamic Republic of Afghanistan, and that the Army continues to field vehicles that stay ahead of the evolving anti-vehicle threat posed by improvised explosive devices and advances in anti-tank guided missiles.

##### **Future Combat Systems**

Based on long-standing committee concerns about the Future Combat Systems (FCS) program's cost increases, schedule delays, and diminishing combat capability, the committee will continue aggressive efforts to oversee and shape the FCS program. For the 111<sup>th</sup> Congress, these oversight efforts will focus on containing program costs, ensuring thorough testing of FCS program elements, and encouraging the Army to restructure the program in a way that preserves as much of the research and development done to date while also rationalizing the FCS program with the Army's overall modernization plans. Finally, the committee will continue to work closely with the Government Accountability Office and the Congressional Budget Office to conduct continuous oversight and evaluation of the FCS program.

##### **Army Aviation Programs**

While major reductions may occur in force levels will be able to be made in forces in the Republic of Iraq over the period of the 111<sup>th</sup> Congress, it is anticipated that Army air operations in Iraq and the Islamic Republic of Afghanistan will continue to require large numbers of legacy rotorcraft deployed to those theaters. Those aircraft, including the CH-47, UH-60, AH-64, and OH-58, will likely continue to be operated at high operational tempos, in very challenging environments. These high operational tempos will require continued upgrade and reset efforts.

In addition to its oversight of aviation requirements for, and performance in, combat operations, the committee will closely monitor the Army's future force program for aviation. In particular, the committee will focus on the Army's restructured acquisition plan resulting from the cancellation of the Armed Reconnaissance Helicopter (ARH), the start up of the Joint Future

Theater Lift (JFTL) program, and the need for aircraft survivability equipment upgrades to provide warning and protection against evolving surface-to-air missile threats. Also, as part of its oversight efforts, the committee requested the Government Accountability Office to do a major review of Army aviation programs to support subcommittee hearings and general oversight of the ARH-replacement program and JFTL in the 111th Congress.

With regard to the JFTL program, while the committee has supported research efforts to develop next-generation rotorcraft capabilities, it is concerned that the Department of Defense has funded, primarily through reprogrammings, the beginnings of what could be a \$50.0-\$75.0 billion aircraft program. The committee is especially concerned that the senior leadership of the services and the Office of the Secretary of Defense (OSD) have yet to establish a set of validated, reconciled, tested, and achievable technology requirements for the JFTL program.

#### **Army Communications Programs**

Given the growing importance of battlefield communications networks in global combat operations, the committee will continue to pressure the Army to clarify its plans for its future battlefield network and the supporting research programs now in place. In particular, the committee will focus oversight efforts on the Warfighter Information Network-Tactical (WIN-T), the Joint Tactical Radio System (JTRS), other Army tactical radio programs, and the Force XXI Battle Command Brigade and Below (FBCB2) "Blue Force Tracker" system. The committee will work with the Army to ensure that the future battlefield capabilities it creates results in a network-enabled, rather than a network-dependent, Army. The committee aims to empower soldiers to accomplish their missions, rather than create an Army that is dependent on its communications network, so much so that it is not able to function without it. Finally, the committee will work to ensure that the Army's plans create conditions for real competition and efficiency in the domestic military communications industrial base.

#### **Tactical Aircraft Force Structure**

The committee will continue to focus on tactical aircraft force structure. Recent testimony before Congress by both Navy and Air Force officials indicated that both of the services are projecting future tactical aircraft force structure shortfalls.

With an operational requirement of 1,056 strike fighters, the Department of the Navy projects a strike fighter shortfall of 60-125 aircraft between the years 2016 and 2022, with a most optimistic shortfall peak projected to be 125 in 2017. The committee will focus on inventory objectives of F/A-18E/F and EA-18G procurement, the effect of delays in the procurement of the F-35 Joint Strike Fighter, F/A-18 A through D service life limits, and mission capability of the AV-8B aircraft.

The Air Force has stated a strike fighter operational requirement of 2,250 aircraft, and, under current procurement and retirement plans, the Air Force projects strike fighter shortfalls beginning in 2017 and rising to an inventory gap of 800 aircraft by 2024. For the 111<sup>th</sup> Congress, the committee will continue its oversight of: aircraft retirement plans; the F-22 and F-35 programs; and life extension and modernization programs for the F-15, F-16, and A-10.

### **F-35/Joint Strike Fighter**

During the 111<sup>th</sup> Congress, the committee will continue oversight of the F-35/Joint Strike Fighter (JSF) Program, particularly the competitive propulsion system aspect of the program. The committee will also continue to exercise oversight of program cost, schedule, and performance.

The JSF competitive propulsion system program, within the JSF program, is developing the F136 engine, which is intended to provide JSF users a competitive choice between the existing F135 engine and the F136 engine. Congress has supported this initiative since 1995, but the Department of Defense has not included funding for the competitive propulsion system program in its budget requests since 2006. Since then, Congress has provided annual increases to the budget request to continue this program. Over the long-term, the committee expects that engine competition will not only reduce engine procurement costs, but will also provide better engine performance, improved contractor responsiveness, a more robust industrial base, increased engine reliability, and improved operational readiness.

With the JSF about two thirds through a 12-year development process, the committee believes that there is still risk in completing JSF development within currently projected cost, schedule, and performance parameters. In the 111<sup>th</sup> Congress, the committee will continue to receive JSF annual reports and hearing testimony and briefings from both the Department of Defense and the Government Accountability Office.

### **Air Force Combat Search and Rescue Aircraft Recapitalization**

During the 111<sup>th</sup> Congress, the committee expects that the Air Force will restart efforts to develop and procure the Combat Search and Rescue-X (CSAR-X) helicopter. The CSAR-X program office is leading the development of the next-generation personnel recovery helicopter intended to replace the current HH-60G Pave Hawk helicopter, and provide increased capabilities of speed, range survivability, cabin size, and high-altitude hover operations. The Department of the Air Force anticipated beginning CSAR-X integration and demonstration activities early in fiscal year 2007, but these activities have been delayed by two bid protests, which were subsequently sustained, and have required the Department of the Air Force to re-solicit bids for the CSAR-X program. As a result of this re-solicitation, the committee expects that contract award will not occur until late in the third quarter of fiscal year 2009. In the 111<sup>th</sup> Congress, the committee will oversee the CSAR-X helicopter selection process, particularly with respect to a fair and open competition. When the source selection has been completed, the committee will oversee program cost, schedule, and performance.

### **Bomber Force Structure**

The committee understands that the Air Force plans to invest significant fiscal resources to develop, prototype and field a next generation bomber platform in the 2018 timeframe and also has plans to modernize and upgrade the B-52, B-2, and B-1 bomber aircraft platforms. The

committee will continue to maintain oversight of current bomber force modernization plans and the future bomber development activities of the Air Force.

#### **Aerial Refueling Aircraft**

The committee will continue to maintain active oversight of tanker modernization and recapitalization programs of the Air Force. The ability for aerial refueling during military operations is a critical capability in meeting National Military Strategy objectives. Currently, the KC-135 and KC-10 are the primary providers of U.S. air-refueling capability. Recapitalization of the KC-135 fleet of 415 aircraft, currently delayed seven years because of failures internal to the Pentagon's acquisition system, will take over 30 years based on current fiscal resource constraints and other Department of Defense priorities that require significant funding. This will result in having to maintain and operate KC-135 aircraft that will be in the fleet for over 70 years. Therefore, timely recapitalization of the Air Force's KC-135 tanker fleet is critical. Additionally, the Air Force plans to perform an avionics modernization program on the KC-10, fleet of tankers.

#### **Inter/Intra-Theater Airlift Programs**

The committee plans to evaluate the two studies due to Congress in 2009, mandated by the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181). One study requires the Secretary of Defense to perform inter/intra-theater airlift capabilities and requirements. The second study requires the Secretary of Defense and Chairman of the Joint Chiefs of Staff to conduct a quadrennial roles and missions review of the armed forces. Based on the studies' conclusions and recommendations, the committee will continue to maintain oversight of the Department's inter/intra-theater airlift acquisition and modernization programs to ensure that the appropriate mix of airlift aircraft is adequate and balanced to meet National Military Strategy objectives.

#### **Department of the Navy Aviation and Weapons Programs**

In addition to Navy tactical aircraft force structure noted above, the Navy is faced with a number of challenges in major aviation acquisition and life extension programs. These include, but are not limited to: the P-8 Multi-Mission Aircraft (MMA); the VH 71 Presidential Helicopter Replacement; and medium and heavy lift helicopter replacement. The committee plans to devote a significant amount of effort in oversight for Navy and Marine Corps aviation acquisition programs in an attempt to forestall any degradation to the striking power of afloat carrier battle groups or the logistics ability afforded by medium and heavy lift helicopters.

The committee will continue close oversight of the Department of the Navy weapons procurement programs. In particular, the committee will evaluate the ability of the supplier base to furnish the Department with adequate numbers of weapons in an affordable manner, particularly the Tomahawk Land Attack Missile (TLAM) Block IV. The committee will conduct hearings and briefings on this and other weapons programs to ensure that the operating forces are supplied with the best weapons and weapons systems available at a fiscally responsible investment.



### **Shipbuilding Programs**

The committee will continue close oversight of the Department of the Navy shipbuilding programs. In particular, the committee will conduct hearings, briefings and on-site inspection to assess the requirements for the size and composition of the nation's battle force fleet. The committee will continue to evaluate the projected investment required to maintain maritime dominance and deter peer or near-peer maritime aggression. As part of such an evaluation, the committee will continue to place a significant emphasis on improving affordability in shipbuilding programs through: the requirements process; the use of acquisition best practices; stability within the overall program; increased reliance on common systems; and process and facility improvements at construction yards. The committee will conduct hearings and briefings to assess the need for legislative action to recapitalize infrastructure of public and private shipyards constructing or maintaining Navy vessels and vessels of the National Defense Sealift Force.

### **Military Intelligence, Surveillance, and Reconnaissance Programs**

Intelligence, surveillance, and reconnaissance (ISR) programs constitute an approximate annual Department of Defense expenditure of \$50.0 billion. In the 111<sup>th</sup> Congress, the committee will continue to provide close oversight over a myriad of intelligence, surveillance, and reconnaissance (ISR) programs included throughout the Department of Defense. Close scrutiny of Office of the Secretary of Defense ISR policy formulation and oversight have been and will continue to be of interest to the committee. Also, long-standing concerns of the committee remain: lack of an adequate long-term ISR architecture and acquisition strategy; lack of supporting analysis for programmatic decisions; failure to balance collection programs data output with adequate resources to process, exploit, and disseminate data and analysis; and unnecessary proliferation of unmanned and manned vehicles, sensors, and ground stations.

The committee will continue to focus on the major themes of ISR oversight. The committee will also focus on the budgets, cost, schedule, and performance outcomes of major unmanned aerial systems (UAS) programs and examine the ISR enterprise for balance in collection and analysis capabilities.

### **Directed Energy Programs**

Each of the military services and the Office of the Secretary of Defense within the Department of Defense have continued to fund numerous directed energy acquisition efforts for at least the last two decades. Promised capabilities have in all cases failed to be realized. The committee has continued to support these efforts, but in the 111<sup>th</sup> Congress, the committee will more closely examine organizing concepts and the respective service acquisition plans in support of fielding directed energy capabilities.

### **Space Policy and Programs**

As has been the case for several years, space programs include some of the highest-risk modernization activities of the Department of Defense (DOD). The committee will continue to provide rigorous oversight of space programs. Particular attention will be given to, but not be limited to, the following: improvement of space situational awareness; national space policy and doctrinal statements on space; examination of the strategy and programs for protection of national security space assets; maximization of space-based effects in military operations; program management; space acquisitions and prioritization of space programs; development of a professional space cadre; and the adequacy of space acquisition policy.

Particular attention will be given to the technical readiness of various space systems currently in development, with the objective of decreasing technical risk in acquisition programs. The committee will closely monitor and encourage the development of small-satellite and responsive launch technology with the objective of full demonstration and eventual operational deployment. The committee will also assess DOD efforts to leverage industry and academia for the purposes of increasing the quality of space-qualified personnel involved in space programs and improving the health of the space industrial base. Further, the committee will engage the space community to examine the space policy as well as explore opportunities to further integrate space assets with the nation's warfighting capability.

#### **Missile Defense Programs**

The committee will continue to monitor the Department of Defense's efforts to deploy missile defenses designed to protect the United States, its deployed forces, and its friends and allies against the full range of ballistic missile threats. The committee will focus on several key areas including: the future roles, missions, and responsibilities of the Missile Defense Agency; the suitability and effectiveness of missile defense testing programs; the viability of the boost phase missile defense concept, and specific boost phase systems such as the Airborne Laser and Kinetic Energy Interceptor programs; and continued oversight of missile defense policy, programs, and operations.

The committee will also continue to track cooperative missile defense activities with allies such as Japan, the State of Israel, and the North Atlantic Treaty Organization member states, especially the proposed deployment of a long-range missile defense system in the Republic of Poland and the Czech Republic. Finally, the committee will monitor Department of Defense plans to fully implement the recommendations of the Joint Capabilities Mix Study II, which recommended doubling the number of Standard Missile-3 and Terminal High Altitude Area Defense interceptors in order to meet the minimum war fighting requirements of the regional combatant commanders.

#### **Military Applications of Nuclear Energy**

The committee will continue to oversee the Atomic Energy Defense Activities carried out by the Department of Energy, including but not limited to the following: modernization and maintenance of U.S. defense nuclear force structure in support of military and national security requirements, including the plan for transformation of the nuclear weapons complex as required by the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-

364) and subsequent National Nuclear Security Administration (NNSA) executive actions; requirements for stockpile modernization and stewardship activities required by the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110-181) and related NNSA actions; and the status of the Department of Energy's science-based stockpile stewardship program to assure the safety, reliability, and performance of the stockpile in the absence of testing.

The committee will also continue to oversee: implementation of options for consolidation and disposition of weapons-grade plutonium and highly enriched uranium; Department of Energy compliance with evolving Design Basis Threat requirements; and management of defense nuclear waste. Additionally, the committee will: monitor ongoing assessments of security standards and practices at all National Nuclear Security Administration sites, with a specific focus on the quality of federal oversight of laboratory management and operating contractor security practices; evaluate National Nuclear Security Administration performance of its roles and missions under title 32 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65); and evaluate U.S. nuclear weapons posture and doctrine.

In addition, the committee will provide oversight to the Department of the Navy's Nuclear Propulsion Program and focus on the potential for the expansion of nuclear propulsion systems for the Navy's future fleet.

#### **Chemical Demilitarization Program**

April 29, 2007, marked the 10<sup>th</sup> anniversary of the United States' entry into the Chemical Weapons Convention (CWC). The CWC is an international treaty which prohibits the development, production, stockpiling, and use of chemical weapons. Under this treaty, the United States is required to complete the destruction of its stockpile of lethal chemical warfare agents and munitions by September, 2012. Through the chemical demilitarization (Chem Demil) program, established by the Department of Defense Authorization Act of 1985 (Public Law 99-145), the United States had already begun to eliminate its chemical warfare material and former production facilities.

The Army-managed Chem Demil program consists of two components: the Chemical Materials Agency (CMA) and the Assembled Chemical Weapons Alternatives (ACWA). The CMA has overall responsibility for safely storing and destroying the nation's chemical weapons while the ACWA seeks to identify and develop novel methods for destruction.

Since the inception of the Chem Demil program, more than 50 percent of the CWC-declared U.S. chemical weapons stockpile has been destroyed, notwithstanding the long-term technical, legal, political, and environmental controversies which have resulted in significant program delays and cost growth. During the 111<sup>th</sup> Congress, the committee will continue to address the state of the Chem Demil program and measures that might be taken to reduce program costs and accelerate the destruction of the stockpile. Additionally, the committee will provide oversight and, if necessary, issue public laws to guide the CMA in safely and securely storing and disposing of the chemical agent stockpile while protecting workers, the public, and the environment.

**FORCE PROTECTION**

The committee will continue to emphasize force protection as a high priority issue for special oversight, focusing on areas having direct impact on the safety of military personnel engaged in operations in the Republic of Iraq and the Islamic Republic of Afghanistan. The objective of committee activity will be to expedite the promulgation of policies and the fielding of technology and equipment to prevent and/or reduce combat casualties. The committee will continue to emphasize and support capabilities that protect personnel and equipment against both symmetrical and asymmetrical threats from an offensive as well as defensive perspective.

In Iraq and Afghanistan, focus areas will include but are not limited to: effective requirements generation and test and evaluation procedures; mine resistant ambush protected (MRAP) vehicle production and fielding; adequate, effective, and properly resourced quantities of body and vehicle armor; effective counter improvised explosive device (IED) equipment throughout the force; persistent surveillance in support of ground operations, particularly prevention of IED emplacement; capabilities to counter indirect fires; and personal equipment that mitigates traumatic brain injury. The committee will also continue to analyze claims with respect to the capabilities of certain products, some of those claims being targeted at the families of military personnel serving overseas. Finally, the committee will maintain close oversight of the Joint IED Defeat Organization and its task forces to ensure appropriate intra-departmental coordination for fielding effective and affordable force protection measures.

Consistent with the oversight activities on the MRAP vehicle program by the committee in the 110<sup>th</sup> Congress, the committee will continue to actively monitor, review, and provide oversight over all aspects of the MRAP vehicle program to include the new MRAP All Terrain Vehicle (M-ATV) program. Specifically the committee will monitor and strongly encourage the timely fielding of vehicles for home station training for next-to-deploy units; monitor the acquisition and resourcing strategies for addressing sustainment requirements, and the adequacy of the industrial base to address a possible surge in vehicle requirements for operations in the Islamic Republic of Afghanistan.

The committee will continue its intensive oversight of individual body armor programs throughout the 111<sup>th</sup> Congress through hearings and other activities. The committee will continue to maintain strong interest in: significant ergonomic and ballistic improvements in body armor; advances in light-weight solutions; and improvements in non-ballistic and blunt-impact protection against traumatic brain injury. The committee will also strongly encourage fidelity and transparency in body armor test and evaluation procedures and monitor performance specification requirements as well as threat assessments.

During the 110<sup>th</sup> Congress a new threat emerged in the Republic of Iraq, the explosively formed penetrator (EFP), requiring the development and production of new add-on armor kits that protect against the EFP threat. The committee will continue to monitor the development, production, and fielding of EFP add-on armor kits to military personnel operating in Iraq and the Islamic Republic of Afghanistan and continue to encourage the development of lighter-weight solutions.

#### SCIENCE AND TECHNOLOGY

At the time of the 9/11 attacks, the Department of Defense (DOD) was embarking on transformation of major defense capabilities such as missile defense, space assets, precision weaponry, and information technology. With the emergence of nontraditional adversaries pursuing “complex irregular warfare,” the Department of Defense recognized that true transformation required investment in additional capability areas. U.S. forces today assume a much more expeditionary character to successfully deter extremists. Over the long-term, the military’s ability to win both conventional, major-combat operations and irregular warfare depends on its ability to provide warfighting options through a stable, healthy, and balanced science and technology (S&T) program.

The committee will continue to encourage the Department to plan for and execute a balanced S&T program that addresses near-, mid-, and long-term needs. According to the Department, the short-term S&T program should emphasize support to the combatant commander through rapid prototyping, demonstrations, and fielding. The mid-term program should show increased emphasis on the needs of tomorrow’s forces and broad-based support of the planned DOD acquisition programs. And finally, the long-term S&T program should deliver both technology and intellectual talent that ensures the U.S. military can retain superiority for future generations.

The committee will also continue to generate legislative solutions designed to encourage transition, prototyping, demonstrations, and other rapid technology fielding initiatives.

#### INFORMATION TECHNOLOGY

The information technology (IT) revolution has fueled the U.S. military’s superiority since the end of the Cold War. The military’s expanding reliance on information technology is predicated on sufficient capabilities to provide systems engineering for software intensive programs. Due to the growing complexity of software and integration challenges of linking disparate systems, the committee will focus particularly on the management and acquisition of the Department of Defense information technology programs. During the 111<sup>th</sup> Congress, the committee will examine ways to improve the acquisition of IT systems to leverage a development cycle that is significantly shorter than the acquisition cycle for other weapons systems.

IT as an enabler of military operations calls for increased emphasis on the security and integrity of the data, applications, and networks. The committee will continue to scrutinize military cybersecurity efforts, including the Comprehensive National Cybersecurity Initiative. The committee is particularly interested in examining the effects of globalization on the assured integrity of microelectronics and software. The committee will also focus on the offensive cyber capabilities and how they are integrated into traditional kinetic operations.

Committee oversight will also focus on gaining a better understanding of mission-specific information technology systems, such as: medical, personnel, business, and logistics

systems; as well as tactical warfighting systems involved with communications, command and control, and operations and intelligence. The committee will closely examine the Department of Defense's business systems enterprise architecture to ensure that cost and deployment schedules are being met for these and other systems.

#### **NATIONAL SECURITY ASPECTS OF THE MERCHANT MARINE**

The committee will continue with oversight of programs and institutions managed by the Maritime Administration of the Department of Transportation. Specifically, the committee will continue to monitor: the effectiveness of the Maritime Security Fleet (46 USC 531); the Maritime Guaranteed Loan Program (46 USC 537); the condition of the National Defense Reserve Fleet and methods to dispose of those vessels in an environmentally sound manner; and the U.S Merchant Marine and State Maritime Academies. Additionally, the committee will maintain close oversight of activities at the United States Merchant Marine Academy as it establishes new procedures and instructions for improved fiscal responsibility.

JOHN M. SPRATT, JR., SOUTH CAROLINA  
CHAIRMAN

THOMAS S. KAHN, STAFF DIRECTOR  
AND CHIEF COUNSEL  
(202) 226-7200



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**U.S. House of Representatives**

COMMITTEE ON THE BUDGET  
Washington, DC 20515

February 11, 2009

The Honorable Edolphus Towns  
Chairman  
Committee on Oversight and Government Reform  
2157 Rayburn House Office Building  
Washington, DC 20515

Dear Mr. Chairman:

Pursuant to House Rule X clause 2(d), I am submitting the Committee on the Budget's oversight plan for the 111<sup>th</sup> Congress. The oversight plan was adopted during our Committee's organizational meeting, which was held January 22, 2009.

Should you have any questions regarding this submission, please contact Lisa Venus, Parliamentary Counsel, by calling 226-7200.

Sincerely,

John M. Spratt, Jr.  
Chairman

**Oversight Plan for the 111th Congress  
Committee on the Budget  
U.S. House of Representatives  
January 2009**

Resolved: That the Committee on the Budget, pursuant to clause 2(d) of House Rule X, and Committee Rule 23, adopt as the Oversight Plan of the Committee on the Budget for the 111th Congress the following:

**Committee Jurisdiction/Oversight**

Under clause 2(d) of House Rule X, each committee is required to adopt and submit to the Committees on Government Reform and House Administration an oversight plan by February 15 of the first session of each Congress. The Budget Committee's oversight responsibilities are determined by both the breadth of the federal budget and the relatively narrow focus of the Committee's legislative jurisdiction.

Under clause 1(d)(1) of House Rule X, the primary responsibility of the Budget Committee is the development of a concurrent budget resolution that sets spending and revenue levels in aggregate and across 20 budget functions. These budget functions encompass all federal programs or activities other than those that are defined as off-budget, such as Social Security and the Postal Service, and those that are considered non-budgetary, such as the Federal Reserve.

Although the subject matter of the budget is inherently broad, the Committee's formal oversight responsibility focuses on laws governing the budget process and the agencies responsible for administering elements of those laws. Under clauses 1(d)(2) and (3) of House Rule X, the major laws falling within its oversight are the Budget and Accounting Act of 1920, the Congressional Budget Act of 1974, and the Emergency Balanced Budget and Deficit Control Act of 1985. The two agencies with primary responsibility for administering elements of these laws and hence which fall under the Committee's jurisdiction are the Office of Management and Budget (OMB) and the Congressional Budget Office (CBO).

In addition to these general oversight responsibilities, the Budget Committee has the special oversight responsibility under clauses 3(b) and 4(b) of House Rule X to study the effect on budget outlays of existing and proposed legislation and to request and evaluate continuing studies of tax expenditures.

**Oversight Plan for 111th Congress**

**Budget Priorities**

In the process of developing the annual concurrent budget resolution, the Committee will hold hearings and receive testimony from Members of Congress, Cabinet-level and other federal officials, and expert witnesses to review the President's budget submissions and to review other budget priorities.



The Committee will continually assess the performance of federal agencies in both administration and service delivery by reviewing performance data in the President's budget submissions and the relevant reports and audits of the Government Accountability Office and the Offices of the Inspectors General.

The Committee will study the budgetary effect of existing law and proposed legislation, as well as government regulation, on government spending. The Committee will monitor the budgetary impact of government interventions to address disruptions in the financial markets. The Committee will examine the long-term issues facing the federal budget.

The Committee will draw on the authorizing committees' Views and Estimates on the President's budget, which are submitted to it pursuant to section 301(d) of the Congressional Budget Act, to coordinate development of the annual concurrent budget resolution.

#### **Budget Enforcement**

The Committee will provide ongoing oversight of the Office of Management and Budget's implementation of budget submission, control, execution, and enforcement procedures under the Budget and Accounting Act of 1920, the Congressional Budget and Impoundment Control Act of 1974, the Budget Enforcement Act of 1990, the Balanced Budget and Emergency Deficit Control Act of 1985, and other applicable laws. Additionally, the Committee will examine the accuracy, timeliness, and responsiveness of OMB.

The Committee will study alternatives to improve ways in which the Congress and the President develop and enforce budgetary decisions.

The Committee will work with the Appropriations and the authorizing committees to ensure that spending and tax legislation does not breach the appropriate levels in the budget resolution, as required under sections 302(f) and 311(a) of the Congressional Budget Act of 1974, as well as monitor compliance with the House Pay-As-You-Go (PAYGO) rule.

The Committee will submit to the Speaker of the House of Representatives and the President pro tempore of the Senate, pursuant to Section 201(a)(2) of the Congressional Budget Act of 1974, the recommendation of a replacement to fill the position of Director of the Congressional Budget Office.

#### **Budget Process Reform**

The Committee will study alternatives to improve the ways in which the Congress and the President develop and enforce budgetary decisions.

#### **Direct Spending and Tax Incentives**

The Committee will evaluate continuing studies of tax incentives and direct spending by the federal government, and whether they are the most appropriate and efficient means to achieve specified public policy goals.

**Oversight Schedule***First Session (2009)*

- Winter 2009 — Hearing on the state of the economy.
- Winter 2009 — Hearing on the cost of necessary government services.
- Winter 2009 — Hearing on the President's fiscal year 2010 budget – Director of OMB.
- Winter 2009 — Hearing on the President's fiscal year 2010 budget – Secretary of the Treasury.
- Winter 2009 — Hearings on defense/homeland security and the President's fiscal year 2010 budget.
- Winter 2009 — Hearings on domestic priorities and the President's fiscal year 2010 budget.
- Winter 2009 — Hearing on the President's fiscal year 2010 budget – Members of Congress.
- Winter 2009 — Receive Views and Estimates from other committees to coordinate the development of the annual concurrent budget resolution.
- Winter/Spring 2009 — Hearing on the economic outlook and the impact on the federal budget – Chairman, Board of Governors of the Federal Reserve System.
- Summer 2009 — Hearing on issues related to tax reform.
- Summer 2009 — Hearing on Mid-Session Review – Director of OMB.
- Summer 2009 — Hearing on the Update of the Budget and Economic Outlook – Director of CBO.
- Other hearings to be announced.

*Second Session (2010)*

- Winter 2010 — Hearing on CBO's Economic and Budget Outlook – Director of CBO.
- Winter 2010 — Hearing on the economic outlook and the impact on the federal budget – Chairman, Board of Governors of the Federal Reserve System.
- Winter 2010 — Hearing on the President's fiscal year 2011 budget – Director of OMB.
- Winter 2010 — Hearing on the President's fiscal year 2011 budget – Secretary of the Treasury.

Winter 2010 — Hearings on defense/homeland security and the President's fiscal year 2011 budget.

Winter 2010 — Hearings on domestic priorities and the President's fiscal year 2011 budget.

Winter 2010 — Hearing on the President's fiscal year 2011 budget – Members of Congress.

Winter 2010 — Receive Views and Estimates from other committees to coordinate the development of the annual concurrent budget resolution.

Summer 2010 — Hearing on Mid-Session Review – Director of OMB.

Summer 2010 — Hearing on the Update of the Budget and Economic Outlook – Director of CBO.

Other hearings to be announced.

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COMMITTEE ON EDUCATION AND LABOR  
 U.S. HOUSE OF REPRESENTATIVES  
 2181 RAYBURN HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515-6100

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February 11, 2009

The Honorable Edolphus Towns  
 Chairman  
 Committee on Oversight and Government Reform  
 U.S. House of Representatives  
 2157 Rayburn House Office Building  
 Washington, DC 20515

Dear Chairman Towns,

Pursuant to Rules of the House of Representatives, I respectfully submit the Oversight Plan for the 111<sup>th</sup> Congress for the Committee on Education and Labor. The Committee adopted the Oversight Plan by unanimous consent, with a quorum being present, at a Full Committee Markup on February 11, 2009. Please also find an electronic copy burned to disc attached. If you have any questions, please contact Joe Novotny of my Committee staff at 225-3725. Thank you.

Sincerely,

  
 GEORGE MILLER  
 Chairman

attachment

111th CONGRESS  
1st Session

REPORT OF OVERSIGHT AND INVESTIGATION PLAN  
OF THE  
COMMITTEE ON EDUCATION AND LABOR

Mr. GEORGE MILLER of California, from the Committee on Education and Labor, submitted to the Committee on Oversight and Government Reform and the Committee on House Administration the following.

REPORT  
OVERSIGHT AND INVESTIGATION PLAN  
OF THE COMMITTEE ON EDUCATION AND LABOR

**1. Adoption of an Oversight Plan**

Each standing committee of the House is required to adopt formally an oversight plan at the beginning of each Congress. Specifically, clause 2(d)(1) of Rule X of the Rules of the House of Representatives states in part:

*Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Oversight and Government Reform and to the Committee on House Administration.*

**2. Jurisdiction of the Committee on Education and Labor**

Rule X of the Rules of the House of Representatives of the House vests in the Committee on Education and Labor (Committee) jurisdiction over issues dealing with students, education, workers, and workplace policy. Specifically, clause 1(e) of Rule X vests the Committee with jurisdiction over the following subject-matter:

- (1) Child labor
- (2) Gallaudet University and Howard University and Hospital
- (3) Convict labor and the entry of goods made by convicts into interstate commerce
- (4) Food programs for children in schools
- (5) Labor standards and statistics
- (6) Education or labor generally
- (7) Mediation and arbitration of labor disputes
- (8) Regulation or prevention of importation of foreign laborers under contract
- (9) Workers' compensation
- (10) Vocational rehabilitation
- (11) Wages and hours of labor
- (12) Welfare of miners
- (13) Work incentive programs

### 3. General Oversight Responsibilities

Clause 2 of rule X of the Rules of the House of Representatives provides in part:

- (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in –*
- (1) its analysis, appraisal, and evaluation of–*
    - (A) the application, administration, execution, and effectiveness of Federal laws; and*
    - (B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and*
  - (2) its formulation, consideration, and enactment of changes in Federal laws, and of such additional legislation as may be necessary or appropriate.*
- (b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis –*
- (A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;*
  - (B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction.*

[ . . . ]

*(n)(1) Each standing committee, or a subcommittee thereof, shall hold at least one hearing during each 120-day period following the establishment of the committee on the topic of waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize.*

*(2) A hearing described in subparagraph (1) shall include a focus on the most egregious instances of waste, fraud, abuse, or mismanagement as documented by any report the committee has received from a Federal Office of the Inspector General or the Comptroller General of the United States.*

*(o) Each committee, or a subcommittee thereof, shall hold at least one hearing in any session in which the committee has received disclaimers of agency financial statements from auditors of any Federal agency that the committee may authorize to hear testimony on such disclaimers from representatives of any such agency.*

*(p) Each standing committee, or a subcommittee thereof, shall hold at least one hearing on issues raised by reports issued by the Comptroller General of the United States indicating that Federal programs or operations that the committee may authorize are at high risk for waste, fraud, and mismanagement, known as the "high-risk list" or the "high-risk series".*

#### 4. Exercise of Oversight Responsibilities

Oversight is a constitutional prerogative and responsibility of the Congress. Oversight is a core objective of the Committee. Accordingly, the Committee will thoroughly oversee and investigate the various agencies, departments, and programs within its jurisdiction. In doing so, the Education and Labor Committee will actively consult with other House committees having concurrent or germane jurisdiction.

In its oversight proceedings, the Committee will make full use of formal hearings, both in Washington, D.C. and in regional field hearings, to ensure that all relevant voices are heard and made part of the official record. Among other investigative techniques, the Committee will visit relevant sites, correspond with impacted parties, and review audits and investigations by, among others, the Congressional Research Service, Government Accountability Office (“GAO”), the United States Attorney General, and the Offices of the Inspectors General (“IGs”) of the Departments of Labor, Education, and Health and Human Services (“HHS”).

The Committee has identified several particular areas for oversight and investigation in the 111th Congress. These areas are discussed below.

**Protecting the Financial Interests Students and Taxpayers:** The Committee seeks to ensure that the financial interests of students, their families, and taxpayers are protected. To do this, the Committee will monitor the implementation of provisions of the Higher Education Opportunity Act signed into law last year, specifically provisions included to prohibit conflicts of interest among colleges and student loan lenders and to enhance consumer disclosures and protections for both Federal and private loans. The Committee will also monitor the implementation of the Ensuring Continued Access to Student Loans Act, especially as experience with this Act might inform broader reform of the student lending industry, and look more broadly at the adequacy of mechanisms in place to ensure lender and guaranty agency compliance with laws and regulations. The Committee will seek to protect taxpayers and keep funds available for deserving students by exploring allegations of educational programs that receive federal student aid for “ghost students” purportedly participating in programs, but whom do not exist. Finally, looking to protect students beyond traditional higher education financing, the Committee will assess and investigate as warranted, non-student loan business relationships between colleges, lenders, and students.

**Safeguarding the Federal Child Nutrition Programs:** The Committee will seek to keep children safer by ensuring that the foods they receive through federal child nutrition programs are safe. In light of last year’s unprecedented food safety-related recalls affecting large numbers of schools and districts nation-wide and concerns about infant formula, the Committee will continue to review the safety of the food that is served as part of the federal child nutrition programs and investigate as appropriate.

**Protecting Workers’ Right to Organize Effectively:** The Committee will investigate as appropriate to ensure the protection of the right of workers to organize and collectively bargain. The Committee will also investigate as appropriate to ensure that unions provide workers with the effective and ethical representation workers deserve.

**Safeguarding Workers' Retirement Investments:** The Committee held a number of hearings on the issue of retirement security during the 110th Congress. In an effort to further advance this important issue, the Committee will investigate as appropriate to uncover any impropriety in the selling and operation of the various retirement products and investments offered to workers, including the disclosure and appropriateness of fees and the disclosure of the risks and costs associated with such products.

**Securing Pensions:** Last Congress, the Committee requested a GAO investigation into whether corporate officers affiliated with terminated pension plans failed to act in the best interests of all stakeholders. It is imperative that executives of companies considering terminating pension plans not self deal to the detriment of employees and communities. The Committee will investigate issues related to the security of pensions as appropriate.

**Protecting Workers from Exploitation and Wage Theft:** In the 110th Congress, the Committee held a hearing on the Department of Labor's enforcement of federal wage and hour laws. The Committee charged GAO with investigating this issue and will continue this work. The Committee will investigate and highlight the last administration's enforcement of wage and hour laws to further Congress' efforts to encourage and assist the new administration in protecting vulnerable workers from exploitation.

**Strengthening the Middle Class:** The Committee will investigate trends in economic conditions and employment practices generally that affect the ability of the nation's workers to acquire and maintain decent standards of living for themselves and their families, including respect for fundamental workers' rights, trade issues and compensation, benefits, and other workplace policies and practices.

**Promoting Legislative Oversight of the Executive Branch:** The Committee plans to lay the foundation and establish a baseline for program oversight in the new administration. The Committee will explore with GAO ways in which GAO can identify and prioritize programs that may most benefit from an in-depth review. The Committee will also work with the new administration to ensure the effectiveness and efficiency of the programs under the Committee's jurisdiction.

**Fraud, Waste and Abuse:** Where appropriate, the Committee will investigate specific concerns raised by Members, staff, informants, and others regarding allegations of fraud, waste and abuse. The Committee will remain vigilant over the taxpayer's investment in government, and the health and safety of the Nation's workers, students, and children. The Committee's vigilance will include monitoring the expenditure and use of funds appropriated under any economic recovery legislation.

The Committee reserves the right to review and investigate as appropriate any issues within the general legislative, administrative, and regulatory jurisdiction of the Committee.



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PAT O'CONNOR, VERMONT

ONE HUNDRED ELEVENTH CONGRESS

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON ENERGY AND COMMERCE

2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

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FACILITY  
PHONE

energycommerce.house.gov

February 11, 2009

JOE BARTON, TEXAS  
RANKING MEMBER

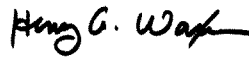
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The Honorable Edolphus Towns  
Chairman  
House Committee on Oversight  
and Government Reform  
2157 Rayburn House Office Building  
Washington, DC, 20515

Dear Chairman Towns:

Pursuant to House Rule X, clause 2(d), I respectfully submit the 111<sup>th</sup> Congress oversight plan adopted by the Committee on Energy and Commerce on February 10, 2009. If you have any questions about this submission, please contact Kristin Amerling of my Committee staff at 225-2927.

Sincerely,



Henry A. Waxman

Enclosure

cc: Joe Barton  
Ranking Minority Member

**COMMITTEE ON ENERGY AND COMMERCE OVERSIGHT PLAN  
U.S. HOUSE OF REPRESENTATIVES  
111<sup>TH</sup> CONGRESS  
THE HONORABLE HENRY A. WAXMAN, CHAIRMAN**

Rule X, clause 2(d) of the Rules of the House requires each standing Committee to adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committee on Oversight and Government Reform and to the Committee on House Administration not later than February 15 of the first session of the Congress.

This is the oversight plan of the Committee on Energy and Commerce for the 111<sup>th</sup> Congress. It includes the areas in which the Committee expects to conduct oversight during the 111<sup>th</sup> Congress, subject to limits on staff and resources, but does not preclude oversight or investigation of additional matters as the need arises.

**ENERGY AND ENVIRONMENTAL ISSUES**

The Committee intends to conduct oversight in the 111<sup>th</sup> Congress of numerous energy and environment-related issues to help ensure that government is working and that relevant statutes are effective and up to date.

**Climate Change.** Global warming and energy issues will be a key area of interest. Due to the magnitude and complexity of the task of reducing greenhouse gas emissions, the Committee expects to examine governmental and nongovernmental activities and policies in this area, and their bases. The Committee will also examine governmental and private sector policies and actions related to developing and maintaining a sustainable and affordable national energy supply, including through the efficient use of energy.

**Environmental Pollution and Hazardous Waste.** The Committee will examine whether the key environmental and energy laws under its jurisdiction are being implemented and followed appropriately to ensure that public health, the environment, and consumers are adequately protected. This will focus on the key issues of air pollution, drinking water contamination, hazardous waste disposal and cleanup, manufacture, use, and safety of chemical substances and pesticides on food. The Committee will examine the actions of the agencies charged with addressing these issues: the Environmental Protection Agency, the Department of Energy, and the Agency for Toxic Substances and Disease Registry.

**Energy Policy.** The Committee will examine U.S. policies pertaining to energy efficiency and conservation, production, and consumption of electricity, oil, natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will inquire into potential opportunities for the government and private sector to enhance environmental, public health, and consumer protections (including pipeline safety), while

promoting a sustainable, clean energy future. The Committee will examine the actions of agencies and offices charged with developing and implementing U.S. energy policies, including the Department of Energy, the Federal Energy Regulatory Commission, and the Nuclear Regulatory Commission. The Committee will also examine the activities and policies of the Department of Transportation and the National Highway Traffic Safety Administration as they relate to matters within the Committee's jurisdiction.

**Energy Security.** The Committee will oversee management and operations issues at the Department of Energy, including management and operations of the National Nuclear Security Administration (NNSA) and the DOE National Laboratories. The Committee will focus on DOE's management of the environment, safety, and health aspects of its policies and activities, and DOE's management of the contractors that operate the National Laboratories. In addition, the Committee will oversee the protection of nuclear materials around the globe by examining ongoing problems at both the National Labs and at nuclear power plants with respect to the security of both nuclear materials and sensitive security information and by examining nuclear detection systems at air, land, and seaports.

**Bio-Research Laboratories.** Building on the two hearings in the 110<sup>th</sup> Congress, the Committee will exercise continued oversight of issues related to construction and operation of high-containment bio-research laboratories.

## HEALTH AND HEALTHCARE ISSUES

**Children's Health Insurance Program (CHIP).** The Committee will oversee the implementation of the legislation reauthorizing the Children's Health Insurance Program by the Department of Health and Human Services (HHS), state CHIP agencies, and their private contractors. This oversight will focus on the extent to which federal financial incentives and state outreach and enrollment activities are successful in extending coverage to low-income children who are eligible but not enrolled in Medicaid or CHIP. The Committee will also examine whether federal program funds are being used to purchase covered services efficiently in a manner that minimizes waste, fraud, and abuse.

**Centers for Medicare & Medicaid Services (CMS).** The Committee will review the management, operation, and activities of the Centers for Medicare & Medicaid Services, focusing on the effective provision of services under the Medicare, Medicaid, and Child Health Insurance programs and the elimination of waste, fraud, and abuse in these programs. The Committee will examine the use and oversight of private contractors by CMS in administering these programs.

**Drug Safety.** The Committee will review the ability of the Food and Drug Administration (FDA) to ensure the safety and effectiveness of prescription and over-the-counter (OTC) drugs sold in the United States, including whether necessary safeguards

for imported drugs are in place. The Committee will also examine manufacturer marketing practices for both prescription and OTC drugs.

**Emergency Care Services.** The Committee will review the ability of the nation's trauma centers and emergency departments to respond to the growing demand for their services. Among the areas of oversight interest are the activities of HHS to ensure that emergency rooms in cities at high risk of a terrorist attack have the capacity to handle a surge in casualties, as well as the availability of on-call specialists on a 24/7 basis.

**Food Safety.** The Committee will examine the causes of recent food safety problems and the effectiveness of our current regulatory system for overseeing the safety of imported foods. The Committee will review the FDA's statutory authorities for protecting the nation's food supply with a view towards identifying any gaps. The Committee will also examine whether FDA's financial and personnel resources are adequate to protect the public from unsafe food.

**Health Information Technology (HIT).** The Committee will oversee the implementation of the HIT provisions of the economic recovery legislation by the Department of Health and Human Services. The Committee will focus initially on the Department's establishment of standards for interoperability, functionality, security, and privacy of electronic health records and its certification of systems that meet those standards. The Committee will also monitor the Department's HIT-related grant-making activity.

**National Institutes of Health (NIH).** The NIH budget spends over \$29 billion per year, largely on medical research intended to improve the health of the nation. The Committee will examine whether there is sufficient transparency and accountability to ensure that these funds are spent effectively and efficiently.

**HIV/AIDS.** The Committee will oversee domestic and global HIV prevention and treatment activities by HHS and the Centers for Disease Control and Prevention (CDC). Domestically, areas of concern include the scale-up of prevention efforts, the continuing implementation of CDC's routine testing recommendations, and the reach of care and treatment programs. The Committee will also monitor HHS's implementation of U.S.-funded HIV activities abroad. Particular attention will be paid to changes made by the 2008 reauthorization of the President's Emergency Plan for AIDS Relief (PEPFAR), including increased flexibility in prevention programming and an intensified emphasis on integration with other health and social services.

**Hospital-Acquired Infections and Antibiotic Resistance.** The Committee will oversee the actions taken by HHS, state hospital licensure agencies, and the private sector to reduce the incidence of preventable hospital-acquired infections. Among the areas of interest is checklists for use by physicians, nurses, and other hospital personnel to reduce such infections. The Committee will also review efforts to combat the spread of antibiotic resistant infections. The Committee will examine the practices that contribute

to the problem, including the inappropriate use of antibiotics both by humans and in the food supply.

**Preventable Medical Errors.** In addition to its work on hospital-acquired infections, the Committee will also examine other preventable medical errors, which studies suggest annually cause tens of thousands of preventable deaths and cost our nation's medical system billions of dollars. The Committee will examine the practices that contribute to such preventable medical errors and review actions taken by providers, patients, insurers, and the federal government to reduce these errors.

**Individual Health Insurance.** The Committee will examine business practices in the individual health insurance market that may compromise the accessibility or affordability of coverage. The initial focus of this oversight will be the practice of rescission, or retroactive termination of coverage following the submission of claims by the insured individual. The Committee will review the practices of insurers, the activities of state regulatory agencies, and the enforcement of consumer protections in the individual market by the Department of Health and Human Services under the Health Insurance Portability and Accountability Act.

**Medicaid.** The Committee will oversee the implementation of the provisions of the economic recovery legislation relating to Medicaid. The Committee will review the payment of additional federal matching funds to states to ensure states deploy the funds in an efficient and effective manner. The Committee will examine whether states receiving this fiscal relief maintain adequate Medicaid reimbursement levels for providers and reimburse at an adequate rate to make services available. The Committee will also monitor the response of the Department of Health and Human Services and state Medicaid programs to the needs of uninsured, unemployed workers and their families. In addition, the Committee will examine the purchase of managed care, prescription drugs, and other covered services to determine whether greater efficiencies can be achieved for federal and state taxpayers. The Committee will review the costs and benefits of using private contractors in the administration of the Medicaid program at the federal and state level. The Committee will also review efforts to reduce waste, fraud, and abuse in the program.

**Medical Device Safety.** The Committee will review FDA's efforts to ensure the safety and effectiveness of medical devices. The Committee will examine the gaps in the current statutory authorities, both pre- and post-market, that FDA uses to protect patients from unsafe or ineffective devices.

**Medicare.** The Committee will oversee the administration and operation of the Medicare program by CMS and its contractors. Among the areas of interest is the adequacy of Medicare payment rates for primary care physicians under Part B; the appropriateness of payments to Medicare Advantage plans; the treatment of beneficiaries with chronic illness by Medicare Advantage plans, particularly private fee-for-service plans; and the

business practices of Medicare Advantage plans and CMS oversight of those practices. With respect to Medicare Part D, the Committee will review the effectiveness of private plans' administration of the program; the treatment of long-term care patients; the annual reassignment of individuals who are dually-eligible for Medicare and Medicaid; the treatment of long-term care patients under Part D; the availability of manufacturer rebates on drugs purchased by Medicare Part D plans; and the oversight of Part D plans by CMS. The Committee will also review efforts to reduce waste, fraud, and abuse in the program.

**Navajo Nation Uranium Contamination.** The Committee will monitor the clean-up of the surface and subsurface contamination of the Navajo Nation resulting from uranium mining and milling activities after World War II. Five federal agencies have developed and are implementing five-year plans to clean up the contamination and protect public health: the Bureau of Indian Affairs, the Department of Energy, the Environmental Protection Agency, the Indian Health Service, and the Nuclear Regulatory Commission.

**Nursing Homes.** The Committee will examine the quality of the nursing home care paid for by the Medicare and Medicaid programs. The Committee will review the monitoring and enforcement of quality standards by CMS and state survey agencies.

**Off-Label Marketing.** The Committee will conduct oversight of manufacturer marketing of prescription drugs and medical devices for uses not approved by FDA. While off-label use of drugs or devices is legal, the marketing of drugs or devices for off-label uses is not. Off-label marketing can result in unnecessary expenditures and raises potential safety and effectiveness issues for patients. The Committee will review the activities of the FDA, CMS, the Office of Inspector General, and the Justice Department to investigate and prosecute those manufacturers engaged in off-label marketing.

**Privacy.** The Committee will review adherence to and enforcement of the security and privacy rules under the Health Insurance Portability and Accountability Act (HIPAA). The Committee will also oversee the implementation of the privacy provisions in the economic recovery legislation by HHS. The Committee will focus on the use of a patient's health information by providers, health insurers, and others that receive such identifiable information.

**Safety Net Hospitals and Clinics.** The Committee will monitor the ability of public and private nonprofit hospitals and clinics of last resort—those that treat all patients, regardless of ability to pay—to maintain their service capacity during the recession. Of particular concern to the Committee is whether the specialized services that these facilities provide that are of community-wide benefit, such as trauma care, neonatal intensive care, and care for burn victims, will be maintained in the face of increasing numbers of unemployed, uninsured patients.

**Vaccine Policy.** The Committee will oversee the various components of vaccine policy within HHS, including: the development of the National Vaccine Plan; plans to procure and stockpile vaccines for use in case of an influenza pandemic, bioterror attack, or

shortage of routinely administered vaccines; efforts to increase the use of vaccines among adults including healthcare workers; and access issues associated with the Vaccines for Children program. The Committee will also review the status of the Vaccine Injury Compensation Program

### COMMERCE, TRADE, AND CONSUMER PROTECTION ISSUES

**Federal Trade Commission.** The Committee will review the management, operations, rulemaking, and enforcement actions of the Federal Trade Commission. The Committee will examine the Commission's consumer protection mission with specific focus on consumer credit, including subprime mortgage lending, mortgage servicing, and debt and foreclosure relief scams. In addition, the Committee will review consumer protection activities related to identity theft, privacy, and false and deceptive advertising. The Committee will also review the Commission's activities regarding competition and mergers.

**Consumer Product Safety Commission.** The Committee will oversee implementation of the Consumer Product Safety Improvement Act, which was enacted in August 2008. In particular, the Committee will seek to ensure that the law's bans on lead and phthalates in children's products are given full effect and carried out in an effective and efficient manner. The Committee also will oversee the Commission's handling of critical deadlines under the law and the issuance of implementing regulations. Finally, the Committee will continue to review the Commission's overall operations, including its authorized expansion to include five commissioners and the modernization of its staff and infrastructure.

**Highway Safety.** The Committee will review the management, operations, and activities of the National Highway Traffic Safety Administration, particularly as they relate to motor vehicle safety.

**International Trade.** The Committee will monitor and examine both multilateral trade agreements (including World Trade Organization agreements) and bilateral agreements as those agreements relate to industries, commodities, and services within the Committee's jurisdiction, including telecommunications, electronic commerce, consumer products, energy, food, and drugs. The Committee will examine whether these agreements adequately protect the interests of domestic and foreign workers, consumers, and the environment. The Committee will review programs, policies, and procedures of various government agencies that are tasked with protecting the international supply chain as it affects the U.S. economy and U.S. consumers; evaluate policies that may impair the flow of people and commerce across the nation's borders; and examine opportunities to promote greater transparency in U.S. trade negotiations.

**COMMUNICATIONS, TECHNOLOGY AND INTERNET ISSUES**

**Federal Communications Commission.** The Committee will review the management, operations, and activities of the Federal Communications Commission (FCC), including the effect of its decisions on increasing competition, increasing the availability of technologies and services, assuring widespread deployment and reasonable rates for telecommunication and broadband services, protecting consumers, assuring adequate emergency communications capability, and otherwise serving the public interest, convenience and necessity. The FCC's ongoing efforts to manage the transition from analog to digital broadcasting will be a continuing focus of the Committee. The Committee will also examine the management and funding of the FCC's Office of Inspector General (IG), particularly with respect to whether the IG has adequate resources and the institutional independence necessary to carry out its responsibilities.

**Public Safety Communications.** The Committee will review public safety communications, including the status of the public safety network and related issues and matters under the management of the Office of Emergency Communications.

**Universal Service Reform.** The Committee will investigate waste, fraud, and abuse in the FCC's Universal Service Fund, including the management and administration of the High Cost program, the E-Rate program that pays to connect schools and libraries to the Internet, and the Rural Health Care program.

**Internet Governance and Operations.** The Committee will review programs and efforts to assure the safe, secure, lawful, and robust functioning of the Internet. The Committee will also examine issues regarding the structure of Internet governance, including activities of the Internet Corporation for Assigned Names and Numbers (ICANN).

**National Telecommunications and Information Administration.** The Committee will review programs under the management of the National Telecommunications and Information Administration (NTIA). The Committee anticipates ongoing oversight of any NTIA involvement in national broadband deployment grants.

**Corporation for Public Broadcasting.** The Committee will continue to review activities and funding of the Corporation for Public Broadcasting, the Public Broadcasting System, National Public Radio, and Public Radio International, with a particular focus on maintaining the independence of these important functions and assuring that the public interest remains paramount in their administration and management.



BARNEY FRANK, MA, CHAIRMAN

United States House of  
Representatives  
Committee on Financial  
Services  
Washington, D.C. 20515

SPENCER BACHUS, AL, RANKING MEMBER

February 13, 2009

The Honorable Edolphus Towns  
Chairman  
Committee on Oversight and Government Reform  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Dear Mr. Chairman:

By direction of the Committee on Financial Services, and pursuant to clause 2(d)(1) of rule X of the Rules of the House of Representatives for the 111th Congress, I am transmitting herewith the Committee's Oversight Plan for the 111th Congress. The Oversight Plan was approved on February 12, 2009, by a voice vote, a quorum being present.

Should you have any questions, please contact me or Thomas Duncan, General Counsel, at extension 5-4247.

Sincerely,



Barney Frank  
Chairman

Enclosure

cc: The Honorable Spencer Bachus

OVERSIGHT PLAN OF THE COMMITTEE ON FINANCIAL SERVICES FOR THE ONE  
HUNDRED ELEVENTH CONGRESS

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FEBRUARY 12, 2009. Approved by the Committee on Financial Services

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Mr. FRANK, from the Committee on Financial Services, submitted to the Committee on Oversight and Government Reform and the Committee on House Administration the following

## R E P O R T

Clause 2(d)(1) of rule X of the Rules of the House of Representatives for the 111th Congress requires each standing committee, not later than February 15 of the first session to adopt an oversight plan for the 111th Congress. The oversight plan must be submitted simultaneously to the Committee on Oversight and Government Reform and the Committee on House Administration.

The following agenda constitutes the oversight plan of the Committee on Financial Services for the 111th Congress. It includes areas in which the Committee and its subcommittees expect to conduct oversight during this Congress, but does not preclude oversight or investigation of additional matters or programs as they arise. Any areas mentioned in the oversight plan may be considered by the Financial Services Committee, the five subcommittees of jurisdiction or the Subcommittee on Oversight and Investigations. The Committee will consult, as appropriate, with other committees of the House that may share jurisdiction on any of the subjects listed below. The Committee will also comply with House Resolution 40, adopted earlier this Congress, by holding periodic hearings on the topic of waste, fraud, abuse, or mismanagement in Government programs authorized by this Committee.

## FINANCIAL INSTITUTIONS

*Troubled Asset Relief Program (TARP) and other Initiatives to Stabilize the Financial System.* The Committee will continue to examine closely the operation of the TARP program authorized by Emergency Economic Stabilization Act (EESA). This oversight will include working with the Government Accountability Office, the Congressional Oversight Panel, and the Special Inspector General for TARP in order to ensure that the program adequately protects taxpayer interests; that the program properly addresses the mortgage foreclosure crisis; and that the program's operations are properly transparent and accountable. The Committee will also ensure that the Treasury Department reports to the Committee on its progress in establishing a program to insure troubled assets as set forth in section 102 of Public Law 110-343; and that Treasury regularly reports to the Committee on matters of lending, liquidity, and safety and soundness related to those financial institutions receiving TARP funds or guarantees. The Committee will look into trends related to financial fraud, including mortgage and securities fraud, as well as unsound lending practices of financial institutions and financial institutions affiliated with those that received TARP funds or guarantees, which contributed to the crises and lack of confidence in the U.S. financial industry and led to the creation of TARP.

The Committee will also examine carefully whether the recipients of TARP funds are spending the money appropriately, with special attention paid to any instances of waste, fraud, and abuse. The Committee will concentrate on issues related to the distortion of TARP fund distribution caused by political pressure and interference rather than the judgment of the regulators. The Committee will carefully analyze the viability of any new TARP initiatives, such as the newly announced measures by the Treasury to create "bad banks" funded in part with taxpayer dollars, and assess whether TARP funding is deployed by recipient institutions in a manner consistent with Congressional priorities and with restoring liquidity and promoting the stability of the financial system. The Committee will also continue to examine non-TARP efforts by the Treasury, the Federal Reserve, the Federal Deposit Insurance Corporation (FDIC), and other agencies to stabilize the financial system and promote economic recovery.

The Committee also will examine the application by Federal regulators of the "too big to fail" doctrine and the designation of "systemically significant" institutions to determine if these are effective, fair or rational public policy distinctions. The Committee will ask if this doctrine means that other institutions are "too small to save" and if recent initiatives by the Treasury Department and Federal Reserve have prejudiced local and community banks and credit unions at the expense of institutions the regulators believe are "too big to fail." During this review, the Committee will study the ways that financial institutions have expanded and the incentives that drove them to grow. The Committee will try to determine if it is possible to have a government regulator unwind a systemically important institution in an orderly fashion to prevent systemic disruptions.

*Financial Supervision.* The Committee will continue to examine Federal regulators' safety and soundness supervision of the banking, thrift and credit union industries, to ensure that systemic risks or other structural weaknesses in the financial sector are identified and addressed promptly. The trend toward consolidation in the banking industry and the growing number of large credit unions serving broad fields of membership requires that Federal regulators maintain the expertise and risk evaluation systems necessary to oversee the activities of the increasingly complex institutions under their supervision. The Committee will also seek updates on consumer compliance supervision of financial institutions and review the regulatory enforcement of the Community Reinvestment Act, consumer protections, and agency customer service.

*Consumer Protections.* In addition to issues addressed throughout this oversight plan that relate to consumers of financial services, the Committee will consider other specific consumer protection issues within its jurisdictional purview, including, but not limited to, disparate interpretations and applications of individual States' laws related to national banks, Federal thrifts and their affiliates or subsidiaries, marketing tactics, rising fees, and penalties on credit card, payday, mortgages and other consumer loans, unfair or deceptive acts or practices such as foreclosure rescue scams, the use of credit reports to change the rates and terms of preexisting accounts, to ensure that the financial services industry fulfills its responsibility to treat its customers fairly and fully disclose the terms on which financial products and services are offered to the public. The Committee will also consider industry practices with respect to overdraft protection programs, deposit hold periods, and other fees.

*Data Security and Identity Theft.* Building on the Committee's long-standing role in developing laws governing companies' handling of sensitive personal financial information about consumers, including the Gramm-Leach-Bliley Act and the Fair and Accurate Credit Transactions Act (FACT Act), the Committee will continue to seek legislation that better protects the security and confidentiality of such information from any loss, unauthorized access, or misuse. The Committee will also monitor major data security breaches at government agencies to ensure that personal financial information is properly safeguarded and that the affected individuals receive prompt notification where that is appropriate.

*Implementation of FACT Act.* The Committee will monitor government and private sector implementation of the Fair and Accurate Credit Transactions (FACT) Act (Public Law 108-

159), the 2003 legislation that renewed certain provisions of the Fair Credit Reporting Act (FCRA) and gave consumers new rights and protections against identity theft, including the ability to obtain free credit reports annually. The Committee may examine whether, after the FACT Act is implemented, there remain barriers for consumers in maintaining accurate and complete consumer files. The Committee will seek to determine if additional efforts need to be undertaken to promote voluntary reporting of data not currently being supplied to credit reporting agencies, to facilitate greater access to affordable financial products and services. As part of this review, the Committee will continue to review the use of credit scores by lenders in assessing consumers' creditworthiness to determine whether credit is extended to them and on what terms, including the growing practice of using nontraditional data to measure creditworthiness.

*Mortgage Lending.* The Committee will study the complex problem of, and potential solutions to, abusive and deceptive lending in the mortgage industry. The Committee recognizes that extending credit to under-served segments of the population has positive aspects and the Committee's effort will be to decrease the amount of abuses without undermining such access to credit. In targeting abusive practices, the Committee will be cognizant of the need to avoid policy prescriptions that result in shutting off credit to underserved borrowers. Although the Committee recognizes the limitations inherent in data analysis, Home Mortgage Disclosure Act (HMDA) data continues to show substantial disparities in the incidence of higher-priced lending across racial and ethnic lines, with Black and Hispanic borrowers more likely to obtain loans with prices above the pricing thresholds than non-Hispanic white borrowers. The Committee will continue to examine HMDA data to help assess patterns of home mortgage lending to minority populations. The Committee will extend its inquiry to examine all relevant factors.

*Deposit Insurance Reform.* The Committee will monitor the implementation of the Deposit Insurance Reform Act of 2005 and the Federal Deposit Insurance Reform Conforming Amendments Act of 2005, to ensure that deposit insurance continues to serve its historic function as a source of stability in the banking system and a valued safety net for depositors. During the consideration of the Emergency Economic Stabilization Act, deposit insurance coverage for banks and credit unions was expanded from \$100,000 per account to \$250,000. This was particularly important for small businesses, which rely on their bank deposits to meet payroll and other critical needs. The increase will ensure that they have access to their working capital at all times, and discourage them from moving funds due to concerns about a particular institution. According to the Federal Reserve, for the smallest businesses (less than 10 employees, which are 80 percent of small businesses, raising the limit will have a major impact: 75 percent fewer firms will have uninsured deposits and the amount of their deposits remaining uninsured will fall by two-thirds. The insurance increase also gives small banks greater parity with the temporary money market fund insurance recently implemented by the Treasury Department. This will help keep deposits in banks and promote their stability. The Committee will monitor the implementation and effects of this expansion.

*Credit Unions.* The Committee will review issues relating to the conversion policies and procedures, safety and soundness and regulatory treatment of the credit union industry. In the 110<sup>th</sup>, the Committee supported the lifting of the statutory borrowing cap on National Credit Union Administration's Central Liquidity Fund and will continue to monitor its ability to meet the liquidity needs of credit unions.

*Regulatory Burden Reduction.* The Committee will continue to review the current regulatory burden on banks, thrifts, and credit unions with the goal of reducing unnecessary, duplicative, or overly burdensome regulations, consistent with consumer protection and safe and sound banking practices. The Committee's starting point will be H.R. 6312, the Credit Union, Bank and Thrift Regulatory Relief Act, which passed the House by voice vote in the 110<sup>th</sup> Congress.

*Remittances.* The Committee will continue to review the marketing and disclosure practices of financial institutions and money transmitters who offer international remittance services to consumers seeking to send funds to relatives in other countries.

*Payment System Innovations.* The Committee will review government and private sector efforts to achieve greater innovations and efficiencies in the payments system. The Committee will continue to assess the appropriateness of the current maximum hold periods and dollar amount limits provided under the Expedited Funds Availability Act. The Committee will also review improvements to the payments system, including ACH debit entries, wire transfers, and international remittances.

*Internet Gambling.* The Committee will continue to examine the implications of the Unlawful Internet Gambling Enforcement Act (UIGEA) and whether the final regulations drafted by the Treasury Department and Federal Reserve, in consultation with the Justice Department, impose unreasonable compliance burdens on financial institutions. Legislation which would have prevented the implementation of these regulations was ordered reported by the Committee in the 110<sup>th</sup> Congress after such a measure had once been defeated.

*Access to Financial Services.* The Committee will continue to explore ways to expand access to mainstream financial services by traditionally underserved segments of the US population, particularly those without any prior banking history (commonly referred to as "the unbanked"). One area of review will be an assessment of the Treasury Department's First Accounts Program – a grant program intended to provide financial services to low- and moderate-income Americans without bank accounts.

*Credit Card Regulation.* The Committee will continue its review of credit card industry practices, particularly relating to marketing, fees and disclosures. The Committee will monitor the implementation of recent Federal Reserve regulations: (i) defining unfair and deceptive credit card industry practices and (ii) making the format and content of credit card disclosures required by Truth in Lending more effective. These regulations become effective on July 1, 2010.

*Community Development Financial Institution Fund.* The Committee will continue to oversee the operations of the Community Development Financial Institutions Fund (Fund) which was created in 1994 to promote economic revitalization and community development. The Committee will examine the Fund's contributions to community revitalization and measure its impact on efforts in rural, urban, suburban, and Native American communities. In addition, the Committee will assess the Fund's progress in implementing reforms to make the grant making process more fair and transparent. The Committee will also monitor the Fund's administration of the New Markets Tax Credit program (NMTC), including reviewing the efforts being taken by the Fund to assist minority-owned community development entities to effectively compete for allocations under the NMTC program.

*Community Reinvestment Act of 1977.* The Committee will continue to review developments and issues related to the Community Reinvestment Act of 1977 (CRA). Particular focus will be placed on ensuring that regulators are accurately interpreting the law and consistently applying regulations to all institutions. In addition, the Committee will examine how well institutions are complying with the CRA and will seek to ensure that CRA loans, services, and investments are efficiently directed to low- and moderate-income communities. The Committee will also explore recommendations for updating CRA to make it more effective in light of changes in the financial services sector.

*Credit Counseling.* The Committee will continue to review the credit counseling industry which provides financial education and debt management services to consumer seeking to address excessive levels of personal indebtedness. A particular focus will include examining complaints regarding abusive and deceptive practices by some for-profit industry groups.

*Financial Literacy.* The Committee will continue its efforts to promote greater financial literacy and awareness among the public. As part of these efforts, the Committee will monitor the operations, and evaluate the efficacy, of the Financial Literacy and Education Commission. The Commission was established to coordinate efforts of the Federal

government and encourage government and private sector initiatives to promote financial literacy.

*Payday Lending.* The Committee will review practices by the payday lending industry, with a particular emphasis on marketing, consumer disclosures, interest rates, and fees charged.

*Discrimination in Lending.* The Committee will examine the effectiveness of Federal fair lending oversight and enforcement efforts, including a review of the policies and procedures used by primary regulators to assess lenders' compliance with fair lending laws and a review of the steps taken by the enforcement agencies to investigate potential violations of fair lending laws. As part of this review, the Committee will assess the adequacy of the current reporting requirements under the Home Mortgage Disclosure Act (HMDA) to evaluate the patterns of home mortgage lending to underserved populations. In April 2008, several members of the Committee asked the Government Accountability Office (GAO) to conduct a comprehensive assessment of the current state of Federal enforcement of the Equal Credit Opportunity Act, the Fair Housing Act, and other related laws and regulations. The Committee will review this report when it is completed. The Committee will also continue to review the adequacy of the data sources currently used by regulators and researchers to detect possible discrimination in non-mortgage lending.

*Diversity in Financial Services.* The Committee will continue to explore financial services industry's efforts to attract and retain a diverse workforce, particularly at the senior management level. The Committee will also review the policies, programs, and initiatives used by Federal financial services agencies to promote, obtain, and report on supplier diversity, particularly with the use of asset managers, investment bankers, and other providers of professional services under any programs to assist troubled financial institutions. The Committee will continue to monitor Federal regulators' efforts to promote and preserve minority-owned financial institutions, including the steps taken to implement the goals outlined in a report issued by the Government Accountability Office (GAO) entitled, "MINORITY BANKS: Regulators Need to Better Assess Effectiveness of Support Efforts," (GAO-07-6) in October 2006.

*Money Laundering and the Financing of Terrorism.* The Committee will review enforcement of anti-money laundering laws and regulations. The Committee's work in this area will include an examination of (1) the costs and benefits of ongoing regulatory and filing requirements, and (2) opportunities to decrease the burden of complying with these and similar statutes without impairing the operations of law enforcement. The Committee will also monitor the Office of Terrorism and Financial Intelligence, to ensure that adequate resources are applied efficiently, and in particular will monitor the effectiveness of the Financial Crimes Enforcement Network (FinCEN) and ongoing changes at the Office of Foreign Assets Control (OFAC). The Committee will also monitor the practice of data mining and examination of personal financial information conducted by government agencies, to ensure that an appropriate balance is struck between law enforcement priorities and the protection of civil liberties.

*Money Service Businesses' Access to Financial Institution Services.* The Committee will examine why financial institutions continue to sever their relationships with Money Services Businesses (MSBs) and assess the effectiveness of FinCEN regulatory guidance to both MSBs and financial institutions, and review actions that regulators can take to ensure that such MSBs are not denied access to the banking system.

*New Technologies and Cash Alternatives.* The Committee will examine cash alternatives, such as prepaid credit cards, the use of telephones to transfer and hold sums of money, websites that serve as alternatives to the banking system, and informal money transfer systems, businesses or networks, to determine their susceptibility to money laundering and terrorism financing, and other financial crimes.

*Appraisals.* The Government Accountability Office in a 2003 study found that 69 percent of states need more staffing for appraisal industry oversight, and 40 percent needed more resources to support related litigation efforts. Since then, anecdotal media reports about

appraisal fraud, lender pressure, and faulty appraisals have continued to grow. The Committee will examine these matters, the effectiveness of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council in overseeing State-based appraisal enforcement and licensing programs, and the need for appraisal regulatory reform. It will also explore the implementation of the appraisal independence standards adopted by the Federal Reserve in its 2008 rulemaking under the Home Ownership and Equity Protection Act.

## CAPITAL MARKETS AND SECURITIES

*Reforming Oversight of Financial Services.* The Committee will assess the effectiveness of the current regulatory regime for the financial services industry and work to establish a more efficient oversight structure that may include a systemic risk regulator. As a part of this effort, the Committee will consider whether and how best to eliminate duplicative oversight functions among agencies, consolidate regulatory functions where appropriate, prevent charter shopping, and impose oversight over previously unregulated or lightly regulated activities, products, and market participants. The Committee will also review proposals to combine securities and futures regulation, establish appropriate new safeguards for investment banking functions, and set uniform standards for and combine the regulation of broker-dealers and investment advisers.

*Derivatives and Credit Default Swaps.* The Committee will monitor market developments regarding over-the-counter derivatives, including credit default swaps. In its examinations, the Committee will specifically explore the need to create new statutory and regulatory safeguards to mitigate possible systemic risks posed by these products. The Committee will also examine the efforts of regulators and dealers to create credit default swap clearing platforms as a way to manage this risk.

*Oversight and Restructuring of the Securities and Exchange Commission (SEC).* The Committee will carefully examine the operations and organizational structure of the SEC, placing an emphasis on its supervisory and inspection functions. The Committee will additionally consider and review proposals to enhance the overall effectiveness of the agency in light of recent scandals and the ongoing turmoil in the securities markets. Part of those discussions will include an evaluation of the sufficiency of the SEC's available resources and staffing levels. The Committee will also consider the impact of separating the SEC's exam and policy functions and whether such functions should be consolidated. The Committee will also consider how the SEC fits into the broader regulatory restructuring framework the Committee will pursue.

*Securities Fraud.* In light of the December 2008 emergence of a \$50 billion Ponzi scheme committed by Bernard Madoff's financial services firm, the Committee will review the failure to detect this massive securities fraud particularly, as well as other smaller securities frauds generally. As part of its comprehensive review of financial services regulation, the Committee will also scrutinize the internal operations of the SEC, especially its compliance, inspections, examinations, and enforcement functions.

*Impact of Emergency Economic Stabilization Act (EESA) on Capital Markets.* The Committee will closely monitor the Administration's implementation of the \$700 billion provided for in the EESA to determine whether the program is having its desired effect of easing the credit crisis. In its reviews, the Committee will consider whether the Administration uses funds within the Troubled Asset Relief Program (TARP) to satisfy the statutory objectives, including mortgage foreclosure prevention efforts, whether the Administration vigorously pursues EESA's executive compensation limitations, and whether banks receiving TARP funds increase lending efforts. The Committee will also focus on the

auto companies who received aid via TARP to ensure that they establish viability plans and spend taxpayer dollars wisely.

*Loan Modifications in Securitized Pools.* As a part of its ongoing efforts to mitigate foreclosures, the Committee will continue to consider methods to encourage and facilitate sustainable modifications of mortgages that have been securitized by servicers.

*Auction Rate Securities.* The Committee will continue to monitor the efforts of the SEC, the Financial Industry Regulatory Authority, state securities regulators, and other law enforcement agencies to reach settlements with financial institutions to buy back illiquid auction rate securities from retail investors. The Committee will also examine the sales practices – particularly with respect to disclosure concerning the liquidity of the securities – as well as the training and education of broker-dealers that sold auction rate securities to investors, including those securities issued by municipalities and student lenders.

*Equity/Options Markets.* The Committee will review recent developments in the U.S. equity and option markets that are increasingly made up of global, for-profit, shareholder-owned and multi-product institutions. The Committee will explore the impact that the ongoing credit crisis has had on exchange trading system volatility. It will also review the impact that the removal of the uptick rule and short-selling restrictions may have had on liquidity. The Committee will additionally study the growth of the options market and efforts of the U.S. options markets to implement decimal pricing for quoting options contracts. Finally, to better protect investors, the Committee will reexamine the need for legislation to permit the effective cross-margining of futures and securities products.

*Mutual Funds.* The Committee will review the current state of regulation of investment companies and their advisors with respect to mutual fund operations, governance, disclosure, and sales, including the impact on investors of recent rule changes and court decisions. The Committee also will review the effectiveness and efficiency of the approval process for new products, such as exchange-traded funds. In addition, the Committee will continue to monitor the impact of the credit crisis on money market mutual funds, the stability provided by the Treasury Department's Guarantee Fund, and the liquidity of auction rate preferred stock issued by closed-end funds.

*Covered Bonds.* Due to the success of covered bonds in other countries, the Committee will continue to monitor the emergence of covered bonds as a potential tool to ease the strain in U.S. capital markets. The Committee will review the potential for covered bonds to increase mortgage financing, improve underwriting standards, and strengthen U.S. financial institutions by providing a new funding source that could diversify their overall portfolio. The Committee will also examine the treatment of covered bonds as qualified financial contracts with insured depository institutions.

*Public Company Accounting Oversight Board (PCAOB).* The Committee will review the effectiveness of the PCAOB in responding to the concerns of capital markets participants. The Committee will review the PCAOB's oversight of public company auditors, including reforms of auditing standards and the results of the PCAOB's inspection program. The Committee will also explore expanding the PCAOB's oversight to include auditors of broker-dealers, previously excluded from the regulatory regime, and the impact this increased oversight may have on the PCAOB's budget and funding. In conjunction with that change, the Committee will consider other proposals to improve oversight of auditors more broadly.

*Financial Accounting Standards Board (FASB).* The Committee will review FASB's responsiveness to all segments of the capital markets, FASB's relationship with the SEC, and proposals to enhance Congressional oversight of the FASB. The Committee will monitor and review the work of the FASB to improve financial accounting standards; paying careful attention to the appropriate form for standards and the need for additional guidance concerning the development of standards regarding market valuations for accounting purposes.

*Convergence of International Accounting Standards.* The Committee will review efforts by the SEC and the FASB to achieve robust, uniform international accounting standards. The



Committee will also monitor the SEC's plans to incorporate those standards as a part of U.S. financial reporting requirements.

*Mark-to-Market Accounting.* In conjunction with regulators, the Committee will review mark-to-market accounting rules and consider whether there is a need for: (i) clearer and more specific guidance; (ii) new and additional changes to the current standard; and/or (iii) viable alternatives exist to pricing distressed assets in an inactive market, such as separating "liquidity" and "credit" risk. The SEC has recently issued its EESA-mandated study on mark-to-market accounting. The Committee will review that study and consider its conclusions and recommendations, and ensure that the SEC takes all additional and necessary steps to revisit and address these issues accordingly. The Committee will examine the extent to which mark-to-market accounting may have exacerbated the current credit and market crisis and explore possible reforms that would revitalize financial institutions, deploy capital throughout the economy and lead to job creation.

*Corporate Governance.* The Committee will review developments and issues concerning corporate governance in public companies, including proposals to increase accountability to shareholders through enhanced shareholder access to management's proxy, shareholder nomination of directors, and majority voting. In addition, the Committee will review the role of proxy advisory firms in the shareholder voting process. The Committee also will review issues raised with respect to the integrity of the shareholder voting process. Additionally, the Committee will monitor the SEC's regulatory proposals for enhanced disclosure regarding executive compensation and other corporate governance issues.

*Executive Compensation.* The Committee will review proposals to increase accountability to shareholders in public companies with regard to executive compensation. The Committee will also generally explore other current executive compensation and disclosure issues. In addition, the Committee will focus special attention on ongoing compliance with and the impact of the executive compensation restrictions imposed on institutions participating in programs established under the EESA.

*Oversight of Self-Regulatory Organizations (SROs).* As a part of its comprehensive review of the oversight of the financial services industry, the Committee will examine the effectiveness of SROs in today's markets and assess the impact of SRO mergers on the oversight of securities markets, market participants, and investors. The Committee also will consider limitations or regulatory gaps in the current SRO system and ways to streamline and strengthen the regulatory, compliance, examination, and enforcement structure. This review will additionally examine the impact of mandatory arbitration requirements on securities investors, as well as the balance, fairness, and efficiency of the current arbitration system.

*Hedge Funds and Private Pools of Capital.* The Committee will examine the current state of the hedge fund, private equity and alternative investment industry. The Committee will review the role hedge funds and private pools of capital serve in the capital markets, and their interaction with investors, financial intermediaries, and public companies. The Committee will also examine issues related to pension funds' investments in hedge funds. The Committee will further consider whether hedge funds should be subject to greater oversight under a revised regulatory regime. Finally, the Committee will examine whether hedge funds and other private pools of capital may have contributed to and had an effect on the ongoing credit crisis.

*Federal/State Allocation of Enforcement Responsibilities.* The Committee will examine the impact of several pieces of legislation over the last decade streamlining securities registration and allocating responsibilities between state and Federal authorities. In particular, the Committee will examine the impact of these laws on the enforcement of the securities laws and whether loopholes have been created that permit fraudulent securities offerings to escape either Federal or state law enforcement. The Committee will also examine whether there is a need to raise the threshold for investment adviser registration – currently those advisers who have over \$25 million in assets under management – to allow

the SEC to better focus on the largest investment advisers and the states on the smaller advisers.

*Capital Allocation to New Technologies.* For years, the United States has supported the Overseas Private Investment Corporation to promote growth in emerging markets abroad. In order to now promote long-term, sustainable economic growth and productivity at home, the Committee will explore how to create incentives in the capital markets aimed at facilitating the growth of emerging innovative technologies and promising industrial sectors.

*Business Development Companies (BDCs).* The Committee will examine the regulations governing BDCs, which could play a larger role in the nation's economic recovery. The Committee will also continue to monitor BDCs' minimum capital requirements. Given the current credit crisis, the Committee may consider proposals related to altering the BDCs' required leverage ratios.

*Credit Rating Agencies.* The Committee will monitor the SEC's ongoing implementation of the Credit Rating Agency Reform Act, which became effective in 2007. The Committee will also examine ways to limit the conflicts associated with the way credit rating agencies are compensated, approaches to increase their accountability and the possibility of regulatory fee assessments. In addition, the Committee will examine the current methodology for rating tax-exempt municipal bonds and consider possible changes to the Credit Rating Agency Reform Act to ensure the ratings on municipal bonds accurately reflect the risk of loss posed to an investor.

*Securities Investor Protection Corporation (SIPC).* The Committee will examine the operations, initiatives, and activities of SIPC, and possible opportunities to better protect investors in today's volatile markets. In light of SIPC's exposure to the failure of Bernard L. Madoff Investment Securities, the Committee will examine SIPC's existing reserves, access to private and public lines of credit, coverage levels, and its prior decision to significantly lower the annual assessments of participating broker-dealers.

*Fair Fund.* The Committee will examine the operations of the Fair Fund established under the Sarbanes-Oxley Act and the success of Federal regulators in implementing the Fair Fund. The Committee also will review options for expediting collection of civil fines and ill-gotten gains from corporate wrongdoers and the distribution of recovered amounts to defrauded investors.

*Business Continuity Planning/Critical Infrastructure Protection.* The Committee will monitor the implementation of the Interagency Paper on Sound Practices to Strengthen the Resilience of the U.S. Financial System as well as the related efforts of all participants in the securities industry to improve business continuity planning to protect investors against the effects of natural disasters, terrorism events, and pandemics. The Committee will also review the impact of global mergers and alliances and their impact on business continuity planning. The Committee will additionally review the Government Accountability Office's work related to planning and preparation efforts of financial organizations to minimize the disruptions of critical operations in the event of a pandemic and the ability of the United States telecommunication infrastructure to support telecommuting during a pandemic.

*Sarbanes-Oxley Act of 2002.* The Committee will continue to monitor the impact of the Sarbanes-Oxley Act on investors, public companies – particularly non accelerated filers – and markets, particularly with respect to the ongoing credit and financial markets crisis. The Committee will review the efforts of the SEC and PCAOB to improve the efficiency of implementation of the internal control requirements under section 404 of that Act, the impact of the Act's corporate governance reforms, and the adequacy of investor protections provided by the Act generally.

*Global Competitiveness of U.S. Financial Markets.* The Committee may examine studies, concerning the competitive position of U.S. financial market participants. The Committee also will assess proposals to enhance the competitiveness of U.S. markets, including those to streamline and consolidate regulation and oversight of U.S. financial markets, institutions, and exchanges.

*Municipal Securities.* The Committee will review the state of the \$2.5 trillion municipal securities market that is accessed by more than 55,000 state and local issuers including present efforts to make the municipal bond market more efficient and improve issuers' access to capital. The Committee will also examine how different segments of the market are regulated including the role of independent financial advisors, including those involved in derivative transactions, and disclosure requirements. The Committee will also examine the Municipal Securities Rulemaking Board's recently launched Electronic Municipal Market Access (EMMA) document and real-time trade price database of municipal securities.

#### GOVERNMENT SPONSORED ENTERPRISES

*Charter Restructuring for Government Sponsored Enterprises (GSEs).* On September 7, 2008, the Federal Housing Finance Agency placed Fannie Mae and Freddie Mac into conservatorship. As part of this conservatorship, the two GSEs have signed contracts to issue new senior preferred stock to the Treasury, which has agreed to purchase up to \$100 billion of this stock from each of them. The decision to place the two GSEs into conservatorship has raised questions about their public-private organizational structure, as well. The Committee will therefore examine proposals to modify the statutory charters of the GSEs.

*GSE Regulatory Reform.* The Committee will monitor the Federal Housing Finance Agency, the new regulator for the Fannie Mae, Freddie Mac, and the Federal Home Loan Banks, and will consider ways to improve the effectiveness of the new regulator. The Committee will also consider, as part of its comprehensive review of the oversight of the financial services industry, proposals to improve, or otherwise alter the purpose and functions of the GSEs and their appropriate roles in the mortgage market.

*Federal Home Loan Bank (FHLB) System.* The Committee will monitor the capital requirements, financial health, and stability of the FHLB System, as well as the FHLB System's ability to fulfill its housing mission and provide liquidity to the cooperative's member banks in a safe and sound manner during the ongoing credit crisis. The Committee will pay particular attention to recent reports that several of the Federal Home Loan Banks may fall below required capital levels as a result of troubled mortgage assets held on their books.

*GSE Appraisal Standards.* The Committee will examine the implementation of the Home Valuation Code of Conduct by Fannie Mae and Freddie Mac and how it affects the appraisal industry. It will also review the implementation of a new regulation by the Federal Housing Finance Agency requiring the use of loan-level appraiser identifiers to combat fraud in mortgage lending.

*FHLB Community and Economic Development.* The Committee will focus on the efforts to advance community and economic development within the FHLB System, including the implementation of the enhanced targeted economic development lending for small business, small farms, and small agri-businesses allowed under the Gramm-Leach-Bliley Act and of the performance of the FHLBs in implementing the community investment cash advance regulation. The Committee will review the effects of the estimated \$8 billion in community-related financing the FHLBs have already provided to community financial institutions and examine whether the FHLBs can accomplish more to help the nation overcome the continuing economic crisis.

*Resolution Funding Corporation (REFCorp) Payments.* The Committee will monitor the efforts of the housing GSEs to pay the obligations of REFCorp established to cover the costs of resolving the savings-and-loan crisis and the policy implications for the GSEs upon the satisfaction of the remaining REFCorp debts.

## HOUSING

*Mortgage Foreclosures and Loan Modifications.* The Committee will continue its comprehensive focus on Federal efforts to address the rising delinquency and foreclosure rate, including hearings and legislation designed to avert foreclosures. Agencies and programs of focus may include the Federal Housing Administration (including Hope for Homeowners and FHA's ongoing refinance efforts), Fannie Mae, Freddie Mac, and the Federal Home Loan Banks, Federal programs which provide funds for foreclosure prevention, housing counseling, foreclosure protections, purchase of foreclosed properties, and efforts to spur appropriate levels of home purchase. The Committee will also consider proposals to protect the rights of bona fide tenants subject to foreclosure.

The Committee will also conduct a hearing or a series of hearings on the status of mortgage loan modifications as a means of helping struggling borrowers to avoid foreclosure. Successful mortgage modifications change the terms of the loan so that it is more affordable to the borrower over the long term. The Committee will also examine systematic approaches to mortgage modification, such as the program implemented by the Federal Deposit Insurance Corporation at IndyMac Federal Bank and the recently announced Federal Reserve Homeownership Preservation Policy. In addition, the Committee will review foreclosure prevention plans originated from the private sector, such as HOPE Now. As part of that examination, the Committee will seek to define the criteria in determining which borrowers should receive help in modifying their loans. For those that are determined to be ineligible for loan modifications, the Committee will investigate appropriate alternatives for providing assistance.

In its examination of foreclosure prevention and loan modification proposals the Committee will also take into account that most borrowers continue to make on-time payments in spite of economic hardship and will consider the moral hazards associated with systematic loan modification and foreclosure mitigation.

*Housing Preservation.* The Committee will consider proposals to preserve federally assisted housing, including the challenge of maintaining affordability for those federally assisted properties scheduled to experience mortgage maturities in the next decade. The Committee may review HUD's policies and performance in approving proposals by owners to preserve and rehabilitate older assisted housing projects. In addition, the Committee may also explore other related topics, such as prepayment policies, troubled projects, renewal of expiring project-based voucher contracts and transfer of project-based section 8 contracts. The Committee will continue to monitor the role of the Office of Affordable Housing Preservation in overseeing and preserving HUD-assisted multi-family housing. The Committee may examine HUD's property disposition program, and the extent to which HUD has worked with local housing authorities and non-profit organizations to preserve the affordability of HUD's inventory of multi-family housing following foreclosure by the borrower. Further, the Committee may review the circumstances by which current owners choose to leave the program and how incentives can be used, coupled with a reduced regulatory burden, to encourage continued participation by the private sector. The Committee will review programs aimed at preservation to determine the cost effective and efficient means of promoting preservation including the impact of one-for-one replacement policies, prohibitions on demolition of existing properties and transfer of subsidy from one property to another.

*FY 2010 Budget for the Department of Housing and Urban Development, the Rural Housing Service, the Neighborhood Reinvestment Corporation and the National Flood Insurance Program.* The Committee will conduct a hearing or a series of hearings to consider Administration FY 2010 budget proposals for these agencies and programs, including receiving testimony from relevant agencies. Such hearings will concentrate on the Department's efforts to be responsive to current market challenges as well as ensuring

decent affordable housing. During these hearings the Committee will examine spend out rates for assisted programs in addition to program oversight and accountability measures.

*Public Housing.* The Committee will conduct a hearing or a series of hearings on the state of public housing programs, including, but not limited to, the public housing operating and capital funds the HOPE VI program, current spend-out rates and potential funding sources with which public housing agencies can supplement their efforts to maintain and operate public housing units. The Committee also will review HUD's implementation of the Quality Housing Work Responsibility Act of 1998 (QHWRA); the Community Service requirement; the performance to date of Moving to Work agencies; and areas where unnecessary regulation could be curtailed, while fully maintaining protections for tenants.

*HOPE VI.* The Committee will review the HOPE VI program and the need for reauthorization, including, but not limited to, the needs of distressed public housing developments, a prohibition on demolition-only grants, a one for one replacement requirement, tenant eligibility standards on the availability of decent and affordable housing and the benefits of mixed-use communities. The Committee will review the progress by past HOPE VI award recipients of implementing and completing their revitalization plans, including the amount of funds that remain unspent in some HOPE VI accounts. Additionally, the Committee will examine the effects of HOPE VI revitalization projects on tenants, including the ability of tenants to find alternative housing during rehabilitation, as well as their ability to return once rehabilitation is completed.

*Affordable Housing Production.* The Committee may conduct a hearing on preserving a dedicated source of funding and identifying additional funding mechanisms for the newly created National Housing Trust Fund. The Housing Trust Fund was established to construct, maintain and preserve affordable rental housing for the lowest income families in both rural and urban areas. The Committee will review HUD's progress in developing regulations to implement the Trust Fund, including oversight policies for Trust Fund grantees, and whether additional legislation is required to clarify and enhances issues that cannot be resolved by regulation.

*Housing Tax Credit Programs.* The Committee may conduct a hearing or series of hearings on legislative and administrative proposals to address the recent dislocations in the funding of Low Income Housing Tax Credit (LIHTC) program, including legislative efforts to address such dislocations. The Committee may conduct hearings reviewing the implementation of provisions included in Public Law 110-289 which were designed to facilitate the use of housing tax credits in conjunction with HUD and Rural Housing Service programs. In any evaluations of reforms to the LIHTC program the Committee will examine the role of syndicators and investors in affordable housing production.

*Federal Housing Administration (FHA).* The Committee will conduct hearings on the FHA single family loan program, on issues which may include the financial status of the program, the recent growth in loan volume, oversight of FHA loan originators, FHA loan limits, implementation of provisions enacted under Public Law 110-289, FHA loss mitigation, and the recently eliminated FHA gift downpayment program. In hearings the Committee will also examine legislative proposals affecting the financial viability of the FHA insurance fund. Other areas of focus will include the FHA reverse mortgage loan program and the Title 1 manufactured home loan program, both of which underwent major reforms as part of Public Law 110-289. In addition, the Committee will continue to monitor FHA's ability to oversee FHA-approved lenders/licensees, employ appropriate technology and manage its human capital.

*Section 8 Housing Choice Voucher Program.* The Committee will resume its efforts to complete comprehensive reform of the Section 8 voucher program, through efforts to enact the Section 8 Voucher Reform Act (SEVRA).

*Rural Housing.* The Committee will consider proposals to create a revitalization program at the Rural Housing Service (RHS) to preserve and rehabilitate affordable housing under the Section 502 single family direct and guaranteed loan programs as well as the Section

514, 515 and 516 multi-family housing programs. The Committee will monitor the loan commitment authority of Section 502 programs and examine innovative proposals to address potential funding shortfalls in all RHS single family and multifamily programs. The Committee will also review the effectiveness of HUD programs that address the various affordable and basic housing needs of rural and colonias communities.

*Section 202 Elderly and Section 811 Disabled Housing.* The Committee will review the Section 202 and 811 supportive housing programs for the elderly and disabled, including proposals to facilitate the timely production of new units, preserve the existing housing stock of 202 and 811 projects and increase refinancing flexibility for such projects to carry out needed rehabilitation of older properties. The Committee will continue to monitor the ease of use for layered financing limited partnership arrangements between non-profit and for-profit project sponsors. Additionally, the Committee will explore the availability and provision of supportive services to residents.

*Homelessness.* The Committee will review the McKinney-Vento homeless assistance program, including resuming its effort to enact comprehensive homeless reform legislation, as was passed by the House last Congress, the "Homeless Emergency Assistance and Rapid Transition to Housing Act of 2008." The Committee will also review HUD homeless assistance programs and services for veterans who are homeless or at risk of becoming homeless. The Committee will look at the impact of homeless programs on families and children.

*Native American Housing.* The Committee will review issues arising out of Native American housing programs at HUD, particularly the implementation of the Native American Housing and Self Determination Act (NAHASDA –Public Law 110-411), and a report to be published by the General Accountability Office as required by the legislation.

*Neighborhood Stabilization Program.* The Committee will conduct a hearing or a series of hearings on the Neighborhood Stabilization Program, including whether there is a need for statutory changes regarding the program's efficiency and effectiveness. The Committee will consider the need for alterations to the funding formula, the program spend out rate, as well as the role of nonprofits and local government capacity in carrying out the program. The Committee will examine the effectiveness of accountability language inserted in Public Law 110-289 that was designed to ensure proper transparency and oversight of eligible entities for Neighborhood Stabilization funding.

*Community Development Block Grants.* The Committee will conduct a hearing or a series of hearings on the Community Development Block Grant (CDBG) program, including the role of Congressional input and oversight in CDBG projects, the use of block grant funds at the local level, and program waivers. The Committee will also review the impact of environmental and economic benefit mandates on the timely expenditure of CDBG funds. The Committee may also review the current allocation formula for CDBG funds.

*Federal Housing Response to Natural Disasters.* The Committee will continue to review the progress of housing reconstruction in the Gulf Coast, including the availability of affordable housing for low-income families, the impact of disasters on public and assisted housing, the ability of displaced residents to return home and the impact on surrounding communities. In addition, the Committee will continue to examine the role of government in long-term disaster housing and conduct oversight of recovery efforts in effected areas receiving Federal recovery assistance. The Committee will review the role of government in long-term housing, as well as economic and infrastructure recovery of the Gulf Coast region and the ability of homeowners to rebuild, including the availability of homeowner's insurance. Finally, the Committee will examine potential funding sources for the production, repair, and reconstruction of affordable housing in areas affected by natural disasters.

The Committee will also continue to monitor efforts by HUD and the Federal Emergency Management Agency (FEMA) to coordinate efforts to provide funding to public housing developments that are damaged or destroyed by natural disaster or emergencies. Such

review will be in coordination with the Committee on Transportation and Infrastructure, which has jurisdiction over FEMA.

*National Flood Insurance Program (NFIP).* During the 110th Congress, the House passed the Flood Insurance Reform and Modernization Act of 2007, H.R. 3121. The Committee remains committed to the comprehensive reform and long-term reauthorization of the NFIP. To this end the Committee will continue its general review of NFIP participation, rate setting, map modernization, loss mitigation, claims handling, and rate subsidization for repetitive loss properties and second homes. The Committee will continue its efforts to achieve reforms that phase-in more actuarially sound premium rates in the short term.

*HUD Mission, Management Reform and Staffing.* The Committee will review the overall mission, organization, human resources and information technology capabilities of the Department of Housing and Urban Development to determine whether the Department is meeting and addressing housing issues in the most efficient manner. The Committee will continue to track the transparency, accountability and oversight protocols for all HUD grant and loan recipients, including non-profit organizations. The Committee will consider the need for additional personnel to properly administer and monitor new and expanded HUD programs designed to address the current mortgage foreclosure crisis and increasing affordable housing needs.

*Project-Based Section 8 Program.* The Committee will continue to review the timeliness of Housing Assistance Payments for project-based Section 8 properties and may review the need to make statutory changes to ensure the timeliness of Housing Assistance Payments.

*Housing Counseling.* The Committee will review current housing counseling programs, which includes Federal, state, private and nonprofit efforts, to help ensure that such programs are an effective tool in minimizing defaults and foreclosures. The Committee will also consider whether improvements could be made to enhance consumer education as well as prevent abusive lending practices.

*Fair Housing.* The Committee will review a report to be published by the Government Accountability Office regarding fair lending enforcement by regulatory agencies, including HUD and may hold a hearing, or series of hearings, on the GAO report.

*Green Development.* The Committee will monitor proposals to promote green development in Federally assisted housing, including legislation from the last Congress entitled the Green Resources for Energy Efficient Neighborhoods Act of 2008, and any voluntary, private sector green building standards already in place that encourage cost effective energy efficiency for affordable housing.

*Housing and Services.* The Committee will conduct a hearing or a series of hearings on the delivery of housing-based social services, including child care, education, and employment training for low income families, and mental health and substance addiction services for chronically homeless individuals. The Committee will also examine the extent to which affordable housing developers and their social service provider partners face challenges in financing these services.

*Oversight of Federal Housing Programs.* The Committee will hold oversight hearings on other Federal housing programs run by HUD and the Rural Housing Service. In addition to examining whether these programs are meeting their housing missions, they will focus on the costs, spend out rates and oversight and accountability measures governing these programs.

*Real Estate Settlement Procedures Act (RESPA).* The Committee may review issues related to RESPA including implementation of the RESPA rule promulgated by HUD in November 2008. The Committee will also examine HUD's recommendations for statutory reforms to RESPA.

*Escrows.* The Committee will generally explore problems related to establishing and servicing escrow accounts. This examination will also focus on the need to advance Federal reforms to require escrow accounts for those homeowners with less-than-perfect credit scores or high-cost mortgages.

*Mortgage Broker Licensing and Oversight.* The Committee will monitor implementation of the S.A.F.E. Mortgage Licensing Act of 2008 which established a mortgage originator licensing system and registry to better protect homebuyers.

*Impact of Bankruptcy Cram Down on the Mortgage Market.* The Committee will conduct oversight on the impact of bankruptcy cram down legislation on the mortgage market, in general, and specifically on the programs operated by the FHA and the RHS. The oversight review will include the impact of bankruptcy cram down on continued lender participation, the solvency of the FHA Mutual Mortgage Insurance Fund and the solvency of the RHS Section 502 program. The Committee will also conduct oversight on the impact of cram down legislation on primary mortgage interest rates, overall access to mortgage credit, especially for borrowers with weaker credit histories and the future of the GSE's and the securitization market.

*Oversight of Entities Receiving Government Funds.* The Committee will conduct oversight over the use of Federal funds by non-profits, for-profits and third-party institutions. The scope of the review will assess the policies and practices of the agencies under this Committee's jurisdiction (HUD, RHS, and Neighborworks) to ensure that eligible entities are using Federal funds for eligible purposes. The Committee will monitor the agencies' policies to assess and ensure that Federal funds paid out to these entities are being used for their intended purposes and in a cost effective and efficient manner. In addition, the Committee will look at specific requirements and procedures in place in agencies under the Committee's jurisdiction, to evaluate entities' applications to participate in government programs, particularly with respect to the agency's ability to identify illegal activities on the part of applicants.

## INSURANCE

*Insurance Regulatory Modernization.* The States have long had the primary responsibility for regulating the business of insurance. In recent years, there has also been both a state and Federal effort to modernize and improve insurance regulation. During the 110<sup>th</sup> Congress, the Capital Markets Subcommittee held a series of hearings on reforming insurance regulation and approved a number of incremental reforms, including a bill to strengthen the corporate governance standards and improve the effectiveness of risk retention groups, as well as other legislation described below. In the 111<sup>th</sup> Congress, the Committee will reconsider these previously approved reforms and, as part of its ongoing comprehensive review of the oversight of the financial services industry, will evaluate new policy alternatives for modernizing insurance regulation.

*Financial Guarantee Insurance.* The financial guarantee insurance industry lies at the center of the ongoing credit and liquidity crisis that has roiled financial markets in recent months. Turmoil within this sector has caused tens of billions of dollars of losses to investors and financial institutions, and an unraveling of many secondary debt markets. The Committee will therefore monitor the ongoing efforts of the financial guarantee insurance industry to recapitalize itself and the efforts of individual financial guarantee insurers to restore their triple-A credit ratings. The Committee will also review the consequences of the actions by financial guarantee insurers to expand their business model beyond traditional insurance into financial products guaranteeing the credit worthiness of more complex securities, including those backed by subprime mortgages. The Committee will further examine the ability of municipal issuers to access the capital markets in an unfavorable credit environment. In this regard, the Committee will explore the possibility of Federal participation in the municipal bond or reinsurance marketplace.

*Insurer Access to the Trouble Asset Relief Program (TARP).* The Federal government has taken unprecedented measures to rescue American International Group (AIG), a financial services holding company with major insurance components. AIG has been given access to



more than \$170 billion in taxpayer funds, including \$40 billion from TARP under the Emergency Economic Stabilization Act. Some insurance companies (generally life insurers and financial guarantee insurers) have also sought access to Federal bailout funds through the TARP. To date, the Treasury Department has approved Federal assistance for Federally-regulated entities only. As a result, numerous insurance companies have recently sought to convert themselves into savings-and-loan holding companies subject to Federal regulation. The Committee will review the need for insurer access to TARP funds and the resulting implications of any Federal aid to insurers.

*Regulation of Insurer Systemic Risks.* As part of its overhaul of systemic risk regulation, the Committee will look at the role insurance plays in the economy and its interconnectedness with other sectors of the financial services system. As noted above, insurers offering financial guarantee products, like AIG and the municipal bond insurers, have demonstrated that insurers and their holding companies can create systemic risks. The Committee therefore will work to identify solutions aimed at mitigating the systemic risks posed by insurers or their holding companies.

*Terrorism Risk Insurance.* During the 110<sup>th</sup> Congress, Congress revised and reauthorized the Terrorism Risk Insurance Program through December 31, 2014 with passage of the Terrorism Risk Insurance Program Reauthorization Act of 2007. In order to ensure the continued availability of terrorism insurance coverage and protect the economic security of the United States, the Committee will review Treasury Department's implementation of new and revised elements of the program. Furthermore, the Committee will monitor the continued impact of the program on the terrorism insurance marketplace and the utilization by the marketplace of the coverage provided through the program, paying particular attention to: (i) the applicability of the program to single-risk, captive insurers created since 2002; (ii) the implications of the program's failure to cover nuclear, chemical, biological and radiological events; and (iii) lessons learned from the program that relate to the private sector's capacity to provide insurance coverage for the risk of extreme catastrophic events and the larger topic of insurance regulatory reform.

*Agent and Broker Licensing Reform.* As part of the Gramm-Leach-Bliley Act, Congress sought to establish greater reciprocity or uniformity thresholds for non-resident producer licensing. Although many States have made considerable progress in streamlining their producer licensing systems, during the 110<sup>th</sup> Congress the House passed H.R. 5611, a bill to create the National Association of Registered Agents and Brokers (NARAB) and further streamline insurance producer licensing by allowing NARAB to establish minimum licensing reciprocity standards through which an insurance agent or broker licensed in one state could automatically qualify as a broker or agent in any other state. The Committee will continue its incremental efforts to facilitate insurance producer licensing within the current regulatory system. As part of the larger topic of financial services regulatory reform, the Committee may consider other measures intended to promote even greater insurance producer licensing uniformity and reciprocity while still assuring sufficient consumer protections.

*Surplus Lines and Reinsurance.* In the 109<sup>th</sup> and 110<sup>th</sup> Congresses, the House passed the Nonadmitted and Reinsurance Reform Act. To promote greater efficiency in the surplus lines and reinsurance marketplaces used by large and sophisticated entities to obtain coverage against losses, the Committee will continue its review of these matters and renew its efforts to achieve positive incremental reforms that benefit insurance consumers.

*Guarantee Funds.* To protect policyholders in the event of an insolvency of an insurer, each State has in place a system of guarantee funds. In this period of growing financial insecurity, the Committee will monitor the effectiveness of these systems to protect policyholders in the event of an insurer's insolvency and study whether changes should be made to the present guarantee system if broader changes are made to the regulation of insurance.

*Insurance Investments.* Insurance companies seek to match long-term obligations with long-term investments. In doing so, many insurance companies invest in real estate, with an emphasis on commercial real estate. As the real estate sector faces unprecedented loss, life insurance companies sought capital and surplus relief from State regulators in late 2008. The Committee will monitor the financial health of insurance companies. Separately, the Committee may also examine the two investment pools in Massachusetts, one for property-and-casualty insurers and one for life insurers, working to help fund the development of affordable housing, commercial and industrial real estate, small business, and other community projects.

*Insurance Information.* After the September 11, 2001, terrorist attacks and Hurricane Katrina, many noted that the Federal government lacked an in-house resource for obtaining information about the insurance industry. The current economic crisis further points out the significant role insurance can have in our economy, and the lack of information within the Federal government of the industry. The ratings downgrades of bond insurers in 2007 and 2008 resulted in a tighter credit for municipalities and other bond issuers, even though the bond insurers account for only 0.3 percent of the total premium written for the entire insurance industry. Moreover, the American taxpayer is now a major shareholder in AIG, after the unprecedented intervention of the Federal government into the financial services holding company to prevent a systemic collapse. The Committee therefore will continue to review ways to increase the Federal knowledge base on insurance issues, including establishing an Office of Insurance Information. Such a centralized insurance informational resource center within the Federal government could help to better coordinate responses after disasters, enhance international discussions on insurance issues, and provide expert advice to both Congress and Federal financial regulators on issues affecting the insurance industry.

*Credit Scoring and Insurance.* During the 110<sup>th</sup> Congress the Committee examined the use of consumer credit information to underwrite personal lines of insurance, including automobile and homeowners insurance. On July 19, 2007, the Federal Trade Commission also released the first portion of a statutorily required, two-part report entitled, "Credit-Based Insurance Scores: Impacts on Consumers of Automobile Insurance." The pending second portion of that report, addressing homeowners insurance, will be reviewed by this Committee when it is completed. The Committee will also continue to monitor the effects of the use of consumer credit information by insurance companies to underwrite and rate in all personal lines of insurance to assess its impact on consumers, including whether its use is accurate and fair in assessing insurance risks and whether it is effective in assuring accessibility and affordability to all consumers.

*Natural Catastrophe Insurance.* Over the past decade, insurance markets throughout all regions of the United States have experienced ever increasing issues surrounding the availability and affordability of natural catastrophe insurance. When combined with the complexities of single and multi-peril coverage and coverage exclusions, these nationwide issues of availability and affordability often result in otherwise insurable properties being uninsured or underinsured in the event of a natural disaster. Uninsured natural disaster losses are not only a financial burden to individual property owners, but impose financial costs on the properties' inhabitants, private insurers, lenders, and Federal, state and local governments. To address these interrelated, growing national issues, the Committee will continue to collect information and review the general availability, affordability, and uptake rates of personal and commercial natural catastrophe insurance across the United States. The Committee will also continue its study of how those at risk for natural catastrophes are informed of the availability of Federal programs and private insurance coverage, and how well individuals, businesses, and local governments understand the risks they assume for uninsured disaster losses as a result of their choices. Further, the Committee will explore existing programs in foreign countries and the states, as well as proposals initiated by private market insurers, for providing insurance or reinsurance for natural catastrophes.

Given the volume and complexity of the information to be collected on this topic, the Committee may explore the creation of a commission to gather relevant information and report on a range of potential legislative, private market, and public-private solutions to improve the availability, affordability, and uptake rates of natural catastrophe insurance. While committed to reforming and reauthorizing the National Flood Insurance Program for the immediate future, the Committee will include flood insurance as part of any discussion of natural catastrophe insurance. Likewise, the Committee will examine ways to ensure that any comprehensive approach to natural catastrophe insurance include effective loss mitigation measures and responsible land management provisions. Finally, the Committee will consider legislative solutions designed to maximize the use of private market insurance and minimize the instability of temporary and extreme fluctuations in the availability, affordability and utilization of natural catastrophe insurance.

*Retirement Products.* Given Americans increased reliance on personally controlled retirement savings and the proliferation of increasingly complex retirement products, the Committee will continue to monitor the response of the insurance industry to these developments, including review of the expected impact of the Security and Exchange Commission's recently finalized indexed annuities rule, Rule 151(A). In its review, the Committee will explore the ability of financial regulators to adequately protect consumers of annuity products, especially in the current volatile markets, and whether any gaps in functional oversight exist.

*Reinsurance.* As an essential tool for spreading and managing risk, reinsurance and its regulation directly impact the availability and affordability of all insurance coverage available in the United States. The Committee will review existing economic and regulatory constraints on the United States' reinsurance marketplace and seek to identify legislative approaches designed to foster reinsurance availability without sacrificing necessary consumer protections. As part of the larger topic of insurance regulatory reform, the Committee will also explore alternate systems of national reinsurance regulation.

*International Developments.* Though regulated on a state-by-state basis, the business of insurance has for many decades transcended state boundaries. The capital pools provided by the reinsurance industry and the adoption of international trade agreements have long since made the insurance industry a global one. For these reasons, the Committee will continue to monitor developments in international insurance regulation. As part of the larger topic of insurance regulatory reform, the Committee will also explore how the current state-by-state insurance regulatory system fits into an increasingly evolving global insurance marketplace.

## INTERNATIONAL FINANCE

*Annual Report and Testimony by the Secretary of the Treasury on the State of the International Financial System and International Monetary Fund Reform.* The Committee will review and assess the annual report to Congress from the Secretary of the Treasury on the state of the international financial system and the International Monetary Fund (IMF). Pursuant to section 613 of Public Law 105-277, the Committee will hear annual testimony from the Secretary of the Treasury on the contents of this report, as well as on matters relating to the international financial institutions and international economic issues generally. The Committee will also consider the capacity of the IMF to fulfill its mission in the current global economic crisis and any requests from the Administration for legislation to authorize U.S. commitments pursuant to an IMF reform agreement.

*Exchange Rates.* The Committee will review and assess the semi-annual report to Congress from the Secretary of the Treasury on International Economic and Exchange Rate Policies pursuant to the Omnibus Trade and Competitiveness Act of 1988. The Committee will monitor developments related to the exchange rate policies of the United States' major

trading partners and will pay particular attention to the policies of countries that seek to maintain a fixed exchange rate for their currencies. The Committee will assess the effects of these currency practices on the competitiveness of U.S. firms and on the stability of the international financial system.

*Global Capital Flows.* The Committee will monitor the effects of the flow of capital globally, and in particular, trends in foreign countries' investments of their large currency reserves in the United States and other countries. The Committee will assess the effects of the investment of these reserves on global financial stability and on multilateral policy initiatives. The Committee will also assess U.S. and multilateral policies on the regulation of capital flows.

*Trade in Financial Services.* The Committee will remain active in the oversight of trade negotiations and discussions as they pertain to investment and trade in financial services. The Committee will also monitor the progress of the United States' trading partners in meeting their financial services and investment commitments under existing trade and investment agreements.

*Export-Import Bank of the United States.* The Committee will assess the role of the Export-Import Bank in providing trade finance particularly in light of the current credit retrenchment by private sources of trade finance. The Committee will consider the adequacy of the current authorization level for Bank lending as well as other potential constraints on the Bank's ability to play a greater role in filling the gap in trade finance. The Committee will also closely monitor the Bank's competitiveness relative to foreign export credit agencies (ECAs), with particular attention to competitiveness with the export credit practices of countries that are not members of the Organization for Economic Co-operation and Development.

*International Clean Technology Fund.* The Committee will be prepared to consider a possible Administration request for funding of the U.S. commitment under the 2008 agreement to establish an international Clean Technology Fund to be administered by the World Bank. The Committee will pay particular attention to the standards and requirements for the funding of projects under the CTF, including eligibility of countries, types of projects, eligible technologies and economic sectors, and the level of funds allocated to any one country.

*Counter-terrorism Financing Policy.* The Committee will continue to monitor the role of the Treasury Department in promoting the adoption and implementation of counter-terrorism standards around the world through the Financial Action Task Force (FATF), the IMF, and the MDBs as well as the evolution of the standards themselves as promulgated by FATF. The Committee will also monitor the Office of Technical Assistance at Treasury, its coordination with the other agencies in the Terrorist Financing Working Group and its assessment and alignment of resources in the delivery of counter-terrorism financing training and technical assistance abroad. The Committee will also monitor FinCEN and its coordination with Egmont as our nation's foreign intelligence unit (FIU).

*U.S. Oversight over the International Financial Institutions (IFIs).* The Committee will review U.S. participation in, and the effectiveness of U.S. policy toward, the International Financial Institutions, including the International Monetary Fund, the World Bank, and the regional development banks.

The Committee will continue to press for increased accountability, openness and transparency within the multilateral institutions. The Committee will examine the importance of public participation in these institutions as a critical component of effective development and growth, which includes access to information and documents, as well as increased consultation with civil society in the development of the institutions' social and environmental safeguard policies.

The Committee will examine the role of trade, investment and private sector activity in helping to promote growth and reduce poverty. It will also explore the essential role of the

state in addressing market excesses and in helping to assure that the gains of economic growth are more fairly distributed throughout society.

The Committee will continue to closely examine the World Bank's policies and operations in areas relating to labor markets, extractive industries and the expanded collaboration between IDA and the World Bank's private sector affiliate, the International Finance Corporation. With regard to labor market and employment policies, the Committee will continue to closely examine the "Employing Workers" and "Paying Taxes" indices of the World Bank's annual "Doing Business" report, and their implications with regard to the ability of countries to comply with the labor standards and conventions of the International Labor Organization and to maintain adequate social safety nets. With regard to extractive industries, the Committee will continue to examine standards and policies of revenue transparency that can help ensure that citizens in resource-rich countries benefit from the sale of these resources.

With regard to enhanced collaboration between the IDA and IFC, the Committee will examine how recipient countries can maintain an appropriate role for the state as these institutions expand the role of the private sector in development.

*Replenishment of the International Development Association (IDA) and the African Development Fund (AfDF).* The Committee will work to enact legislation authorizing U.S. participation in, and the commitment of U.S. funds for, the IDA-15 and AfDF-11 replenishments requested by the Administration.

*Replenishment of the Asian Development Fund.* The Committee will consider legislation to authorize the commitment of U.S. funds for the 10<sup>th</sup> replenishment of the Asian Development Fund. In considering the authorization of this replenishment, the Committee will consider the degree to which the current Asian Development Bank's Safeguard Policy Update exercise preserves or strengthens the social and environment policies of the institution.

*International Debt Relief.* For many years, this Committee has worked in a bipartisan way on the issue of debt relief for the world's poorest countries as an essential component in the overall effort to help alleviate the desperate poverty and misery that exists in many parts of the world. Following House passage of the "Jubilee Act for Responsible Lending and Expanded Debt Cancellation" in the 110<sup>th</sup> Congress, the Committee will evaluate the need for expanded debt cancellation to eligible low-income countries and will continue to examine the extent to which economic and policy conditionality has negative consequences, such as deepening poverty, degrading the environment, and reducing the policy flexibility required for governments to respond to national interests as conveyed through democratic processes. In addition, in light of the findings of a recent GAO report on debt relief, the Committee will examine the ways in which poverty alleviation through debt relief is measured, as well as the impact of U.S. arrearages to IDA on funding for debt relief.

The Committee will closely monitor the dire economic situation facing the people of Haiti and will consider appropriate policy responses to help alleviate one of the worst cases of human misery in the hemisphere.

*Institutionalizing Democratic Accountability at the IFIs.* Because international economic institutions like the World Bank are at some distance from direct democratic accountability, the Committee will begin to examine ways to increase democratic participation and accountability within the IFIs. Based on their charters, the international financial institutions are accountable to the finance ministers of member countries, who may not always be impartial representatives of the people. The Committee will be calling on experts to undertake a study of various options to improve parliamentary oversight, including the possibility of forming an international parliamentary committee, which would include both donor and recipient countries, before which officials of the IMF and World Bank could appear to review their institution's agendas and procedures.

*Sudan Accountability and Divestment Act.* The Committee will hold a hearing to look at the degree to which the Sudan Accountability and Divestment Act of 2007 has affected the decisions of individual states and private asset fund managers to divest Sudan-related assets

from their portfolios as a way of pressuring the government of Sudan to end its systematic atrocities against the people in the Darfur region.

*Strengthening Sanctions against Iran.* Following House passage of the “Iran Sanctions Enabling Act” in the 110<sup>th</sup> Congress, the Committee will assess the need to step up financial pressures on Iran including proposals to remove certain legal barriers to make it easier for state and local pension funds and other asset managers to divest their funds from Iranian investments should they choose to do so.

#### THE ECONOMY, DOMESTIC MONETARY POLICY, AND TECHNOLOGY

*The Economy and Its Impact on Living Standards.* The Committee will examine the extent to which changes in the economy, and in particular changes in labor and capital markets, as well as changes in public policy, have altered the way in which policymakers should think about the relationship between economic growth, productivity growth, and growth in employment and incomes. The Committee will examine these relationships in an effort to determine policy responses that will increase our ability to improve the standard of living for American families. The Committee will examine the consequences of taking unprecedented monetary and fiscal policy moves simultaneously in an effort to stimulate new economic growth, and attempt both to determine the consequences of such moves and to discover actions that might be taken to avoid any severe negative effects.

*Conduct of Monetary Policy by the Board of Governors of the Federal Reserve System.* The Committee will hold hearings to receive the Chairman of the Board of Governors of the Federal Reserve System’s semi-annual reports on the conduct of monetary policy. As part of this effort, the Committee will review issues associated with monetary policy and the state of the economy, including whether the current path of monetary policy is consistent with the triple goals -- maximum employment, stable prices, and moderate long-term interest rates -- set forth in the Federal Reserve Reform Act of 1977 (Public Law 95-188). The Committee will continue to monitor the Federal Reserve Board to see if ways can be found to make its activities more transparent, consistent with the increased transparency the institution has shown over the past decade and a half.

*Management of Reform of the Federal Reserve System.* The Committee will conduct oversight of the operations of the Federal Reserve System, including the System’s management structure, its role in providing financial services, its conduct of monetary policy, and its role as a regulator with particular attention to compliance with anti-money laundering and anti-terrorist financing laws and regulations.

*Defense Production Act.* The Committee will act on legislation to reauthorize the Defense Production Act (DPA) before its expiration in 2009. As part of this effort, the Committee will consider the effectiveness of the DPA authorities in promoting national security. The Committee’s review of DPA will consider the findings and recommendations of the Government Accountability Office’s June 2008 report, “Defense Production Act: Agencies Lack Policies and Guidance for Use of Key Authorities,” as well as the April 2008 interagency report that was mandated by the 9/11 Commission Act of 2007. Committee action on DPA will also include consideration of defense contract offsets and their impact on the U.S. economy.

*Committee on Foreign Investment in the United States.* The Committee will monitor the implementation of the Foreign Investment and National Security Act of 2007, which reformed the Committee on Foreign Investment in the United States (CFIUS). The Committee will closely monitor CFIUS actions to seek to ensure that foreign investments that pose legitimate threats to national security are either rejected or the threats are effectively mitigated. The Committee will also monitor the extent to which the United States maintains a policy of openness toward foreign investment, so that investments that pose no threat to national security are able to go forward.

*Management of the Nation's Money: Activities of the Bureau of the Mint and the Bureau of Engraving and Printing.* The Committee will conduct oversight of the activities of these Treasury bureaus as they relate to the printing and minting of U.S. currency and coins, and of the operation of U.S. Mint programs for producing Congressionally authorized commemorative coins and Congressional gold medals. The Committee will examine methods to reduce the cost of minting coins through the use of alternative metals. The Committee will examine efforts to make currency more accessible to the visually impaired. The Committee will continue its review of efforts to detect and combat the counterfeiting of U.S. coins and currency in the United States and abroad.

*The U.S. Treasury Department's Financial Crimes Enforcement Network (FinCEN):* The Committee will continue to oversee the operations of FinCEN and the Bureau's ongoing efforts to implement its regulatory mandates pursuant to the Bank Secrecy Act (BSA), as amended, to fight against money laundering and terrorist financing activities. The Committee will examine the filing process of Suspicious Activity Reports (SARs) and Currency Transaction Reports (CTRs) with the Bureau, including the utility of the forms, electronic filing, organizational structure of the filing process, and burden to financial institutions in filing these reports. The Committee will examine means to reduce the burden on financial institutions in complying with BSA regulations, while maintaining the utility of the material gathered by these filings to law enforcement. The Committee will examine the protections for consumer privacy in the filing of these BSA reports and the sharing of this sensitive information among the agencies and law enforcement entities that utilize this data. The Committee will examine the guidance issued by FinCEN to BSA examiners to foster more uniform examination and enforcement practices. The Committee will examine the balance of responsive work and analytical work performed by FinCEN and their relative benefit to law enforcement. The Committee will oversee FinCEN's efforts to implement a statutory provision in section 6302 of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458), that required the Treasury Secretary to certify the benefit of certain cross-border electronic transfers to law enforcement, compared to the related cost to financial institutions and the government, before issuing regulations requiring financial institutions to report certain cross-border electronic transfers to FinCEN.

*Treasury's Office of Foreign Asset Control (OFAC).* The Committee will continue to monitor the functions of OFAC as its workload increases, and study ways of improving its working relationship with financial institutions.

## Committee on Foreign Affairs

### Oversight Plan of the Committee

111th Congress

January 28, 2009

Pursuant to Rule X, clause 2 (d) of the Rules of the House of Representatives, the Committee on Foreign Affairs, hereinafter referred to as "the Committee," has adopted this oversight plan for the two-year period of the 111<sup>th</sup> Congress. As required by that rule, the Committee has submitted this plan to the Committee on Oversight and Government Reform and the Committee on House Administration, not later than February 15 of the first session of the Congress. It includes the areas in which the Committee intends to conduct oversight during this Congress.<sup>1</sup> New developments always change the Committee's priorities. The oversight work of the Committee may therefore change.

The Committee will consult with other Committees having jurisdiction over the same or related laws, programs, or agencies as are within its jurisdiction, including its special oversight jurisdiction; and it will use such mechanisms as joint briefings and coordination of staff work and travel to meet the requirements of Rule X(2)(d)(1)(A). As required by Rule X (2)(d)(1), in the course of its oversight work, it will remain continually alert for the existence of Federal rules, regulations, statutes, and court decisions that are ambiguous, arbitrary, or nonsensical, or that impose severe financial burdens on individuals, and it will review Federal programs with a view to ensuring against duplication of such programs. As required by Rule XI, the Committee will hold appropriate hearings on waste, fraud, abuse, and mismanagement in Government programs within the Committee's jurisdiction.

#### 1. Priority Oversight Matters

- a. **Iraq**—U.S. involvement in Iraq is one of the most critical issues for U.S. foreign policy. The Committee will review all aspects of U.S. policy, including: the U.S. military presence; implementation of the Strategic Framework and Status of Forces Agreement between the United States and Iraq; internal political developments and trends including Iraq's prospects for transition to a secure and stable democracy; U.S. reconstruction and economic assistance; U.S. security assistance; development of the Iraqi security forces, from perspectives of size, effectiveness, and ethnic integration; regional and international diplomatic efforts to help stabilize Iraq and re-integrate Iraq into various regional and international organizations and fora; efforts to assist over four million displaced Iraqis; and

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<sup>1</sup> The fact that an issue is listed here does not mean that the Committee will necessarily hold a formal meeting devoted solely to that issue. The Committee, in the course of its oversight work, may also rely on briefings by business and non-governmental organizations and by U.S. Government officials, officials of foreign governments, as well as on Member and staff travel, and investigations. It is the intention of the Committee that, wherever practicable, oversight activities will be planned on a bipartisan basis.



the role of external financial and material support for insurgents, militias and terrorist groups in Iraq.

- b. Afghanistan**—The Committee will review all aspects of U.S. policy toward Afghanistan, including: factors contributing to the resurgence of the Taliban and their basis for support; U.S. assistance programs and their reauthorization; the increasing rate of narcotics production and whether our counternarcotics strategy is effective; the increasing links between the Taliban and al-Qaeda; the ineffectiveness of international reconstruction projects; the lack of accountability of military equipment provided to the Afghan National Police; the preparedness and training of the Afghan national security forces; the role of NATO Member States and their inability to provide meaningful troop contributions without restrictive caveats in security and reconstruction matters; the impact of Pakistan policy on Afghanistan; the lack of progress in judicial reform; the status of women and children; U.S.-Afghan trade development and promotion; whether U.S. Government assets and personnel are optimally employed; corruption within the Afghanistan Government; and other matters.
- c. Pakistan**—The Committee will review our overall policy toward Pakistan and its importance to regional stability in South Asia. This review will include all aspects of U.S. assistance to Pakistan, an examination of increased militancy and violence in the Federally Administered Tribal Areas, the increasing Talibanization of the settled areas, governance challenges for Pakistan's new democratically-elected civilian government, civil-military relations, and other matters.
- d. Iran**—The Committee will continue to review U.S. policy to address Iran's ongoing efforts to develop and acquire nuclear capabilities, its unconventional weapons and ballistic missile development and support for international terrorism. The Committee will also review U.S. efforts to fully implement bilateral sanctions against Iran under U.S. law, as well as the status and enforcement of multilateral sanctions regimes against Iran. The Committee will closely monitor the effect of Iran's foreign policy in the Middle East, including its diplomatic, economic and military relations and objectives. This includes Iran's influence on key parties and events in Iraq, Afghanistan, Lebanon, and the Palestinian territories, especially Gaza, including ongoing support for terrorist groups in the region. Additionally, the Committee will also closely review Iranian activities in Africa and the Western Hemisphere. The Committee will also critically evaluate the policies of Russia, China, the European Union, the Gulf States and other nations toward Iran and its proxies, particularly their efforts to prevent or seriously impede Iran's acquisition of a nuclear capability as well as its pursuit of other non-conventional weapons and medium- and long-range ballistic missiles and its support for international terrorism.
- e. Israeli-Palestinian Conflict and Other Middle East Flashpoints**—The Committee will carefully review U.S. policy toward the Israeli-Palestinian conflict, including diplomatic efforts to resolve that conflict, as well as Israeli efforts to achieve peace and normalization with its other neighbors and to combat terrorism. Within this context, the Committee will closely monitor U.S. economic, development, humanitarian and security assistance to the Palestinians, including to ensure that such programs are in full compliance with U.S. law. The Committee will evaluate U.S. policy toward Lebanon, including U.S. democracy and

security assistance, as well as examine ongoing challenges to domestic stability in Lebanon. In particular, the Committee will monitor the political and military/terrorist role played by Hezbollah, both in Lebanon and the region. Finally, the Committee will monitor emerging threats and areas of instability within the Middle East and review prospects for political reform throughout the region. The Committee will also closely monitor the activities of U.S. regional envoys.

- f. **North Korea**—The Committee will review the nuclear and missile threat posed by North Korea, its continuing human rights violations, and U.S. efforts to assist North Korean refugees. The Committee will review the status of the Six-Party Talks, the implementation of the dismantlement and disarmament agreement, and examine next steps in U.S. policy to address the North Korean threat.
- g. **Foreign Assistance Reform and Program Implementation**—The Committee will review the planning, budgeting, programming and implementation of U.S. foreign assistance. The Committee will consider possible reforms to the Foreign Assistance Act of 1961. The Committee will review the ongoing issues related to the implementation of U.S. foreign assistance programs and projects, as well as issues related to coordination between the U.S. Agency for International Development (USAID) and other agencies and departments involved in carrying out U.S. foreign assistance. In addition, the Committee will review the decreased role of USAID in developing foreign assistance policy, the implementation issues facing the Millennium Challenge Corporation (MCC), including existing and potential compacts and threshold programs, the role of U.S. missions and embassies in the planning, budgeting, programming, and implementation of U.S. foreign assistance, and other issues.
- h. **State Department Authorization, Review and Reform**—The Committee will examine the operations, budget, programs, planning, and long-term staffing needs of the Department of State in carrying out its responsibilities to further U.S. national interests and implement foreign policy that addresses current and emerging challenges. The Committee also will review the adequacy of the Department's long-range overseas building plan to provide an appropriate physical platform for the conduct of 21st Century diplomacy.
- i. **Assessing a Rising China and Its Growing Global Role**—The Committee will review current thinking as to the degree to which China is prepared to become a responsible stakeholder in the international system of states in dealing with situations such as in North Korea, Burma, and Sudan. It will also review China's growing role in regions far from its borders, including Africa and the Western Hemisphere, and China's growing role in the world economy and its increasing impact on the world's environment. The Committee will also review human rights, corruption, environmental damage and social unrest in China, the prospects for democratic reforms, and China's continuing military buildup, including that directed toward Taiwan.
- j. **U.S.-Russian Relations**—The Committee will review U.S. policy, interests and approaches toward Russia, including Russian foreign policy objectives, the role of nationalism (particularly energy nationalism) and organized corruption and repression in

Russian politics, and the balance of power within the Russian political leadership. The Committee will examine the Russian approach toward democracy, human rights and economic freedom, the Russian Government's use of energy supplies as strategic leverage over neighboring states, Russian attitudes toward European security and its relations with its neighbors (particularly Ukraine and Georgia following the August 2008 conflict), and Russian sales of advanced arms and proliferation of technology related to weapons of mass destruction. As in the 110th Congress, the Committee may act upon a proposed U.S.-Russia agreement for enhanced nuclear cooperation.

- k. **Sudan**—The Committee will monitor: the continuing genocide in Darfur in an effort to determine appropriate measures to stop the violence and provide humanitarian relief; the status of efforts to deploy a capable peacekeeping mission in Darfur; implementation of the North-South peace agreement; political and economic developments in Southern Sudan; implementation of U.S. sanctions against Sudan; Sudan's role as a state sponsor of terrorism; and the role of outside states and entities (e.g., China, the Arab League) in helping or preventing a solution to the interconnected political, security and humanitarian crises in Sudan.
- i. **Counterterrorism in the Horn of Africa and Sahel**—The Committee will review the planning and ongoing implementation of U.S. security assistance programs in the Sahel and Horn of Africa, including CJTF-HOA and other counterterrorism initiatives and anti-piracy programs. The Committee will review: security and humanitarian conditions following the deployment of the African Union Mission to Somalia (AMISOM) and withdrawal of Ethiopian forces; efforts to advance a political settlement; implications of the lack of rule of law, including terrorism and piracy; regional support for terrorist organizations in Somalia and violations of the United Nations arms embargo; and next steps in reconstruction and stabilization operations. The Committee will also review and evaluate the integration of defense, diplomacy, and development efforts with specific focus on clarifying and monitoring the role and responsibilities of State Department programs and activities in these regions, including security capacity building, humanitarian assistance, economic development, and political reform.
- m. **Global AIDS Crisis and Other Global Health Threats**—The Committee will review global health challenges from all perspectives, examining whether U.S. policy is responsive, coordinated and effective in combating global outbreaks of viral and infectious diseases. The Committee will assess and review the global burden of disease and the relationship between health and development. The Committee will monitor closely the implementation of the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008.
- n. **Climate Change**—The Committee will conduct oversight on U.S. efforts to address global warming, including those undertaken pursuant to international instruments, initiatives, and partnerships. The Committee will also monitor implementation of provisions under Title IX of the Energy Independence and Security Act of 2007 to provide assistance to developing countries to promote clean and efficient energy technologies.

- o. **U.S.-Western Hemisphere Relations**—The Committee will review our relationship with our Western Hemisphere neighbors in the face of rising anti-democratic trends and strained U.S. influence in the region. The Committee will review our programs with Mexico in light of: (1) increased drugs and violence on the U.S.-Mexico border; and (2) severe economic pressures on migrant populations. The Committee will review the effectiveness and future of Plan Colombia, the Merida Initiative, and U.S. counternarcotics strategy generally. The Committee will review U.S.-Cuba policy and challenges in the U.S.-Cuba relationship. The Committee also will assess the state of democracy in countries in the region, and review the implications that narco-trafficking, organized crime, and extremism in the region hold for U.S. national security and how these threats are being confronted.
- p. **Genocide and Mass Atrocities Prevention**—The Committee will examine early warning systems to prevent genocide, U.S. strategies on early intervention, rapid response strategies and emergency preparedness planning and the need for improved intelligence estimates on those matters, as needed. The Committee also will review the failures of the international community to intervene in genocides when they occur.
- q. **U.S. Nuclear Nonproliferation Policy**—The Committee will review and evaluate U.S. nuclear nonproliferation and arms control policies, especially those to support a successful review of the Nuclear Nonproliferation Treaty in 2010, to include a focus on the Comprehensive Test Ban Treaty (CTBT) and evaluation of the need to renew the U.S. commitment to global nuclear disarmament efforts. The Committee will give attention to U.S. and Russian efforts to negotiate a successor agreement to START I that retains the transparency and confidence-building measures of that treaty, as well as possible reductions in nuclear warheads and their delivery vehicles. The Committee will monitor and evaluate the global expansion of civil nuclear power for its implications for the spread of technology, equipment and material useful in the development of nuclear weapons capabilities. The Committee will exercise its jurisdiction regarding proposed bilateral nuclear cooperation agreements between the United States and other countries. The Committee will review the critical problem of “loose nukes” around the world, such as unprotected enriched uranium in Russia, and what new tools may be needed to combat nuclear black markets such as the one created by A.Q. Khan. The Committee will also review and evaluate the progress of the Proliferation Security Initiative and consider measures to improve its effectiveness.

## 2. General Review of U.S. Foreign Policy

Meetings with foreign political leaders: The Committee will continue its ongoing program of informal and formal meetings with Administration officials, foreign political leaders and key stakeholders and constituencies to fully explore the effectiveness of United States foreign policy.

## 3. International Security/UN/Peacekeeping/General

- a. Oversight of arms transfer procedures and legislation, including the implementation of previous laws and modifications made to the Arms Export Control Act regarding arms

transfers. Review of: policy regarding unmanned aerial vehicles, the Taiwan Relations Act (to ensure effective implementation), and government-to-government arms sales and end-use monitoring programs.

- b. Peacekeeping oversight, including: Administration policy implementing existing Presidential Decision Directives on peacekeeping; supporting new peacekeeping operations and terminating existing missions; the Global Peace Operations Initiative; United Nations peacekeeping reform including command and control issues, implementation of the Code of Conduct, and combating waste, fraud and abuse; UN support for regional peacekeeping missions and special attention to the status of the international peacekeeping efforts in general.
- c. Review of National/International Missile Defense and its relationship to U.S. relations with allies, Russia, China and others; its impact on long-term U.S. security and nonproliferation goals; and other related issues.
- d. National Missile Defense—Review of foreign policy aspects, including implications of basing ballistic missile defense (BMD) systems in Central Europe and proceeding with plans for missile defense in the Czech Republic and Poland.
- e. Nonproliferation and disarmament topics:
  - i. Nunn-Lugar Program—Review implementation of program aimed at dismantlement and destruction of nuclear, chemical, and biological weapons in the former Soviet Union, including waiver issues and expanding geographic scope of the program.
  - ii. Compliance with existing arms control agreements and review of agreements to which the United States is not party, including the Comprehensive Test Ban Treaty (CTBT) and the Land Mine Ban Treaty, and the negotiation of future arms control arrangements, particularly a treaty related to the banning of fissile material production.
  - iii. Review of nonproliferation sanctions and technology control regimes, including feasibility of establishing new international missile control and other regimes and investigating the scope of global black market activities and networks in the sale of nuclear, chemical, biological and missile materials and equipment, as well as reviewing U.S. efforts to combat and terminate these activities and networks.
  - iv. Status of the implementation of the Global Initiative to Combat Nuclear Terrorism, including ways to broaden its participants' organization and activities.
  - v. Pakistan—Review of nonproliferation cooperation.
  - vi. Assess U.S. policy in reducing the role of China in the proliferation of WMD and missiles, including its commitment to upholding global nonproliferation norms.
  - vii. Review implications of the A.Q. Khan Nuclear Network and require intelligence community briefings and reports on the matter.
  - viii. Review of programs regarding the disposition and elimination of excess weapons-grade plutonium stores worldwide.
  - ix. Review the status of the land mine treaty ban and U.S. efforts to develop alternative land mine technologies.
  - x. Evaluate ongoing international efforts to establish an Arms Trade Treaty.

- xi. Review and evaluate options for U.S. observance and participation in the Cluster Munitions Treaty.
  - xii. Evaluate U.S. and international support for the activities of the International Atomic Energy Agency (IAEA), including the provision for additional and timely financial resources.
  - xiii. Monitor U.S. policies in the Nuclear Suppliers Group (NSG) to strengthen the NSG Guidelines.
- f. Security Assistance:
- i. Review overall effectiveness and implementation of security assistance programs including Foreign Military Financing (FMF), Economic Support Funds (ESF), International Military Education and Training (IMET), International Narcotics and Law Enforcement (INL), draw-downs, Excess Defense Article transfers, antiterrorism, and nonproliferation and export control assistance (specific programs requiring additional oversight include security assistance for new and aspiring NATO Member States and Middle East states).
  - ii. Review security assistance programs implemented directly by the Department of Defense.
  - iii. Evaluate potential retransfer of foreign policy and security assistance functions currently performed by the Department of Defense to the Department of State and USAID.
- g. The Committee will review all aspects of U.S. funding of and participation in international organizations and assess the extent to which the United Nations is fulfilling its role in mediating conflict, managing security crises, providing humanitarian relief, preventing and addressing human rights abuses, managing peacekeeping operations, providing assistance in the reconstruction of failed states, and responding to environmental crisis in furtherance of U.S. national security interests. Professional, ethical, and accountable management of UN programs is essential to the ability of the UN to carry out this mandate and, therefore, the Committee will conduct thorough, ongoing oversight of UN management. The Committee will also have as a priority the strengthening of U.S. diplomatic capability at the UN and other International Organizations. In addition, the Committee will examine implementation of UN reform legislation, progress of additional international organization reform efforts, and oversight of the effectiveness of the promotion and protection of human rights within the United Nations system, particularly through the General Assembly's Social, Humanitarian, and Cultural Committee, the Office of the High Commissioner for Human Rights, and the Human Rights Council:
- i. Assess issues including: reform of fiscal management, procurement, ethics, accountability and transparency, hiring of Americans to work in the UN system, budgeting issues, institutionalization of work on the reform agenda within the United States Mission to the United Nations, etc.
  - ii. Review the work of the United Nations Department of Peacekeeping Operations and Department of Field Support.

- iii. Review status of developments relating to UN Security Council Resolution 1540 and the U.S. Proliferation Security Initiative, including a discussion of related legal issues such as the ratification of the Law of the Sea Convention.
  - iv. Oversight of implementation of the Intelligence Reform Act provisions regarding efforts to support the Democracy Caucus at the United Nations.
  - v. Review of U.S. strategy to combat anti-Israel and anti-Semitic activity throughout the United Nations system.
  - vi. Assess the "cluster approach" of the UN system toward addressing the needs of internally displaced persons.
- h. International crime:**
- i. Growing links between organized crime, illicit drugs, and global terrorism;
  - ii. Impact of U.S. foreign assistance on advancing the rule of law and anticorruption activities on U.S. ability to combat international crime.
  - iii. International criminal organizations in Africa.
  - iv. Oversight of existing International Law Enforcement Academies (ILEA).
  - v. Impact of international trafficking of humans, arms, and narcotics; document fraud; and money laundering.
  - vi. International trafficking of women and children: sexual exploitation, labor slavery, "camel jockeying," and child soldiers.
  - vii. International intellectual property piracy issues: how piracy is being used to support international crime and terrorism, and its impact on the American economy.
  - viii. International economic espionage and how it hurts American business and interests.
  - ix. Extraterritorial prosecutions of U.S. law violations.
- i. Oversight of agency implementation of the Government Performance and Results Act.**
- j. Narcotics:**
- i. U.S. counternarcotics policy in Afghanistan.
  - ii. Eradication efforts and their effectiveness; alternative development.
  - iii. The "certification process" and the annual determinations for major drug producing and transit nations around the globe.
  - iv. Review the role of narcotics trafficking in terror financing.
  - v. Review U.S. counternarcotics efforts in the Western Hemisphere.
  - vi. Assess the growing threat of narco-trafficking in Africa.
- k. International terrorism/espionage:**
- i. Examine the current status of al-Qaeda, its efforts to obtain WMD, its changing organizational structure as it becomes a more decentralized organization, its relationship and cooperation with other radical Islamic terrorist organizations, the extent to which it is inspiring new terrorist groups around the world, and its current recruitment effort.

- ii. Review U.S. Government and allied efforts to capture or kill al-Qaeda's leaders; U.S. policies toward detention, treatment and rendition, including U.S. efforts to create a common coalition approach to such policies.
  - iii. Explore existing U.S. Government strategy to deal with terrorists and the degree to which such efforts are based on systematic analysis; review various alternatives to win the long-term struggle against the ideologies of those who use terrorism.
  - iv. Oversight of the State Department's Antiterrorism Assistance Program, terrorism financing efforts, and coordination of diplomatic initiatives with foreign governments in the global war on terrorism;
  - v. Oversight of the Office of Foreign Assets Control and the Federal Bureau of Investigation, etc., regarding their work on international aspects of terrorism and efforts by foreign intelligence services to threaten U.S. interests.
  - vi. Dangers posed by other Middle East-based terrorist groups, including those supported by Iran and Syria, such as Hezbollah, Hamas, the Palestinian Islamic Jihad, and various Iraqi terrorist groups, and those supported by private or government funding from Arab Gulf states.
  - vii. The threat of extremist ideology and terrorist organizations in Latin America and Africa.
  - viii. Explore the activities of Southeast Asian terrorist groups.
  - ix. The AMIA (Buenos Aires Jewish Community Building) bombing.
  - x. Effectiveness of the U.S. technological response to terrorism.
  - xi. Border security programs, to include overseas visa lookout system in light of the new provisions of law relative to the exclusion of aliens who are members of foreign terrorist organizations.
  - xii. Security of U.S. Government facilities abroad.
  - xiii. Expenditure of post security funds, to include a review of personnel increases and asset management to minimize cost of property acquisition.
  - xiv. Review of the Federal Government's effort to coordinate international counterterrorism programs through the State Department.
  - xv. Assessment of the effect of U.S. counter-terrorism activities, including activities in Iraq and Afghanistan, on the recruitment and support of terrorist groups and activities.
  - xvi. Assessment of the Kurdistan Workers Party (PKK) operations against Turkey.
  - xvii. International cooperation for access to the international space station.
- I. Effectiveness and possible expansion of multilateral technology transfer/export controls.
- m. Monitor activities of the International Criminal Court and its ongoing prosecutions and investigations, and the status of Article 98 agreements and laws restricting aid to countries which have not signed Article 98 agreements with the United States; monitor the activities of the International Criminal Tribunal for the former Yugoslavia, the International Criminal Tribunal for Rwanda, the Special Court for Sierra Leone, the Special Tribunal for Lebanon, and the Extraordinary Chambers in the Courts of Cambodia.
- n. Review cooperation with INTERPOL.



- o. Review reorganization of arms control and Bureau for International Security and Nonproliferation.

**4. State Department and Related Agencies Operations**

- a. Hearings with the Secretary of State and other Administration officials on the FY2010 and 2011 budgets and on authorization issues and legislation, including enhancing the ability of the U.S. Department of State to confront 21<sup>st</sup> Century diplomatic challenges, GPRA issues, supplemental spending plans, public diplomacy and reorganization plans, "Transformational Diplomacy," etc.
- b. Oversight of the activities of the various Special Envoys and Representatives and their coordination with operations of the Department of State.
- c. Review trust fund organizations: East/West Center, Asia Foundation, Eisenhower Foundation, and others.
- d. Overseas property management: management of the foreign buildings; expenditures of supplemental funds; progress on asset management (property disposal and acquisitions).
- e. Management of the foreign affairs agencies' workforce -- implementation and development of staffing models, including: review of the future of the Foreign Service; personnel practices, and management of overseas presence; assignment process; utilization of the Civil Service; size of the Senior Foreign Service and Senior Executive Service.
- f. American Institute in Taiwan (general oversight).
- g. International Border Commissions.
- h. State Authorization Initiatives—further review of public diplomacy to improve strategy and inter-agency coordination, encourage better leveraging of resources in the public and private sectors, and provide greater support to public diplomacy initiatives.
- i. Review of the organizational structure of the Broadcasting Board of Governors, language service modernization plans, quality control issues of the Middle East Broadcasting Network, Voice of America (VOA) and RFE/RL and the Broadcasting Board of Governors' responsibility to assure broadcasts are of the highest quality.
- j. Review of public diplomacy programs and issues arising from the consolidation of programs formerly conducted by the United States Information Agency; ability of the Department to measure the results of its efforts in this area and to plan and sequence its activities so as to most strongly support United States foreign policy.
- k. Monitoring and proposing efforts to improve the image of the United States in the world.

- l. Review the role of the State Department in ensuring full compliance with The Hague Treaty on International Adoption, and the Intercountry Adoption Act; review of the implementation of the Intercountry Adoption Act, and review of the Office of Children's Services with an emphasis on services related to abducted and adopted children.
- m. Review of implementation of "rightsizing" of U.S. overseas posts.
- n. Review of the U.S. use of private military contractors for security and related functions.
- o. Review of the operations of the Office of Foreign Missions.
- p. Embassy/post security, staffing, engagement; new embassy/consulate construction.
- q. Review of the Diplomatic Security Bureau (DS)—overall activities, but focus on visa and passport fraud investigations; effectiveness of substantial staffing increases for DS during the past 3 years.
- r. Consular processes—including concerns of the academic, student, and business communities as well as national security concerns.
- s. Monitor Case-Zablocki Act modifications and compliance.
- t. Reform of the Executive Branch reporting requirements.

#### 5. Foreign Assistance

- a. Hearings with the Secretary of State and the USAID Administrator: (1) on foreign assistance reform; (2) on the FY2010 and FY 2011 foreign assistance budget requests to review size, purpose and effectiveness of FY2009 and FY2010 International Affairs Function 150 budgets; and (3) on the underlying legislative authorities, objectives, design, implementation and effectiveness, on-going reform, reorganization and management of the U.S. foreign assistance program.<sup>2</sup>
- b. Review size, purpose and effectiveness of FY2009 and FY2010 International Affairs Function 150 budgets.
- c. Conduct a special review of programs with noted problems focusing on activities highlighted in USAID Inspector General and GAO reports—special emphasis will be given to USAID.
  - i. Missions and Operations.

<sup>2</sup> The Committee, in the course of its oversight work, will also rely on hearings, briefings and meetings with other U.S. Government officials, academics, non-governmental organizations, officials of international institutions involved in development, and officials of foreign governments, as well as on Member and staff travel. It is the intention of the Committee that, wherever practicable, oversight activities will be planned on a bipartisan basis.

- ii. International Food Security.
  - iii. Foreign Aid Information Systems.
  - iv. State Department's Office of the Director of Foreign Assistance and Foreign Assistance Reform.
  - v. Contingency Contracting.
  - vi. Millennium Challenge Corporation Program.
  - vii. USAID Acquisition and Assistance.
  - viii. Afghanistan and Iraq Reconstruction.
- d. Special attention will be given to the effectiveness of programs that have consumed large amounts of Congressional attention in recent years, including international family planning, international child survival, refugee and migration assistance, and international education, including basic education.
- e. A careful review of reform-related issues, such as: Reform of procurement procedures to increase efficient use of U.S. resources (such as those noted in the HELP Commission report); proposals to promote trade in conjunction with aid; coordination of U.S. Government aid programs with international aid agencies to which the U.S. Government contributes to avoid duplication; the harmonization of the conceptual bases for U.S. Government aid programs, e.g. "development," "transformational diplomacy," "prevention of failed states," and "stabilization and reconstruction"; proposals to restructure the U.S. foreign assistance apparatus, including a centralized aid agency and/or a cabinet-level coordination position for agencies involved in providing aid, and implications of such proposals; the proper coordination of U.S. Government aid programs with the other components of the national security structure; the proper staffing of U.S. Government aid agencies; and the impact of earmarking on aid programs, and Committee oversight on the implementation of U.S. Government aid programs.
- f. Review role and implementation of impact evaluation and monitoring processes in U.S. foreign assistance programs.
- g. Oversight of U.S. global efforts against HIV/AIDS, Tuberculosis and Malaria, including U.S. support for the Global Fund to Fight AIDS, Tuberculosis & Malaria.
- h. Oversight and review of the U.S. Government response to the global food crisis, including development and humanitarian assistance provided to respond to the crisis and to prevent future crises.
- i. Review status, funding and implementation of the Millennium Challenge Account, including oversight of activities of the Millennium Challenge Corporation.
- j. Review of U.S. poverty-reduction programs, including the role of the U.S. in helping to achieve the Millennium Development Goals and the role of international organizations and financial institutions in poverty reduction.

- k. Impact of corruption on development and anticorruption efforts in the developing world. Review of anticorruption foreign assistance programs and other programs designed to reduce corruption in foreign countries.
- l. Oversight and review of the Office of the Coordinator for Reconstruction and Stabilization.
- m. Oversight and review of efforts to rebuild USAID's civilian capacity, including the Development Leadership Initiative.
- n. Review cost, management, donor coordination and impact of U.S. foreign assistance programs for specific regions and countries or specific needs. Special emphasis will be given to major aid programs in:
  - i. Iraq.
  - ii. Afghanistan.
  - iii. Pakistan, including the Federally Administered Tribal Areas of Pakistan.
  - iv. The West Bank and Gaza, including those in support of Palestinian security forces.
  - v. Newly Independent States of the former Soviet Union, with a particular focus on Central Asia.
  - vi. Eastern Europe, especially in emerging markets.
  - vii. Balkans, with a particular focus on Kosovo, Serbia and Bosnia during their ongoing political transitions.
  - viii. Georgia, including reconstruction efforts following the 2008 conflict with Russia and improvements in democracy and governance.
  - ix. The Andean region and Central America.
  - x. Haiti.
  - xi. Africa.
  - xii. Southeast Asia.
  - xiii. Activities that are research and promotional in character relating to international cooperation on environmental and other scientific issues.
  - xiv. Egypt.
  - xv. North Korea.
  - xvi. Yemen.
  - xvii. Oversight and review of ongoing complex humanitarian emergencies.
- o. Tour of worldwide progress of democracy; review efficiency and effectiveness of U.S. Government-funded democracy programs, including roles of grantees and contractors.
- p. U.S. public diplomacy efforts, branding and labeling U.S. assistance.
- q. Victims of terrorism compensation.
- r. Review implementation of USAID vetting procedures for implementing partner organizations.
- s. Review status and role of international labor programs implemented by the State Department and the U.S. Agency for International Development.

- t. Peace Corps—Conduct oversight of plans for expansion, security and safety concerns, and the better utilization of returned Peace Corps Volunteers.
  - u. Oversight and review of the implementation of the trade title of the Food, Conservation, and Energy Act of 2008 ("Farm bill").
  - v. Oversight and review of the implementation of the Senator Paul Simon Water for the Poor Act.
  - w. Oversight and review of the implementation of the Reconstruction and Stabilization Civilian Management Act of 2008 (Title XVI of the 2009 National Defense Authorization Act).
  - x. Oversight and review of neglected diseases.
- 6. Africa**
- a. Periodic review of sub-Saharan Africa with the Assistant Secretary of State for African Affairs and of North Africa with the Assistant Secretary of State for Near Eastern Affairs.
  - b. Food Aid, Agricultural Development, and Trade in Africa –The Committee will review the effectiveness of present food aid and agricultural assistance programs in Africa and the U.S. contribution to address the UN Millennium Development Goal to eradicate extreme hunger and poverty.
  - c. Democracy, Governance, Human Rights and Rule of Law –The Committee will review the effectiveness of present efforts to promote the development of democratic institutions and practices, capacity of public institutions to govern effectively and efficiently, protection and respect for human rights and the adherence to established and transparent rules, standards, and procedures as a safeguard against arbitrary rule.
  - d. Assessment of programs and activities of AFRICOM and its impact on U.S. assistance and U.S.-Africa relations.
  - e. Review of U.S. assistance to support primary, secondary, and, especially, higher education in Africa.
  - f. Periodic review of conflict areas in Africa, including but not limited to the Mano River region, the Gulf of Guinea, Zimbabwe, the Great Lakes region, the Sahel, and the Horn of Africa.
  - g. U.S. security assistance programs, particularly those with train-and-equip components, including: those implemented through AFRICOM and CJTF-HOA; other counter-terrorism initiatives including the East Africa Counterterrorism Initiative (EACTI), the Trans-Sahara Counterterrorism Partnership (TSCTP), Antiterrorism Assistance (ATA) and Section 1206 of the NDAA; peacekeeping assistance, including the Africa Contingency Operations

Training Assistance (ACOTA) program; and maritime security, anti-piracy, and counter-narcotics initiatives.

- h. Libya—Review of U.S. policy toward Libya including the path toward cautious re-engagement, progress in addressing and compensating victims of previous terrorist aggression, and ongoing governance and human rights concerns.
- i. Sudan—Continued investigation into the situation in Darfur following declarations of genocide by the Congress and the Administration; assessment of the implementation of the final peace agreement between the Government of Sudan and the Sudan People's Liberation Movement; oversight of U.S. assistance to support implementation of the Comprehensive Peace in Sudan Act of 2004 (P.L. 108-497) and the Darfur Peace and Accountability Act of 2006 (P.L. 109-344); assessment of the status of slavery in northern Sudan.
- j. Zimbabwe—Review of U.S. policy toward Zimbabwe, including oversight of U.S. efforts to support civil society and promote political and economic reform and recovery.
- k. Democratic Republic of Congo—Oversight of U.S. support for democratic transition in the DRC, UN peacekeeping operations in the region, and implementation of the Democratic Republic of the Congo Relief, Security and Democracy Promotion Act of 2006 (P.L. 109-456).
- l. Liberia—Oversight of U.S. support for democratic transition in Liberia and UN peacekeeping operations in the region.
- m. Nigeria—Review of the status of U.S.-Nigeria relations in light of Nigeria's critical role as a major provider of oil and a key player in security arrangements in West Africa, including efforts to promote economic and democratic reform, combat corruption, support civil society, address human rights concerns and foster regional security.
- n. Somalia—Review of U.S. policy toward Somalia, including efforts to counter extremism, foster peace and promote regional stability in a collapsed state.
- o. Northern Uganda—Oversight of U.S. efforts to promote a just and sustainable peace in Northern Uganda.
- p. Ethiopia – Review of respect for human rights and political and economic developments in Ethiopia and emerging political tensions in the Horn of Africa.
- q. Evaluation of U.S. relations with African regional and sub-regional organizations, including but not limited to the African Union (AU), NEPAD, ECOWAS, COMESA, and SADC.
- r. Assessment of U.S. trade and investment in Africa, including oversight of the African Growth and Opportunity Act and review of non-tariff trade barriers and their connection to

trade, corruption, and development, and evaluation of the success of USAID efforts in these areas.

- s. Assessment of the impact of multilateral and bilateral debt on African economies, and the role of the International Monetary Fund (IMF), the World Bank (WB), and other International Financial Institutions (IFIs) in Africa.
- t. Review of China's growing engagement in Africa.
- u. Oversight of United States efforts to promote transparency and accountability in Africa, including the Chad-Cameroon Pipeline Project, the Kimberly Process, and the Clean Diamond Trade Act (P.L. 108-19), and the Extractive Industries Transparency Initiative.
- v. Review of ongoing democratization efforts in Africa, including the growth of institutions promoting freedom of the press, pluralism, and the participation of civil society.
- w. Oversight of Middle East Partnership Initiative (MEPI) programs in North Africa.
- x. Oversight of USAID-supported conservation programs in Africa.
- y. Oversight of the Administration's efforts to combat infectious diseases in Africa, particularly HIV/AIDS, tuberculosis and malaria, including U.S. support for the Global Fund to Fight AIDS, Tuberculosis & Malaria, and PEPFAR.
- z. Oversight of the U.S.-backed Special Court for Sierra Leone, including the trial of the former President of Liberia, Charles Taylor.
- aa. Oversight of U.S. efforts to address corruption and organized crime in Africa, including the International Law Enforcement Academy in Botswana.
- bb. Review of U.S. efforts to assist African nations in adapting to climate change through existing or new mechanisms.
- cc. Review of U.S. assistance for clean water and sanitation in Africa.
- dd. Assessment of slavery in Africa.
- ee. Review of growing religious tensions on the Continent.
- ff. Assessment of gaps in official presence in Africa.

#### **7. Asia and the Pacific**

- a. Overview of U.S. interests and foreign policy in the Asia-Pacific region: bilateral alliances; ASEAN and other regional organizations; USAID programs; public diplomacy; international terrorism and counterterrorism cooperation; democracy promotion and human rights; military-to-military relations; U.S. trade policy, including proposed free trade

agreements; health (HIV/AIDS, Avian influenza) and environmental concerns (water and air pollutions, desertification, carbon emissions); and improved coordination of anti-trafficking in human persons policies.

- b. North Korean strategic challenge—Oversight focused on diplomatic and alternative policy options for eliminating North Korea's nuclear weapons programs and capabilities, as well as efforts to curb proliferation and other illicit activities by the North Korean Government.
- c. Managing Sino-American relations in the 21st Century—Oversight examining broad trends in economic, political, and security relations between the U.S. and the People's Republic of China (PRC).
- d. U.S.-Japan Relationship—Oversight of the continuing vital partnership between the United States and Japan and Japan's continuing emergence as a more active participant in the international system.
- e. U.S. Security Policy in Asia and the Pacific—Oversight on counterterrorism, strategic trends in Asia, and U.S. security policy coordination with the PACOM Commander.
- f. Maintaining Stability in the Taiwan Strait—Review of cross-Strait relations, strategic posture and relevant U.S. policy, including sales of defensive weapons under the Taiwan Relations Act, the thirtieth anniversary of which will occur in April 2009.
- g. Implementation of the North Korean Human Rights Act of 2004 (P.L.108-333)—Oversight on implementation of the U.S. Public Law 108–333 and the continued plight of North Korean refugees and migrants.
- h. Review of options for family reunification for members of the Korean-American community with their North Korean relatives.
- i. U.S. interests in Indonesia—Oversight on issues including military-to-military relations, human rights, democratization, economic reform, decentralization, and U.S. public diplomacy.
- j. U.S.–Republic of Korea (ROK) Alliance Management—Review of efforts focused on the future of the U.S.–ROK alliance, the implication of U.S. force relocation for bilateral relations, U.S. public diplomacy efforts, particularly toward the younger generation in South Korea, as well as the KORUS FTA.
- k. The situation in Burma—Oversight relating to prospective annual legislative renewal of U.S. sanctions against Burma under the Burmese Freedom and Democracy Act of 2003 and the Tom Lantos Block Burmese JADE Act of 2008.
- l. U.S. policies toward Southeast Asia – Oversight on U.S. diplomatic and strategic engagement with Southeast Asian countries, including with regional organizations such as ASEAN.



- m. The Role of China in Foreign Assistance – Monitor the role of China in foreign assistance, with particular attention to the impact of China's aid and trade policies on less developed countries.
  - n. Marshall Islands Changed Circumstances Petition—Oversight of the results of the U.S. Government review of "changed circumstances" petition by the Republic of the Marshall Islands for additional compensation for U.S. nuclear testing in the atolls during the 1950s.
  - o. Review implementation of the Tibetan Policy Act of 2002 (Public Law 107–228, Sections 611–621) in light of the upcoming 50<sup>th</sup> anniversary of the 1959 Tibet Uprising and flight of the Dalai Lama, with special attention given to the situation of ethnic and minority rights in China.
  - p. Monitor the maintenance of reciprocity between China and the United States in the opening of new consulates, and the adequacy of consular protection for American citizens in China.
  - q. Energy Security in Asia and the Pacific—Oversight focusing on Asia's growing energy requirements and the implications of such on geopolitics, including reviewing China's growing ties with the Middle East.
  - r. U.S. Economic and Trade Policy toward the People's Republic of China—oversight focusing on commercial relations with China and prospects for better balance in bilateral trade relations.
  - s. Cultural and public diplomacy toward Asia and the Pacific—oversight focusing on the adequacy of U.S. cultural and public diplomacy in Asia.
  - t. Visa policy and U.S. interests in Asia and the Pacific—oversight examining whether the U.S. has adequately balanced U.S. security interests post 9/11 with foregone academic, commercial and tourist opportunities as a result of current restrictions.
  - u. Social Trends in the PRC—Oversight examining internal stability and reform, and the implications for regional stability and U.S. investment in China.
  - v. U.S. policy and foreign assistance toward Central Asia on economic and trade growth, resource development, promotion of democracy and human rights, development of civil society, counterterrorism and counter-proliferation, and the rise of Islamist extremism.
- 8. Europe**
- a. Periodic reviews of the region with the Assistant Secretary of State for European and Eurasian Affairs: Oversight of the declining SEED Act and Freedom Support Act funding for nations in Central and Eastern Europe, Russia and the former Soviet region that have not yet reached a level of democratic maturity; assess the status of their political and economic reforms; and review the status of U.S. democracy promotion activities in the region generally.

- b. U.S.-Russian relations: Review U.S. policy, interests and approaches toward Russia, including Russian foreign policy objectives, the role of nationalism in Russian politics, the status of political and economic freedoms, and corruption activities within the Russian Government. Assess U.S. policy toward Russia in cooperation against extremist movements, strategic arms control, and deployment of missile defense. Monitor implementation of the Russian Democracy Act. Review the Russian Government's use of energy supplies as strategic leverage over neighboring states, its aggressive action against Georgia, the potential for conflict with other countries in the region, its sales of advanced arms, and proliferation of technology related to weapons of mass destruction.
- c. The U.S.-EU relationship: Review U.S.-EU relations, including political, security, trade and financial issues; cooperation in addressing global threats, including counterterrorism, stability and peacekeeping operations, Iran's nuclear program, and nonproliferation matters; status of diplomatic, security and trade relations between the EU and China, including continued adherence to the arms embargo on China; transparency in European rulemaking and legislating; monitor the ratification of the Treaty of Lisbon by all EU Member States, and review the impact non-ratification of the treaty could have on EU enlargement and foreign policy; and European Security and Defense Policy and its implications for the United States, including EU-NATO cooperation.
- d. Review European and Trans-Atlantic energy security.
- e. U.S.-Georgia relations: Assess repercussions of August 2008 conflict with Russia and potential for renewed violence. Review U.S. assistance to Georgia's reconstruction efforts following the conflict, with a particular focus on progress in democracy and good governance.
- f. Monitor status of and efforts to resolve frozen conflict in Nagorno-Karabakh, as well as assess the potential for renewed violence in that region.
- g. Review U.S. policy toward Ukraine.
- h. Review U.S. policy toward Belarus and the implementation of the Belarus Democracy Act.
- i. Immigration and integration of Muslims in Europe, including demographic impact.
- j. Implications for the U.S. regarding Islamic extremist groups in Europe and efforts by the EU to address this phenomenon.
- k. Turkey: Review of the domestic political struggle between Islamists and secularists; Turkey's process of accession to the EU; resolution of the situation in Cyprus; Turkish foreign policy toward Iraq, Iran, Israel, Armenia and the Caucasus, and Greece; and U.S.-Turkish relations.
- l. U.S.-UK Relations: Review the status of the relationship between the United States and the United Kingdom. Review of the UK's relations with and role in the EU. Review of the

peace process in Northern Ireland, including the implementation of the provisions in the Good Friday Agreement.

- m. EU and U.S. sanctions on the Iranian regime: Review the proposals by the EU and leading European states to strengthen sanctions against the Iranian regime, and the current status of EU enforcement of these sanctions against those European companies that trade with Iran.
- n. Review of NATO, including: Defining U.S. strategic interests in pursuit of military cooperation with European states and how best to accomplish such objectives; NATO's role in Afghanistan; transformation; the enlargement process; intelligence/threat assessment and NATO–EU relations.
- o. The Balkans: Developments in, and U.S. policy toward, the Balkans, including the post-independence progress of Kosovo, efforts to help develop efficient and effective government institutions in Bosnia-Herzegovina, the political situation and ongoing reforms in Serbia, and support for the NATO and EU membership aspirations of countries across the region.
- p. Black Sea Strategy—An overview of the political and economic situation among nations encircling the Black Sea, including the conflicts in Georgia and Moldova.
- q. Developments in the Northern European Region, including U.S. interests, policy and events in the Baltic States and the surrounding region.
- r. Anti-corruption and anti-human trafficking in Eastern Europe – Progress made, barriers that still need to be overcome, and best strategies to achieve objectives.
- s. Overview of U.S. relations with specific regions or countries in Europe, including France, Germany, Italy, and Spain.

#### **9. Middle East**

- a. Periodic reviews of the region with the Assistant Secretary of State for Near Eastern Affairs, other relevant Assistant Secretaries of State and Defense and other Administration officials.
- b. Assess current and potential threats emanating from the Middle East, to include conventional and unconventional threats and the status of the proliferation of nuclear, unconventional weapons and ballistic missile development in the region. Additionally, the Committee would review threats emanating from regional terrorist groups, and ideological extremists who receive sanctuary and support from state-sponsors of terrorism and exploit ungoverned or under-governed areas, and U.S. policies to combat these threats.
- c. Oversight of 9/11 bill implementation and legislation relating to Middle East:

- i. Engaging the struggle of ideas and promoting reform to prevent terrorism (including oversight of the Middle East Partnership Initiative and the Broader Middle East and North Africa Initiative).
  - ii. Terrorist sanctuaries.
- d. Broadcasting - including efficacy of Middle East Broadcasting Networks, Inc. operations.
- e. Iran's ongoing efforts to develop and acquire nuclear capabilities, its unconventional weapons and ballistic missile development, and support for international terrorism. This would include U.S. efforts to address these and other threatening policies through the full implementation of existing multilateral and bilateral sanctions regimes.
- f. Syria— Syria's unconventional weapons and ballistic missile development, support for international terrorism, and efforts to develop and acquire nuclear capabilities. Additionally, the Committee will conduct a comprehensive review of the implementation of the full range of U.S. sanctions on Syria. Finally, the Committee will closely monitor Syrian policies toward Israel and Lebanon.
- g. Iraq political, economic and security situation—Assess U.S. policy toward Iraq, including, but not limited to: U.S.-Iraq bilateral relations and the implementation of U.S.-Iraqi Strategic Framework Agreement and Status of Forces Agreement; U.S. military and security operation in Iraq; reconstruction, economic and security assistance; and U.S. diplomatic operations in Iraq to include the functioning of new Embassy, Regional Embassy Offices, and Provincial Reconstruction Teams.
- h. Review of the Middle East peace process and related issues, including the role of the United States in the peace process; the implications of Hamas' role controlling Gaza, and presence in Palestinian politics generally; assistance to the Palestinians, including direct assistance, economic and development assistance, security assistance programs, and regional exchange programs; U.S. contributions to international organizations and non-governmental organizations, including, but not limited to, the operations of the United Nations Relief and Works Agency; and ongoing developments in Gaza and the West Bank, including efforts to halt rocket fire from Gaza into Israel and to prevent smuggling of weapons and weapons components into Gaza.
- i. Israel—The Committee will review U.S. policy toward Israel, to include: efforts to ensure the maintenance of Israel's qualitative military edge including the implementation of the U.S.-Israel MOU on military assistance; U.S.-Israel cooperation on ballistic missile and short-range projectile defense initiatives; the implementation of the U.S.-Israel MOU regarding the Prevention of the Supply of Arms and Related Material to Terrorist Groups; and other efforts to strengthen U.S.-Israeli bilateral relations.
- j. Lebanon—The Committee will review the U.S. political and security strategy toward Lebanon including, but not limited to: a review of U.S. democracy and security assistance (including U.S. efforts to train and equip the Lebanese Armed Forces and Internal Security Forces) programs; efforts to promote the implementation of UNSCR 1559 and

1701 to include the disarmament of Hezbollah; and the progress of the Special Tribunal for Lebanon.

- k. **Arms Sales and Security Assistance**— Ensure that: the United States assesses and coordinates its Foreign Military Sales, Foreign Military Financing, Direct Commercial Sales and security assistance programs (including the “1206” and “1207” programs in Lebanon and Yemen) to ensure that those programs contribute to the advancement of stated U.S. foreign policy and security goals; steps are undertaken by the recipient governments to address such U.S. national security priorities; the U.S. Government makes an effort to vet recipient entities and individuals with access to the U.S. equipment and training that has been transferred, sold or provided; and there is post-shipment verification and end-use monitoring, as well as safeguards to prevent diversion to or sharing of technology with unintended recipients.
- l. A review of U.S. efforts to sanction foreign and U.S. entities that have helped arm state-sponsors of terrorism such as Iran and Syria, by allowing the transfer or transshipment of weapons program components through poorly-monitored ports and terminals, and a review of U.S. bilateral and multilateral efforts to strengthen regional counter-terror financing regimes, including efforts to address both fundraising by terrorist organizations, and mechanisms utilized by those groups to transfer value through formal or informal mechanisms.
- m. **Regional Environmental Cooperation**—Review activities of the Middle East Regional Cooperation Program, review sustainable water management options in the Jordan River Basin, and regional efforts to protect the Dead Sea.
- n. Status of Political and Economic Reform efforts in the Middle East, to include a review of European diplomatic and economic relationships with the Middle East.
- o. Review status and effectiveness of peacekeeping arrangements on the Egypt-Gaza, Israel-Lebanon, and Syria-Lebanon borders.
- p. U.S. relations with the members of the Gulf Cooperation Council (GCC), including: their policies toward Iran; efforts to protect regional strategic infrastructure, energy policies, counterterrorism and security cooperation; political and economic reform; and other issues of critical concern.

#### **10. South Asia**

- a. Periodic reviews of the region with the Assistant Secretary of State for South and Central Asia Affairs, the Special Representative to Afghanistan and Pakistan and other relevant Administration officials.
- b. Oversight of 9/11 bill implementation and legislation relating to South Asia.
- c. Review U.S. policies toward and role in Afghanistan, including U.S. efforts against al-Qaeda and the Taliban, the status of political and economic reconstruction, the

implications of the narcotics crisis, U.S. assistance programs in Afghanistan (including security assistance and counternarcotics assistance from all sources), the rights of women and children, and Afghanistan-Pakistan relations.

- d. India as a rising power—Oversight focusing on India's deepening economic, political and strategic engagement in the Asia-Pacific region and beyond and a review of the U.S.-India Peaceful Nuclear Cooperation Agreement's implementation.
- e. U.S. Policy toward Pakistan—Oversight focusing on U.S. interests in and policy toward this critically important country, including review of all U.S. and Pakistani efforts to decrease militancy and violence there, (particularly in areas along the Afghanistan-Pakistan border), the increased Talibanization of the settled areas, and Pakistan's peace agreement with the Taliban and relevant tribal leaders along the Afghanistan-Pakistan border. Also, review progress toward strengthening civilian democratic governance, efforts to strengthen civil society, education reform, economic security and related matters, and the conflict in Baluchistan.
- f. Review progress in the Indo-Pakistani composite dialogue and oversight of India-Pakistan relations generally, including boundary disputes and potential increases in the nuclear arsenals in each country.
- g. Nepal – Review of the situation in Nepal, the durability of the peace process and the restoration of democracy.
- h. Bangladesh – Review of the situation in Bangladesh, including progress toward stable democratic governance, economic development, and cooperation on counterterrorism.
- i. Sectarian violence in Sri Lanka—Review resurgent violence, threats to human rights, including the obligation of the government in protecting those rights, and prospects for a sustainable peace and national reconciliation in Sri Lanka.

#### **11. Western Hemisphere**

- a. Periodic reviews of the region with the Assistant Secretary for Western Hemisphere Affairs.
- b. Review our relationship with our neighbors in the face of rising antidemocratic trends and strained U.S. influence in the region.
- c. U.S. efforts in support of democratic institutions, political stability, fundamental freedoms, and economic growth in the region.
- d. U.S. counternarcotics and counterterrorism programs in the region, including oversight and authorization of implementation of Merida Initiative in Mexico, Central America, Haiti, and the Dominican Republic, and future complementary efforts with U.S. partners in the Caribbean.

- e. Review of U.S. Millennium Challenge Corporation's work in and impact on the region.
- f. Review and assessment of Iran's heavy investment and growing presence in the region.
- g. Review of China's heavy investment and growing impact in the region.
- h. Border security issues, including drug and gang violence, southbound arms flows, visa and customs controls, and border cooperation between the United States and its neighbors.
- i. Evaluate impact of escalating crime rates, particularly as driven by gang violence and illegally armed groups, on Mexico, Central America and other countries in the region.
- j. Review and oversight of U.S. policy toward Cuba, including efforts to support pro-democracy movements on the island.
- k. March 1, 2008, FARC raid – Review the relationship among Andean region countries following the raid, as well as assess past and current support of FARC by governments in light of evidence gained in the raid.
- l. Tri-border Area (TBA) – Oversight of U.S. efforts to counter illicit activities in the TBA, including through the "3+1" group.
- m. Assess relationship with Bolivia following the expulsion of the U.S. Ambassador and DEA personnel, and pullout of Peace Corps volunteers.
- n. Review counternarcotics alternatives in light of the scheduled closure of the U.S. Manta base Forward Operating Location in 2009.
- o. Brazil -- Assess U.S. relations with Brazil as an emerging regional power.
- p. Review our commitment to regional multilateralism, including through the Organization of American States (OAS).
- q. Remittances from persons in the United States to their home countries for development purposes.
- r. Public health, rule of law, sustainable economic growth and democratic institution issues in the Western Hemisphere.
- s. Review of diplomatic strategy toward the nations of the Western Hemisphere, specifically toward our partners in the Caribbean region.
- t. Oversight of U.S. efforts in Haiti to help reduce poverty, promote development, health, education, political stability and domestic energy resources, recover from recent hurricanes, and prepare for future natural disasters.

- u. Indigenous populations and Afro-descended communities.
- v. Natural disaster response and mitigation.
- w. Internally Displaced Persons.
- x. Citizen security – Evaluate strategies to help countries in the region respond to rising crime rates, lack of personal security and embedded practices of impunity.
- y. Energy – Oversight of policies and programs to promote and develop alternative energy sources, including biofuels, and lessen dependence on foreign governments' energy supplies.
- z. Assessment of public diplomacy efforts in the Western Hemisphere.
  - aa. Review progress toward completing new Free Trade Agreements (FTAs) in the Western Hemisphere, including FTAs with Colombia and Panama, and the impact of these agreements on business, labor, human rights and the environment in signatory countries. Review current FTAs with countries in the Western Hemisphere, including the soon-to-be-implemented FTA with Peru, the North American Free Trade Agreement (NAFTA), the Central American Free Trade Agreement (CAFTA) and the bilateral Free Trade Agreement with Chile. Review of trade preferences granted to countries in the Western Hemisphere through the Andean Trade Preference Act (ATPA), the Caribbean Basin Initiative (CBI), and the Generalized System of Preferences (GSP).
  - bb. Guatemala—Oversight of Guatemala's efforts to address outstanding provisions of Peace Accords and U.S. support for the United Nations International Commission on Impunity in Guatemala (CICIG).
  - cc. Deportees – Evaluate the impact of deportations of criminal and illegal aliens on countries in the region.
  - dd. Summit of the Americas – Review of U.S. preparation for and participation in the Summit of the Americas.

## **12. Human Rights**

- a. Review of the State Department's annual "Country Reports on Human Rights Practices" and of the "Annual Report on International Religious Freedom."
- b. Review of U.S. policy to promote democracy and create country strategies to promote democracy and human rights, including implementation of the ADVANCE Democracy Act (title XXI of Pub. Law 110-53).
- c. Review of U.S. policy and strategy to promote freedom of expression on the Internet.



- d. Status of Cuban human rights situation: democracy movement, political prisoners, and the impact of the resumption of official contact with the European Union and European countries.
- e. International trafficking in persons—Review of the implementation of the Trafficking Victims Protection Act of 2000 and subsequent reauthorization acts, including the William Wilberforce Trafficking Victims Reauthorization Act of 2008; review of potential means to prevent international travel by sex offenders for the purpose of sexually exploiting children.
- f. U.S. policy toward individuals detained in the war on terrorism and on U.S. policy regarding treatment of such individuals.
- g. International refugee protection and resettlement—Assess U.S. Refugee policy and oversight on USG refugee initiatives, status and goals, and humanitarian assistance efforts and challenges.
- h. Religious persecution—Oversight of implementation of the International Religious Freedom Act of 1998.
- i. Combating the rise of anti-Semitism in Europe.
- j. Torture Victims Relief Act of 1998, and the Torture Victims Relief Reauthorization Act of 2005—oversight of implementation.
- k. Review and assess U.S. strategy regarding Burma's continuing human rights violations.
- l. Humanitarian crisis plaguing Uganda's children.
- m. Oversight of the State Department's Human Smuggling and Trafficking Center.
- n. Implementation of the Universal Declaration of Human Rights and other internationally recognized human rights.
- o. Examination of the Responsibility/Right to Protect (R2P) Doctrine as a tool of the international community to protect vulnerable populations if their own governments cannot or choose not to protect their citizens from mass atrocities or other threats to their survival exacerbated by their own governments.
- p. Review human rights in the People's Republic of China (political and religious repression, forced abortion and sterilization, forced labor, situation of Tibetan and Uighur minorities, North Korean refugees), developments relating to the upcoming 20th anniversary of the Tiananmen Square massacre, the situation in Tibet in this 50th anniversary year of the 1959 Tibet Uprising and flight of the Dalai Lama, and other relevant anniversaries.
- q. Central Africa (human rights and refugee issues in the Democratic Republic of Congo, Rwanda, and surrounding countries).

- r. Vietnam (religious and political persecution, press freedom, access to U.S. resettlement programs, and related issues).
- s. Review the Government of Colombia's efforts to protect human rights, workers rights, African descendants relocated from rural lands, internally displaced persons and other vulnerable populations, and civil society's role in securing peace in Colombia.
- t. Assess the declining state of fundamental freedoms in Venezuela and Nicaragua, including freedom of the press, freedom of association, and civil society's role in these countries' democracies.
- u. Review the status of fundamental freedoms and human rights in Zimbabwe, and assess the impact of political actions and economic conditions on the population, including health and humanitarian conditions, refugee and migration flows, human trafficking and other forms of violence.

### **13. Economic Policy, Trade, and the Environment**

- a. Assess the effect of global economic and financial conditions on U.S. interests internationally and domestically.
- b. Overview of the global trade environment.
  - i. WTO negotiations regarding the Doha Development Round and implications for U.S. interests.
  - ii. Trade distorting actions by foreign governments (bribery, economic espionage, manipulation of currencies and customs rules, import licensing, skewing health and safety standards, etc.); Mutual Recognition Agreements ("MRAs"); and efforts by other foreign governments to implement the OECD Anti-Bribery Convention.
- c. Implementation of International Monetary Fund terms and conditions.
- d. Oversight of OPIC projects and coordination efforts with other U.S. Government agencies and departments providing foreign assistance; effort to pass reauthorization legislation; review of OPIC's transparency activities, efforts to comply with workers' rights requirements, environmental standards, and human rights requirements.
- e. Overview of the Export Administration Act (EAA) and the views of the Administration on legislation reauthorizing and modernizing its provisions, including the operations of U.S. agencies related to export control, the regulation of satellite exports, review of issues relating to transshipment and diversion of sensitive technologies, and the need for a coherent U.S. export promotion strategy.
- f. Assess the impact of free trade agreements, outsourcing and the growing capabilities and exports from China on the American economy, including jobs and industries.

- g. Protection of international intellectual property rights.
- h. International energy policy issues.
- i. Development of private sector and market economies, including Enterprise Funds.
- j. Oversight of the United States Trade and Development Agency (USTDA) and the Ex-Im Bank; Commerce Department trade promotion and enforcement activities; and impact on U.S. businesses due to the lack of foreign export credit agency environmental standards.
- k. Implementation of sanctions against Iran, Burma and other regimes by the Departments of State and the Treasury.
- l. U.S. foreign environmental policies and global environmental conditions:
  - i. U.S. Government policies toward addressing global warming.
  - ii. How environmental cooperation can enhance bilateral relations and U.S. interests abroad.
- m. The adoption of international and foreign government product standards.
- n. Review of international fisheries agreements and international maritime law.

**14. American Red Cross**

Oversight and review of the American Red Cross' international disaster response activities and implementation of the American National Red Cross Governance Modernization Act of 2007.

**15. Miscellaneous**

- a. Presidential War Powers Act.
- b. Codify U.S. foreign policy law.

BENNIE G. THOMPSON, MISSISSIPPI  
CHAIRMAN

PETER T. KING, NEW YORK  
RANKING MEMBER



**One Hundred Eleventh Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515**

February 13, 2009

Hon. Edolphus Towns, Chair  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Hon. Robert Brady, Chair  
Committee on House Administration  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Towns and Chairman Brady:

On behalf of the Committee on Homeland Security, I hereby transmit the Committee's plan for Oversight activities for the 111<sup>th</sup> Congress. Pursuant to clause 2(d) (1) of Rule X of the United States House of Representatives, the Committee on Homeland Security met an open session on February 4, 2009. A quorum being present, the Committee adopted by unanimous consent the attached Oversight Plan for the 111th Congress for submission to the Committee on Oversight and Government Reform and the Committee on House Administration in accordance with the rule.

Please do not hesitate to contact me if you should have any questions.

Sincerely,

A handwritten signature in black ink that reads "Bennie G. Thompson".

Bennie G. Thompson  
Chairman  
Committee on Homeland Security

Attachment

**COMMITTEE ON HOMELAND SECURITY OVERSIGHT PLAN**

**U.S. HOUSE OF REPRESENTATIVES**

**111<sup>TH</sup> CONGRESS**

**REP. BENNIE G. THOMPSON, CHAIRMAN**

Pursuant to Rule X, clause 2(d) of the Rules of the House, each standing Committee is required to adopt an oversight plan for the two-year period of the Congress. Moreover, the Rule requires that the oversight plan must be submitted to the Committees on Oversight and Government Reform and House Administration not later than February 15 of the first session of the Congress.

This is the oversight plan of the Committee on Homeland Security for the 111th Congress. It includes the areas in which the Committee expects to conduct oversight during the 111th Congress, but does not preclude oversight or investigation of additional matters as the need arises.

**MANAGEMENT, INVESTIGATIONS, AND OVERSIGHT**

During the 111<sup>th</sup> Congress, the Committee will assess the progress of the Department of Homeland Security in meeting its major management and integration challenges. The Homeland Security Act of 2002 combined 22 separate agencies into the Department of Homeland Security (DHS). During the 111<sup>th</sup> Congress, the Committee will conduct oversight of the effectiveness of DHS efforts to integrate and coordinate the management and administration of these numerous legacy entities, especially regarding the effectiveness of its efforts to streamline activities relating to human capital recruitment and retention, asset investment, acquisitions, financial management, and other departmental administrative functions essential to the short and long-term effectiveness of the Department in fulfilling its critical mission functions. Additionally, the Committee will examine the Department's efforts to establish and locate a new headquarters within Washington, D.C.

**PROCUREMENT AND CONTRACTS MANAGEMENT**

During the 111<sup>th</sup> Congress, the Committee will review the efforts of the Department of Homeland Security (DHS) to improve the integration and coordination of the procurement functions of its major legacy components, and to ensure that effective management controls are put in place to prevent contract waste, fraud, and abuse while promoting efficiency and effectiveness. The Committee will review the authorities and activities of the Chief Procurement Officer to ensure the effective management of this key function. The Committee also will review the Department's implementation of Section 831(a) of the Homeland Security Act of 2002, which grants the Secretary authority with respect to research and development projects to use more flexible contracting mechanisms in an effort to attract "nontraditional government contractors" for needed homeland security technologies, as well as the Secretary's use of "insourcing" and other "streamlined" acquisition practices.

**FINANCIAL MANAGEMENT**

During the 111<sup>th</sup> Congress, the Committee will review the efforts of the Department of Homeland Security (DHS) to address the financial management challenges of individual components, including the implementation of internal controls and the mitigation of organizational weaknesses which preclude the issuance of clean audit opinions. Additionally, the Committee will examine the Department's efforts to integrate the financial management systems of the component agencies into a unified system and the Department's compliance with the Department of Homeland Security Financial Accountability Act, P.L. 108-330.

#### HUMAN CAPITAL MANAGEMENT

During the 111<sup>th</sup> Congress, the Committee will monitor the Department's efforts to plan and implement strategic human capital management programs that address current and emerging human capital challenges and establish a results-oriented organizational culture. Additionally, the Committee will examine the authorities and activities of the Chief Human Capital Officer (CHCO) and the coordination of policy between and among the Department's CHCOs. Further, the Committee will examine the Department's use of contract employees to fulfill its staffing needs.

#### INFORMATION TECHNOLOGY SYSTEMS MANAGEMENT

During the 111<sup>th</sup> Congress, the Committee will review the efforts of the Department of Homeland Security (DHS) to address information technology (IT) challenges, including the management and integration of the Department's information technology systems. The Committee will review the authorities and activities of the Chief Information Officer (CIO) and the coordination of policy and acquisition within and among the Department's CIOs. The Committee also will monitor the Department's progress in IT architectural planning, investment management, policy development, operations, and related personnel management. Additionally, the Committee will monitor the Department's compliance with the Federal Information Security Management Act of 2002, 44 U.S.C. § 3541.

### **EMERGENCY COMMUNICATIONS, PREPAREDNESS AND RESPONSE**

#### FEDERAL PREPAREDNESS AND RESPONSE EFFORTS

The Intelligence Reform and Terrorism Prevention Act of 2004 requires the Secretary of Homeland Security to ensure effective coordination of the Department's efforts to prevent, prepare for, respond to, and recover from acts of terrorism and other major emergencies. Additionally, on October 4, 2006, President Bush signed into law P.L. 109-295, the Department of Homeland Security Appropriations Act of 2007. Title VI of this law, cited as the Post Katrina Emergency Management Reform Act of 2006, made substantial changes to the Federal Emergency Management Agency (FEMA) that ultimately resulted in the integration of all preparedness and response activities in the Department. In the 111<sup>th</sup> Congress, the Committee will examine the Department's continued efforts to implement the Post Katrina Emergency Management Reform Act of 2006.

#### NATIONAL PREPAREDNESS GOAL AND SYSTEM

Both the Post Katrina Emergency Management Reform Act of 2006 and Homeland Security Presidential Directive 8 (HSPD-8), direct the Department of Homeland Security to develop, and update as necessary a National Preparedness Goal that defines the target level of preparedness to ensure the Nation's ability to prevent, respond to, recover from, and mitigate against natural disasters, acts of terrorism, and other man-made disasters.

In the 111<sup>th</sup> Congress, the Committee will oversee the implementation of the National Preparedness Goal and System to gauge improvements in the Nation's ability to prevent, respond to, recover from, and mitigate natural disasters, acts of terrorism, and other man-made disasters.

#### NATIONAL RESPONSE FRAMEWORK/INCIDENT MANAGEMENT

The National Response Framework (NRF) presents the guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies. It establishes a comprehensive, national, all-hazards approach to domestic incident response. In the 111<sup>th</sup> Congress, the Committee will examine the effectiveness of the NRF, including the Department's role in coordinating the response obligations of all applicable Federal departments and agencies. In addition, the Committee will examine the coordination between the Department and State and local governments, first responders, and the private sector in implementing the NRF.

In addition, during the 111<sup>th</sup> Congress, the Committee will oversee the Department's application of the principles of the National Incident Management System (NIMS). The Committee will review the Department's integration of NIMS with the National Response Framework.

#### INTEROPERABLE COMMUNICATIONS

In the 111<sup>th</sup> Congress, the Committee will monitor the provisions in the Post Katrina Emergency Management Reform Act of 2006 which created an Office of Emergency Communications. Specifically, the Committee will oversee the Department's coordination and planning, technical assistance, establishment of communications standards and development of best practices for interoperable communications systems for first responders. The Committee also will oversee the Department's implementation of grants for interoperable communications.

#### ASSISTANCE TO STATE AND LOCAL GOVERNMENTS AND FIRST RESPONDERS

In the 111<sup>th</sup> Congress, the Committee will examine the Department's allocation and administration of grants to State and local governments. In particular, the Committee will review the coordination of grant programs within the Department and across the Federal government; the Department's risk methodology; challenges in the funding pipeline; and the distribution and spending of such grants at the State and local levels. In addition, the Committee will examine benefits derived from these grants to State, local and tribal entities.

#### FIRST RESPONDER TRAINING

During the 111<sup>th</sup> Congress, the Committee will review the efficacy of Federal terrorism preparedness training, incorporation of such training into first responder certification processes, and the level of coordination between Federal, State, and local training programs. The

Committee intends to review the Department of Homeland Security's current training programs for first responders. The Committee will review the extent of State and local government utilization and awareness of these programs, the compatibility of the Department's programs with existing training requirements and certifications for first responders, and whether the Department is effectively utilizing existing training infrastructures at the State and local levels.

#### EXERCISES AND SIMULATIONS

In Homeland Security Presidential Directive 8, the President directed DHS to create a national program and multi-year planning system to conduct terrorism preparedness-related exercises. During the 111<sup>th</sup> Congress, the Committee will review DHS' National Exercise Program, and will evaluate the extent to which this program enhances our Nation's preparedness.

#### EMERGENCY WARNINGS

The Committee will examine the Federal government's efforts to provide prompt and useful alerts and warning information to those persons at risk; to ensure interoperability among different warning systems; to provide for security and uniform standards and protocols for the use of warning systems; and to develop meaningful metrics to assess the effectiveness of such systems.

### **INTELLIGENCE, INFORMATION SHARING, AND TERRORISM RISK ASSESSMENT**

#### DHS' OFFICE OF INTELLIGENCE AND ANALYSIS

During the 111<sup>th</sup> Congress, the Committee will review efforts to build the intelligence, analytical, and assessment capabilities of the Department and to ensure its full participation in the Intelligence Community in furtherance of its homeland security mission. The Committee will examine whether the Department is receiving relevant intelligence and law enforcement information from other Federal agencies on a timely basis; whether the Secretary of Homeland Security is appropriately involved in the prioritization of the Federal government's intelligence collection requirements for homeland security purposes; and the Department's role in managing, distributing, and otherwise using terrorist threat information in furtherance of its homeland security mission.

In addition, the Committee will explore the Department's role in the activities of the National Counterterrorism Center (NCTC) and the dissemination of terrorist threat information among Federal, State and local governments and the private sector.

#### DHS' INTELLIGENCE AND INFORMATION COLLECTION ACTIVITIES

The Committee will examine the Department's information collection efforts to ensure that they contribute materially to the Department's overall homeland security/counterterrorism mission. In particular, the Committee will oversee the efforts of the Department to coordinate and integrate the activities of its various intelligence and analytic units and offices, and to ensure that national-level terrorist threat intelligence is being disseminated to the operational entities within the Department. As part of this oversight, the Committee will examine the effectiveness with which the Department's intelligence and threat assessments are utilized in carrying out Department-wide initiatives to understand and assess critical infrastructure vulnerabilities, and to



conduct national risk assessments. This oversight also will include a review of the Department's plans to use Open Source Information, as recommended in the 9/11 Commission Report and the Intelligence Reform and Terrorism Prevention Act of 2004.

#### INFORMATION SHARING

The Homeland Security Act of 2002, and a subsequent Memorandum of Understanding on Information Sharing entered into by the Attorney General, Director of Central Intelligence, and Secretary of Homeland Security, mandated routine sharing of homeland security-related information between and among Federal, State and local officials, in order to assess the nature and scope of terrorist threats to the United States and to evaluate and act on that information in light of U.S. vulnerabilities. During the 111<sup>th</sup> Congress, the Committee will examine information sharing among Federal, State and local governments, law enforcement entities, first responders, and emergency management personnel. The Committee also will examine the development and implementation of the information sharing environment mandated under the Intelligence Reform and Terrorism Prevention Act of 2004, and whether the Department is meeting the terrorism threat-related information requirements of State, local, and private sector officials in a timely and responsive manner. In addition, the Committee will examine the issue of unclassified information designations by DHS and other Federal agencies, such as "Sensitive Security Information and any impact such designations may have on the ability of the Department or other Federal agencies to share information among Federal, state, local, and private sector partners.

#### THREAT COMMUNICATIONS AND ADVISORIES

In the 111<sup>th</sup> Congress, the Committee intends to review the Department's policies and procedures with respect to issuing threat and warning advisories, including the Homeland Security Advisory System, to ensure that they convey information in a timely and relevant manner to Federal, State, and local government officials and other entities.

#### INTELLIGENCE-DRIVEN EFFORTS TO COUNTER TERRORISM-RELATED SMUGGLING

During the 111<sup>th</sup> Congress, the Committee will examine the operations and progress of the Terrorist Screening Center, the Human Smuggling and Trafficking Center, and other cooperative efforts to prevent and interdict terrorist travel, including the Department of Homeland Security's interaction with and participation in such entities and efforts. In addition, the Committee will review the Department's intelligence-driven efforts to prevent and interdict terrorist travel and the smuggling of illicit terrorism-related materials, including the expansion of its ability to analyze terrorist techniques, patterns, indicators, and trends, and to share such information in a timely manner to enable front-line Department personnel to identify, intercept, and disrupt terrorists attempting to travel into and within the United States.

#### THE NATIONAL OPERATIONS CENTER

The Department of Homeland Security's National Operations Center (NOC) serves as the national nerve center for information sharing and domestic incident management, by increasing the vertical coordination among Federal, State, and local government and private sector partners. In the 111<sup>th</sup> Congress, the Committee will oversee the Department's efforts to collect and fuse information in the NOC in order to maintain domestic situational awareness, and to carry out its role as the primary national-level center during domestic incidents and special events.

## PRIVACY AND CIVIL LIBERTIES PROTECTION

Section 222 of the Homeland Security Act of 2002 (the Act) created a Privacy Officer for the Department of Homeland Security (DHS), to ensure that DHS' information gathering and analysis functions, across its many directorates and offices adhere to established standards for protection of personal privacy. Section 705 of the Act also established an Officer for Civil Rights and Civil Liberties to review and assess information alleging abuses of civil rights or civil liberties by employees and officials of the Department, and the Intelligence Reform and Terrorism Prevention Act of 2004 required the Department's Inspector General to designate a senior staff member to handle similar issues and work with the Officer for Civil Rights and Civil Liberties on such matters. During the 111<sup>th</sup> Congress, the Committee will monitor the Department's efforts to ensure appropriate privacy and civil liberties protections.

## TRANSPORTATION SECURITY AND INFRASTRUCTURE PROTECTION

### NATIONAL STRATEGY FOR TRANSPORTATION SECURITY

During the 111<sup>th</sup> Congress, the Committee plans to examine the Department of Homeland Security's (DHS) progress in developing a risk-based National Strategy for Transportation Security, as required by section 4001 of the Intelligence Reform and Terrorism Prevention Act of 2004. The Committee will examine the Department's efforts to develop strategies for addressing terrorist threats in varied transportation modes. The Committee also will review the potential efficacy and cost of current and proposed practices to protect the mass transit industry's passengers and infrastructure from terrorist attack, including hardening of facilities, the use of biological, chemical and radiological sensors, passenger screening, and other methods to prevent or mitigate a terrorist attack. Additionally, the Committee will examine the use of transportation security grants.

### PASSENGER AND BAGGAGE SCREENING

During the 111<sup>th</sup> Congress, the Committee intends to review the Transportation Security Administration's (TSA) progress in developing and deploying passenger and baggage screening technologies, including the cost-effectiveness and accuracy of such technologies. The Committee also will review TSA's passenger search policies and practices and passenger pre-screening programs including the use of no-fly and selectee lists, the implementation of the Secure Flight program, and other measures that affect the safety of domestic and international air travelers. As part of this oversight, the Committee plans to examine TSA's staffing needs.

### AVIATION SECURITY

In the 111<sup>th</sup> Congress, the Committee will examine the risks and consequences of different types of terrorist attacks on or utilizing aircraft, and the development of security measures to reduce or mitigate such risks. As part of this oversight, the Committee expects to review efforts by the Transportation Security Administration (TSA) relating to air cargo security and general aviation aircraft. The Committee also will review airport perimeter and access control procedures and practices as well as related technology to assess the effectiveness of TSA

requirements for limiting access to the secure areas of commercial and general aviation airports. In addition, the Committee will examine the training and management of the Federal Air Marshals Service.

#### AIRSPACE SECURITY

The Committee will review efforts of the Department to carry out its responsibilities to interdict any airspace incursions into the restricted zone of the National Capital Region (NCR), as well as its responsibilities with respect to detecting air assets crossing U.S. borders. The Committee's oversight in this area also will include the roles and responsibilities of each of the Federal agencies involved (including Department of Defense assets such as the U.S. Northern Command, the North American Aerospace Defense Command, and the Air National Guard) in and responsible for interdiction, identification, and investigation of aircraft that violate airspace restrictions within the United States.

#### CRITICAL INFRASTRUCTURE PROTECTION

Under Homeland Security Presidential Directive 7 (HSPD-7), the Department is responsible for integrating sector-specific strategies into a National Infrastructure Protection Plan, and for coordinating Federal efforts across all such infrastructure sectors. During the 111<sup>th</sup> Congress, the Committee will examine the Department's national coordination responsibilities and its sector-specific critical infrastructure protection responsibilities. The Committee will also examine the compilation and maintenance of the National Asset Database, including the coordination of such efforts with State and local officials and the private sector. The Committee also will examine the coordination of efforts between the Department of Homeland Security, the Department of Defense, and the States with respect to critical infrastructure protection activities.

In addition, the Committee will review the Department's progress in identifying, prioritizing, recommending, and implementing protective measures to reduce vulnerabilities for critical infrastructure and key resources, including its administration of programs to promote private sector sharing of critical infrastructure threat and vulnerability-related information, and its administration of systems and programs to provide timely warnings of potential risks to critical infrastructure.

#### BORDER, MARITIME, AND GLOBAL COUNTERTERRORISM

##### PORT AND MARITIME SECURITY

In the 111<sup>th</sup> Congress, the Committee will examine various aspects of port security, including the security of port facilities; the screening of vessels, passengers, cargo, and crew for potential terrorists or instrumentalities of terrorism; the development of international security standards for shipping and containers; and the development of secure identification cards for maritime employees. Additionally, the Committee will examine the Department's efforts to combat counterterrorism, including its role in disrupting terrorist financing networks. The Committee plans to review the efficiency and effectiveness of the Department's supply chain security programs, including the status and implementation of the Maritime and Transportation

Security Act of 2002, the Security and Accountability for Every (SAFE) Port Act of 2006, and the relevant provisions of the Intelligence Reform and Terrorism Prevention Act of 2004.

In the 111th Congress, the Committee plans to monitor the Coast Guard's efforts to enhance maritime domain awareness through an examination of existing and alternative programs that contribute to this goal. In addition, the Committee intends to examine existing programs that contribute to achieving this enhanced awareness as well as other ways to improve the overall Department of Homeland Security effort to understand and address threats in the maritime environment. As part of this effort, the Committee will review the progress and efficacy of the Coast Guard's Deepwater Program.

#### BORDER SCREENING

In the 111<sup>th</sup> Congress, the Committee intends to review efforts to ensure the deployment and implementation of technology and training to assist border and consular officials in identifying, intercepting, and disrupting terrorists or others who would do the Nation harm attempting to enter or travel within the United States. As a part of this effort, the Committee will review the efforts of the Department to detect, detain, and remove aliens apprehended at or near U.S. borders and ports of entry who are subject to deportation, particularly those from countries of terrorist concern. The Committee will examine the integration, security, and reliability of criminal, immigration, and terrorist databases used to screen persons seeking to enter this country. The Committee will monitor the Department's progress in fully implementing the US-VISIT program and its supporting technologies and databases; the potential benefits and challenges of various biometric technologies; the impact of the program on cross-border travel at ports of entry; the ability of the Department to use overstay reports generated by the program for enforcement purposes; and the integration of the US-VISIT program with other screening programs. The Committee will also closely monitor implementation of the Western Hemisphere Travel Initiative in a manner to achieve both enhanced border security and to expedite legitimate and qualified travelers, as recommended by the 9/11 Commission. The Committee also will assess DHS progress with respect to the integration and effectiveness of transportation and border security screening systems for passengers and cargo transported within the United States and across our borders. The Committee also will examine the existing state of infrastructure at our Nation's ports of entry, and assess improvements that may be required to enhance implementation of border security programs.

#### BORDER SECURITY TECHNOLOGY

The Intelligence Reform and Terrorism Prevention Act of 2004 mandated an advanced technology pilot program along the northern border and a comprehensive surveillance plan for the southwest border. Both plans emphasize the use of technology – particularly sensors, video and unmanned aerial vehicles (or remotely piloted aircraft) – to enhance border security. In the 111th Congress, the Committee will monitor the Department's efforts to implement these programs in an effective and efficient manner.

#### **EMERGING THREATS, CYBERSECURITY, SCIENCE AND TECHNOLOGY**

##### BIODEFENSE

In the 111th Congress, the Committee will examine efforts of the Department of Homeland Security (DHS) to improve and expand efforts to detect biological attacks. The Committee will conduct comprehensive oversight of the Department's activities as outlined in Homeland Security Presidential Directive 10 (HSPD-10) ("Biodefense for the 21st Century"). The Committee will examine the short- and long-term effectiveness of these activities, as well as the Department's coordination of the Federal government's biodefense initiatives, including defenses against agro-terrorism and the safety of the Nation's food supply. The Committee will conduct oversight of the Department's actions to provide for response capabilities to a biological event, including medical countermeasures development and procurement activities, as well as surge capacity needed for large-scale events such as a pandemic outbreak.

#### WMD TERRORISM AND NUCLEAR SMUGGLING

In the 111th Congress, the Committee will conduct oversight of Department of Homeland Security (DHS) programs focused on assessing threats related to nuclear terrorism, including the development of threat certification, characterization, detection, and source attribution techniques. The Committee will review the integration of threat assessments with the development of detection capabilities and countermeasures.

Also, the Committee will examine the Department's progress in refining risk-based methods for identifying, screening, and scanning high-risk cargo entering the United States, and the development of non-intrusive inspection technologies and capabilities for detecting and interdicting commerce in and transit of nuclear, radiological, chemical, and biological weapons, components, and precursors.

Additionally, the Committee will review the efforts of the Department to deploy and operate nuclear and radiological detection equipment, including but not limited to radiation portal monitors and alternative approaches to tracking and monitoring cargo in transit. Finally, the Committee will examine the Department's efforts to develop and execute response and recovery efforts in the event of a Weapons of Mass Destruction event.

#### R&D INVESTMENT AND COORDINATION

The Committee will review the Department's efforts to strategically invest in basic research and development (R&D) designed to enhance the long-term prevention mission of the Department and the Department's efforts to carry out its statutory responsibilities for coordinating government-wide R&D in support of all homeland security missions.

#### COUNTER-PROLIFERATION ACTIVITIES

The Committee will review the efforts of the Department in counter-proliferation of nuclear and biological weapons, materials, and precursors and the detection and assessment of chemical and radiological threats, including the coordination of such activities within the Department with related efforts of other Federal agencies.

#### CYBERSECURITY

The Committee will examine the Department's efforts to manage the Comprehensive National Cybersecurity Initiative; prevent cyber attacks against the Nation's critical

infrastructures; reduce national vulnerability to cyber attacks; and minimize damage and recovery time if cyber attacks should occur. The Committee will focus on improving integration of the cybersecurity mission within the Department, and coordination of cybersecurity best practices, risk assessments, and warnings across all levels of government and the private sector. The Committee also will review DHS' cyber-related remediation activities, including plans for recovery in the event of a coordinated terrorist attack, and the Department's efforts to coordinate with the private sector to develop mechanisms for information sharing on cybersecurity threats, vulnerabilities and solutions. The Committee will examine the Department's efforts to support research and development and educational activities to improve cybersecurity. Finally, the Committee will review the Department's investment in research and development (R&D) designed to implement the National Strategy to Secure Cyberspace.

#### SCIENCE AND TECHNOLOGY DIRECTORATE

The Directorate for Science and Technology (S&T Directorate) is the primary research and development arm of the Department. The S&T Directorate provides Federal, State, and local officials with the technology and capabilities to protect the Nation. In the 111th Congress, the Committee will conduct oversight of the coordination of homeland security-related research, development, testing, and evaluation (RDT&E) within the Department and the adequacy of mission support provided by the Directorate to operational elements of the Department, State and local authorities, and the private sector.

#### TECHNOLOGY CLEARING HOUSE AND TECHNOLOGY TRANSFER

In the 111<sup>th</sup> Congress, the Committee will review the Department's activities relating to evaluation, testing, and certification of private sector homeland security technologies. The Committee also will evaluate the Department's role in facilitating the transfer and commercialization of existing technologies (including modification of military technologies) for use by Federal, State, and local governments and first responders to prevent, prepare for, or respond to terrorist attacks.

#### S&T FELLOWSHIP PROGRAM AND CENTERS OF EXCELLENCE

During the 111<sup>th</sup> Congress, the Committee will review the Department of Homeland Security's efforts to attract the Nation's most talented scientists and build partnerships with the academic community through its Homeland Security Centers of Excellence and its Scholars and Fellows program. The Committee will review the Centers' assignments and their role in fulfilling the Department's mission.

#### THE HOMELAND SECURITY INSTITUTE

The Homeland Security Institute (the Institute), created under the Homeland Security Act of 2002 and sponsored by the Department of Homeland Security (DHS), is a Federally-funded research and development center (FFRDC) that produces strategic analysis for the science and technology (S&T) mission of DHS. The authorization for the Homeland Security Institute is scheduled to sunset in April 2009. In the 111<sup>th</sup> Congress, the Committee will examine the Department's

operation, management, utilization and continuation of this Institute as well as the utilization of the FFRDC model to further other aspects of the Department's mission.

#### SAFETY ACT IMPLEMENTATION

The Support Anti-terrorism by Fostering Effective Technologies Act of 2002 (the SAFETY Act) was included as Subtitle G of the Homeland Security Act of 2002, and gave the Secretary of the Department of Homeland Security (DHS) the authority to designate, upon application, certain anti-terrorism technologies as qualified to participate in a Federal liability protection program. In the 111<sup>th</sup> Congress, the Committee will review the Department's efforts to coordinate such designation with operational components of the Department and with other Federal, State, and local government agencies.

Committee on House Administration  
111<sup>th</sup> Congress Oversight Plan  
(Adopted January 27, 2009)

Member Services

- Oversee Members' allowance amounts, including structure and regulations.
- Provide guidance and outreach to congressional offices to ensure compliance with Committee regulations.
- Review and revise the *Members' Congressional Handbook*, a set of regulations governing the expenditure of Members' Representational Allowances.
- Review and revise the *Guide to Outfitting and Maintaining an Office of the U.S. House of Representatives*, a set of regulations governing the acquisition, transfer, and disposal of furnishings, equipment, software, and related services.
- Evaluate the formulas used to calculate the Members' Representational Allowances and consider proposals for change to ensure that all Members have adequate resources for representing their constituents.
- Oversee the processing of vouchers and direct payments, including those for payroll.

New Member Orientation

- Plan, implement, and oversee the New Member Orientation Program for newly-elected Members of Congress.
- Oversee the planning and implementation of the Congressional Research Service New Member Issues Seminar in Williamsburg.

Intern Program

- In coordination with the Senate Committee on Rules and Administration, organize, administer, and oversee the Intern Lecture Series.
- Review and revise the Intern Handbook and other publications and communication materials used in support of the Intern Program

Committee Funding and Oversight

- Review Monthly Reports on committee activities and expenditures.
- Review *Committees' Congressional Handbook* regulations governing expenditure of committee funds and update regulations as needed.
- Review Primary and any Secondary Expense Resolutions and approve authorization of committee-funding levels in committee and by House Resolution.
- Review Committees' Franking expenditures.

Congressional Accountability Act of 1995



- Monitor application of the Congressional Accountability Act of 1995 (CAA) (PL 104-1).
- Review regulations adopted by the Office of Compliance.
- Evaluate resources available to the Office of Compliance and House employing offices to facilitate implementation of the Act.
- Conduct general oversight of the Office of Compliance.
- Monitor ongoing judicial proceedings to determine the impact on the CAA.

Franking Commission

- Oversee the Members' use of the congressional frank by providing guidance, advice, and counsel through consultation or advisory opinion on the frankability of congressional mail
- Review proposals to reform mass mailing practices of Members, and regulations governing such mailings, and monitor current prohibition on mass mailings 90 days before a primary or general election.
- Review previously implemented rules to increase disclosure and improve the accounting of franked mail costs.
- Revise and reprint *Regulations on the Use of the Congressional Frank and Rules on Practice in Proceedings Before the House Commission on Congressional Mailing Standards*.
- Review the formula used to calculate the official mail component of the Members' Representational Allowance.

House Officers and House Operations

- Analyze management improvement proposals and other initiatives submitted by the House Officers, the Inspector General, the Capitol Police Board, and the Architect of the Capitol.
- Coordinate with the Subcommittee on Legislative Appropriations on matters impacting operations of the House and joint entities.
- Provide policy guidance to the House Officers, Inspector General and the joint entities as appropriate.
- Oversee compliance with the House Employee Classification Act (2 U.S.C. 291 *et seq.*).
- Assure coordination among officers and joint entities on administrative and technology matters.
- Continue review of congressional continuity issues, including organizing sessions of Congress at alternate locations, technological support for Member communications and chamber operations and filling vacancies in the House.
- Provide policy guidance and conduct oversight of security and safety issues and congressional entities charged with such roles.

## Chief Administrative Officer

- Review procedures for processing contracts with the House that exceed the threshold of \$250,000.
- Continue to review the current financial management system and implementation of the Financial System Replacement project.
- Review the structure of House Information Resources and determine organizational direction of technology services in the House.
- Review and oversee information technology services provided, maintained or hosted by House Information Resources. Continue oversight of failsafe procedures to guarantee continuity of operations.
- Review new technology initiatives to better serve Members, committees, and the House.
- Continue review of functions and administrative operations assigned to the Chief Administrative Officer.
- Review semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.
- Review the operations of the House gift shop and methods of proposed management.
- Continue review of House restaurant operations; furniture policy, inventory and selection; and alternatives to the current mail delivery process in order to strengthen the services and tools available to Members and staff.
- Continue review of Greening the Capitol operations by both the Chief Administrative Officer and the Architect of the Capitol and consider whether further legislative support is required for these efforts.
- Review the printing needs of the Chief Administrative Officer's operation to identify the potential for eliminating duplication through greater use of GPO services.
- Examine Chief Administrative Officer's role in assuring accessibility to the House wing of the Capitol, the House Office Buildings and other House facilities consistent with the Americans with Disabilities Act.
- Review staff benefits offered by the House and proposals to expand such benefits.

## Clerk of the House

- Review the administration of audio transmission on the House floor. Continue oversight of proposals for modification of the Electronic Voting System.
- Review and approve contracts and requests for proposals by the Clerk that exceed the \$250,000 spending threshold.
- Oversee the Document Management System.
- Review progress towards defining a standard for the electronic exchange of legislative information among the Houses of Congress and legislative-branch agencies.
- Coordinate on matters under the jurisdiction of the House Fine Arts Board.
- Continue review of functions and administrative operations assigned to the Clerk.
- Review of semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.

- Review the printing needs of the Clerk to evaluate the potential for eliminating duplication through greater use of GPO services.
- Oversee preparation of *Hispanic Americans in Congress*, *Asian and Pacific Islander Americans in Congress*, and other congressionally-authorized publications.

Sergeant at Arms

- Review security operations in the House, including the House chamber, the galleries, the Capitol, House Office Buildings, and Capitol Grounds.
- Review semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.
- Review impact of electronic access to controlled spaces.
- Continue review of functions and administrative operations assigned to the Sergeant at Arms.
- Review the security operation of House parking facilities, regulations, and allocation of parking spaces.
- Consult with the Sergeant at Arms on policies adopted by the Capitol Police Board.
- Review the policies and procedures for visitor access to the Capitol.
- Review the printing needs of the Sergeant at Arms and the Capitol Police Board to identify the potential for eliminating duplication through greater use of GPO services.
- Examine Sergeant at Arms' role in assuring accessibility to the House wing of the Capitol, the House Office Buildings, and other House facilities consistent with the Americans with Disabilities Act.
- Review the use of technology generally in the protection of the House of Representatives.
- Oversee implementation of coordinated plans for emergency evacuation and response.

House Inspector General

- Review proposed audit plan and audit reports.
- Review comprehensive financial and operational audits of the House, investigate any irregularities uncovered, and monitor necessary improvements.
- Monitor progress of House audits.
- Continue review of functions and administrative operations assigned to the Inspector General.
- Direct Inspector General to conduct management advisories to improve implementation and operation of key House functions.

Oversight of Legislative Branch and Other Entities

Information and Technology Coordination

- Oversee, in conjunction with the Senate, forums for the sharing of technology plans and capabilities among the legislative branch agencies.
- Oversee, in conjunction with the Senate, the Legislative Branch Telecommunications group.
- Oversee continuing improvements to the Legislative Information System.

- Oversee work of the Legislative Branch Financial Managers' Council.

#### Library of Congress

- Oversee the remedial measures taken by the Library in response to audit issues.
- Conduct a review of the progress that the Library has made in providing public access to government information, especially in electronic form.
- Continue oversight of Library of Congress operations, including inventory and cataloguing systems.
- Continue oversight of Law Library operations.
- Continue oversight of Congressional Research Service operations, and consider any need to modify management of the Service.
- Review implementation of the Library of Congress Fiscal Operations Improvement Act of 2000 (Public Law 106-481), the Veterans' Oral History Project Act (Public Law 106-380), the National Recording Preservation Act of 2000 (Public Law No: 106-474), and the History of the House Awareness and Preservation Act (Public Law 106-99).
- Consider human-resources legislation proposed by the Library.
- Review the use of technology generally in Library of Congress operations.
- Review printing policies of the Library of Congress to assure compliance with Title 44 of the U.S. Code.
- Review reports by Library of Congress Inspector General and implementation of audit recommendations. Examine options to improve operation and structure of the Library of Congress Inspector General's office.

#### U.S. Capitol Police

- Generally oversee operations of the agency.
- Review need for additional USCP facilities and equipment.
- Review analysis of uniformed officer post/duty assignments to determine and authorize force levels to meet the agency's security requirements, especially with the advent of the Capitol Visitor Center and responsibility for Library of Congress and U.S. Botanic Garden.
- Monitor human-resources needs of the agency, including civilian component, attrition rates, recruitment efforts and incentive programs for officers and civilian employees.
- Review USCP training program for new recruits, and in-service training.
- Review and approve all department reorganizations, creation of new positions, appointments, terminations, and certain promotions.
- Authorize and oversee the installation and maintenance of new security systems and devices proposed by the Police Board.
- Review and authorize regulations prescribed by the Police Board for use of law enforcement authority by the Capitol Police.
- Oversee implementation of merger of Library of Congress police force with USCP under Public Law 110-178.
- Examine Capitol Police role in assuring accessibility to the House wing of the Capitol, House Office Buildings and other facilities consistent with the Americans with Disabilities Act.

- Review the use of technology generally in the protection of the House of Representatives.
- Review reports by USCP Inspector General and implementation of audit recommendations. Examine options to improve operation and structure of the USCP Inspector General's office.

#### Government Printing Office

- Oversee operations of the Government Printing Office, including the Superintendent of Documents.
- Review the need for legislation to reform government printing by eliminating redundancies, increasing efficiency, and enhancing public access to government publications.
- Examine options to improve operation and structure of the GPO Inspector General's office. Monitor implementation of remedial actions taken to address audit issues identified by the GPO Inspector General.
- Review the printing needs of the House of Representatives to identify the potential for eliminating duplication through greater use of GPO services.
- Examine current GPO printing and binding regulations to determine advisability of change.
- Oversee Superintendent of Documents' Sales and Depository Library Programs.
- Review use of GPO facilities and other assets to identify possible alternatives enhancing value to the Congress and the public.
- Review GPO labor practices and labor agreements.
- Oversee preparation of the revised edition of *Hispanic Americans in Congress*, the first edition of *Asian and Pacific Islander Americans in Congress*, and other congressionally-authorized publications, including publications supporting operations of the Capitol Visitor Center.

#### Architect of the Capitol

- Review the operations of the office of the Architect.
- Review the electronic and procured services provided by the Architect.
- Oversee Architect of the Capitol's maintenance of House buildings and the House side of the Capitol, and review any plans for rehabilitation of House buildings.
- Continue oversight of life safety measures, accessibility measures, and improved evacuation mechanisms in House buildings.
- Continue oversight of implementation of utility tunnel rehabilitation settlement.
- Oversee operations of the Capitol Visitors Center, in conjunction with the Senate Committee on Rules and Administration.
- Review reports by Architect of the Capitol Inspector General and implementation of audit recommendations. Examine options to improve operation and structure of the Architect of the Capitol Inspector General's office.
- Participate in commission to select new Architect of the Capitol.

Office of Congressional Accessibility Services

- Oversee management and operations of Office of Congressional Accessibility Services, in conjunction with Senate Committee on Rules and Administration.

Smithsonian Institution

- Review the Smithsonian Inspector General's reports on the status of the Smithsonian.
- Oversee general museum and research facility operations of the Smithsonian Institution.
- Review and oversee Smithsonian Institution budget authorization.
- Review proposed appointments of Citizen Regents to the Smithsonian Institution's Board of Regents.
- Review proposals for authorization of new Smithsonian facilities. Review Smithsonian policies regarding initiation of planning, design and construction of projects.
- Review operations of the National Zoo.
- Conduct additional oversight of Smithsonian Networks.
- Review the use of technology generally in Smithsonian operations.
- Review Smithsonian policies regarding compliance with the Freedom of Information Act.
- Review any proposals to charge fees for admission to any Smithsonian exhibits.

Technology Use by the House

- Continue oversight of House Information Resources and other technology functions of the House to ensure timely, accurate electronic information dissemination.
- Oversee implementation of House Rule XI 2(e)(4) requiring committee documentation to be made available electronically, to the maximum extent feasible.
- Review computer security measures.
- Oversee implementation of Committee hearing room upgrade program.
- Oversee and continue to implement an enterprise House Disaster Recovery Program for house offices, committees and member offices.
- Oversee and coordinate the House strategic technology plan.
- Conduct and conclude House technology assessment.

Oversight of Federal Election Law and Procedures

- Recommend disposition of House election contests pending before the Committee; monitor any disputed election counts.
- Review operations of the Federal Election Commission (FEC) and evaluate possible changes to improve efficiency, improve enforcement of the Federal Election Campaign Act, improve procedures for the disclosure of contributions and expenditures, and consider authorization issues and make recommendations on the FEC's budget.
- Review federal campaign-finance laws and regulations, including Presidential public financing, and consider potential reforms.
- Study the role and impact of political organizations on federal elections.

- Review operations of the Election Assistance Commission (EAC), evaluate and consider authorization issues related to EAC governance, examine the implementation of the Help America Vote Act (HAVA), and make recommendations on the EAC's budget.
- Examine the impact of HAVA on Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and consider proposals to improve voting methods for those serving and living abroad.
- Review state and federal activities under the National Voter Registration Act to identify potential for improvement to voter registration and education programs.
- Review all aspects of registration and voting practices in federal elections. Monitor allegations of fraud and misconduct during all phases of federal elections and evaluate measures to improve the integrity of the electoral process.

**House Judiciary Committee  
Oversight Plan  
111<sup>th</sup> Congress**

This outlines the current plans of the Committee on the Judiciary for oversight activities in the 111<sup>th</sup> Congress, subject to addition and revision in light of developments.

**FULL COMMITTEE**

- I. Department of Justice Reauthorization. The Committee will concentrate on an overall review of the Department of Justice, including continued review of issues previously raised, with the engagement by the Subcommittees with the Department components that are specifically under their jurisdiction. (All full Committee oversight will be conducted as appropriate in conjunction with the relevant Subcommittees).
- II. Management Performance and Budgeting Oversight. The Committee will conduct oversight of the management of the departments and agencies under the jurisdiction of the Committee, with emphasis on compliance with the Results Act and, as provided in H. Res. 40, on the topic of mismanagement, waste, fraud, or abuse and any relevant reports from the Comptroller General and any Inspector General or financial auditor.
- III. Election Reform and the Right to Vote. The Committee will continue examining implementation of the Help America Vote Act and other federal legislation regarding voting and elections, as well as allegations relating to voter intimidation, threats, robocalls, and other matters in connection with recent elections. This will also include consideration of issues, regulations, and procedures relating to preclearance review by the Justice Department of possible changes relating to the 2010 census.
- IV. Privacy. The full Committee may conduct oversight concerning data security and privacy issues, including issues raised by large databases of private companies, datamining, and buying and selling of personal information in such databases, and may review the activities of the Privacy offices at the Department of Homeland Security and Justice Department as well as monitor the work of the Privacy and Civil Liberties Oversight Board in the Executive Office of the President.
- V. Consumer Protection. The Committee expects to review a number of issues, including the civil justice liability system and recent federal changes to it; the efforts of the Department of Justice, Federal Trade Commission, and State Attorneys General to implement and enforce anti-spam legislation passed in the 108th Congress; and efforts by the Department of Justice and other agencies to combat computer crimes and enhance the nation's cyber security.
- VI. Mortgage Fraud and Predatory Lending. The Committee may undertake investigation and review concerning alleged predatory lending, corrupt practices, and mortgage fraud by major banks, mortgage brokers, borrowers, and others, the role of federally sponsored



institutions in encouraging or tolerating unlawful or deficient practices, and the sufficiency and effectiveness of current laws and past oversight in deterring and policing such behavior.

- VII. USPTO and Copyright Office Backlogs. The Committee may conduct oversight concerning the US Patent and Trademark Office's large and increasing patent examination backlog. The backlog has continued to grow despite the hiring of substantially more patent examiners and other steps. Similarly, the U.S. Copyright Office has experienced a recent increase in its application backlog that is related to the Office's implementation of a new digital registration system and efforts to transition to an electronic Copyright Office (eCO).
- VIII. Section 504 (Statutory Damages). The Committee may explore the issue of statutory damages under the Copyright Act and claims by some copyright users that statutory damages may encourage frivolous litigation and discourage creativity because the threat of high damage awards often leads to early settlements, regardless of the user's liability. Copyright owners contend that the possibility of statutory damage awards does not pose a substantial barrier to technological innovation, such awards are rare, and that such damages serve as an essential deterrent to infringing conduct. Owners further maintain that the availability of statutory damages as a means of compensation for a violation of an owner's exclusive rights ought to be preserved since proving actual damages in a given case can be difficult if not impossible.
- IX. Business Method Patents. The Committee may conduct oversight concerning business method patents, a controversial class of patents that seek patent protection for new methods of doing business. Under case law, based on the Congressional record, courts have until recently upheld that a mere business method is patentable under section 101. A very recent court decision, *Bilski*, has narrowed the patentability of business methods but controversy still exists.
- X. Genetic Testing. The Committee may conduct investigation into claims by certain health advocates that some diagnostic genetic testing companies, whose services are based on exclusively licensed university patents, are providing substandard testing services that endanger public health. In the case of inventions made with federal research funding (which applies to many patents that relate to genetic testing), the Bayh-Dole Act allows the government, in certain circumstances, to "march-in" on the rights of patent holders and their exclusive licensees when public health needs have not been reasonably satisfied by the patent holder. Despite persistent complaints by some health advocates, the NIH has not exercised the federal government's march-in rights. Whether this is because the imprudent exercise of march-in rights could disrupt the applied research and commercialization of federally-funded basic research that the Bayh-Dole Act was enacted to promote or for other reasons is a question that the GAO and the Secretary of HHS'

Advisory Committee on Genetics, Health and Society are expected to address in studies that are expected to be released in the first half of 2009.

- XI. Internet Corporation for Assigned Names and Numbers (ICANN)/IP on the Internet. The Committee may review several issues that are related to ICANN's influence and operations over the creation and assignment of domain names and Internet protocol addresses. The rationale for and likely impact of ICANN's proposed expansion of generic Top-Level Domains (gTLD's) on the value of trademarks and the business operations of both small and large brand-name owners, an increased likelihood of confusion and expanded opportunity to defraud consumers as a result of expanding the gTLD's, continuing concerns about ICANN's inability or unwillingness to enforce the terms of Registrar Accreditation Agreements (RAA) that require registrants to provide truthful and accurate information to the WHOIS database, and concerns that relate to domain name tasting and domain name frontrunning all may be the subject of inquiry and consideration by the Committee. In addition, the Committee may explore the role of the U.S. Government in ensuring that consumers and brand-name trademark owners are adequately and effectively protected from dangers that emanate from how the backbone of the Internet is governed and operated.
- XII. Design Patents. The Committee may conduct oversight concerning the effects of design patent law, which prohibits clothing designs from being treated as patentable subject matter. Some clothing designers assert that patent protection is needed to increase innovation and sales of licensed products and to discourage "knock-offs." They seek a special form of design protection (aside from design patents) for their clothing designs.
- XIII. PRO IP Legislation. The Committee may conduct oversight on the implementation of the Prioritizing Resources and Organization for Intellectual Property Act of 2008.

#### **SUBCOMMITTEE ON COMMERCIAL AND ADMINISTRATIVE LAW**

- I. Administrative Process and Procedure. Oversight of administrative process and procedure will continue to be an important aspect of the Subcommittee's oversight agenda. This is expected to include the Administrative Law, Process and Procedure Project for the 21st Century; administrative taxation; the Congressional Review Act; the Regulatory Flexibility Act; the issue of so-called "midnight regulations"; and the extent to which agencies compete for policymaking primacy with the Legislative Branch.
- II. Agencies. The Subcommittee anticipates continued oversight into the performance and progress of the Legal Services Corporation and its activities. It may also conduct oversight over the Executive Office for United States Attorneys; the Civil Division; the Environment and Natural Resources Division; the Executive Office for United States Trustees; and the Office of the Solicitor General.

- III. Interstate Compacts. The Subcommittee has reported favorably several bills approving compacts during recent Congresses that were enacted into law, and it expects to engage in oversight to determine whether the process whereby States seek Congressional approval is being observed.
- IV. Bankruptcy. It is anticipated that the Subcommittee will conduct oversight of bankruptcy legislation enacted in prior Congresses, particularly its impact on consumers, small business, businesses adversely affected by the credit crisis, and others, and the potential need for additional legislation.
- V. Special Counsel Regulations. The Subcommittee may examine the Independent Counsel Act and the Department of Justice regulation concerning the appointment of outside special counsels.
- VI. Specific Statutory Oversight. The Subcommittee may also conduct oversight concerning the Federal Debt Collection Procedures Act; the Contract Disputes Act; the Negotiated Rulemaking Act; the Administrative Dispute Resolution Act; the Administrative Procedure Act; the False Claims Act; the No FEAR Act; and the Federal Arbitration Act.

**SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS,  
AND CIVIL LIBERTIES**

- I. Civil Rights and Civil Liberties Issues. The Subcommittee expects to review a variety of civil rights and civil liberties issues, which may include: election and voting rights; implementation of the Justice for All Act of 2004; oversight of the work of the U.S. Commission on Civil Rights; the enforcement record, priorities, and authorization request of the Civil Rights Division; the Office of Legal Counsel; the operation of the Community Relations Service; the doctrine of free exercise of religion in the wake of recent court decisions; constitutional issues associated with the war on terrorism; constitutional issues associated with the implementation of various DNA database programs; oversight of the enforcement of the FACE Act; gender discrimination; the Flag of the United States; marriage and civil unions; and protection of property rights.
- II. Office of Government Ethics and Lobby Disclosure. The Subcommittee plans to consider the priorities and operation of the Office of Government Ethics, including current financial disclosure requirements, and the operation of the Lobby Disclosure Act.
- III. Pigford v. Glickman. The Subcommittee expects to examine the status of the implementation of the civil rights settlement in the litigation between the United States Department of Agriculture and certain Black farmers and the implementation of the Pigford Claims Recovery Act.
- IV. Americans with Disabilities Act. The Subcommittee expects to examine the current state of the law and enforcement of it by governmental and non-governmental action, and to

monitor regulations implementing the ADA Amendments Act promulgated by EEOC and DOJ, including concerning changes to definitions. It will also consider the need for guidance on what constitutes a “place” of public accommodation under Title II and the status of the internet as such a “place.”

- V. Electoral college reform. The Subcommittee may conduct oversight review concerning ideas and proposals for reform of the electoral college system of selecting the President.

#### **SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY**

- I. Department of Justice. The Subcommittee will conduct oversight regarding various operations of the Department of Justice.
- a. USA PATRIOT Act. The Subcommittee (along with the Constitution, Civil Rights, and Civil Liberties Subcommittee) expects to examine the Department of Justice’s implementation of the USA PATRIOT Act.
  - b. The Federal Bureau of Investigation and Bureau of Alcohol, Tobacco, Firearms, and Explosives. As the largest federal law enforcement agency, the Federal Bureau of Investigation is expected to be the subject of oversight activities, as is the Bureau of Alcohol, Tobacco, Firearms, and Explosives.
  - c. The United States Marshals Service. The Subcommittee plans to review the mission and operations of the United States Marshals Service.
  - d. Prisons. The Subcommittee expects to conduct extensive oversight of the management practices of the Bureau of Prisons and federal assistance programs for State prisons and jails.
- II. Department of Homeland Security. The Subcommittee will continue to conduct oversight on the Department of Homeland Security’s role in securing the Nation against terrorism, including the operations of all law enforcement functions transferred to the Department, and coordination with federal, State, and local law enforcement. These include the Secret Service; the Federal Air Marshal Service; the Federal Protective Service; the United States Coast Guard’s law enforcement activities; and the Immigration and Customs Enforcement Offices of Investigations, Air and Marine Operations, and Intelligence with a specific focus on counter-narcotics efforts and counterfeit goods seizures.
- III. Law Enforcement and Crime Prevention. The Subcommittee will conduct oversight of federal, State, and local law enforcement and crime prevention activities funded by the federal government, such as Federal Law Enforcement Information Sharing; Federal Assistance to State and Local Law Enforcement; and Law Enforcement Training, and the Second Chance Act.

- IV. Drugs. The Subcommittee expects to look into such issues as the extent to which our drug law enforcement efforts are focused on major and international drug traffickers as well as low-level street traffickers; the Drug Enforcement Agency's role in the intelligence community; the Department of State's Bureau of International Narcotics Law Enforcement, and the international law enforcement academies; effectiveness of drug treatment programs as alternatives to incarceration; DEA's drug scheduling and other regulatory authority; drug sales over the Internet; the possible use of drug courts in the federal judicial system, cooperation policies and sentencing for drug offenders, and the abuse of prescription drugs, including fraudulent prescriptions.
- V. Domestic Terrorism. The Subcommittee will continue oversight regarding our national laws and strategy for combating domestic terrorism.
- VI. Sentencing Policies. The Subcommittee may examine the long-term impact of increased incarceration policies such as mandatory minimum sentencing, "truth-in-sentencing," "three strikes, you're out," "two strikes, you're out," etc., on crime reduction and other considerations. In light of the impact of the Blakely and Booker/Fanfan Supreme Court decisions, the Subcommittee also expects to examine the state of the U.S. Sentencing Guidelines system.
- VII. Criminal Street Gangs. The Subcommittee may consider enforcement and prevention issues concerning criminal street gangs, including in immigrant communities, and the issue of how gang affiliations may be broken to reduce the number of both street and prison gangs.
- VIII. Federal Prison Industries mandatory sourcing. The Subcommittee may conduct an oversight examination of the Federal Prison Industries (FPI), a government corporation that employs offenders incarcerated in federal prisons and provides job training opportunities to prisoners by producing goods and services for federal agencies. In 2007, an amendment to H.R. 1585, the "National Defense Authorization Act of 2007," deleted the mandatory source requirement that had required the federal government to purchase a product from FPI, if FPI produced the product. Some are concerned that this change will drastically reduce the number of jobs available for prisoners who work for FPI.
- IX. Cost of Telephone Calls to Inmates. Incarcerated persons are typically allowed to call family members and other pre-approved individuals through payphones physically located at correctional institutions, most often via collect calling. The rates for collect calls from correctional institutions are some of the highest rates in the United States, with some per-minute charges reaching \$1, and service or connection charges of \$3.95 per call. Information compiled by Congress and the Federal Communications Commission shows that the high rates are due in part to the lack of competition between telephone companies that provide long distance inmate telephone service to correctional institutions. Studies have shown that maintaining frequent and meaningful communication between inmates and their family members is important to the inmates' successful social reintegration when

they are eventually released from prison – that such contact reduces recidivism and facilitates rehabilitation, which in turn reduces crime and the future costs of imprisonment. The Subcommittee may examine the issue of whether and how excessive inmate telephone service rates weaken these family and community ties, and the implications for successful reentry into society and recidivism.

- X. Alternatives to Incarceration Pre- and Post-Sentence. A 2008 Pew Foundation study found that 1 in every 100 adults is confined in jail or prison in this country. The growth in the jail and prison population in this country can be at least partially attributed to the lack of alternatives to incarceration. The Subcommittee may examine both pre- and post-sentence alternatives to incarceration that are being used on the federal and State level, such as drug and mental health treatment, restorative justice approaches, and intense community supervision.
- XI. Tribal Justice. The Subcommittee may conduct an oversight examination of a number of issues relating to Indian tribes and crime. One such issue is how tribes comply with the Adam Walsh Act. In the last Congress, legislation (H.R. 3095) was introduced to extend the deadline for an Indian tribe to elect to participate as a jurisdiction in the sex offender registration program under the Act or delegate its functions to another jurisdiction. Another such issue is the broader issue of criminal justice in Indian country. In 2008, Rep. Herseth Sandlin introduced H.R. 6583, the “Tribal Law and Order Act of 2008.” The bill mandates a long-term plan to address incarceration in Indian country. It authorizes each U.S. Attorney serving a district that includes Indian country to appoint Special Assistant U.S. Attorneys to prosecute crimes in Indian country when the crime rate, or the rate at which criminal offenses are declined to be prosecuted, exceeds the national average. The bill also requires a comprehensive study of law enforcement and criminal justice in tribal communities to recommend improvements to justice systems at the tribal, federal, and state levels.
- XII. Possible appointment of an ex-officio defender member of the U.S. Sentencing Commission. By statute, the Attorney General, or designee, is a nonvoting ex officio member of the U.S. Sentencing Commission. 28 U.S.C. §991. The Judicial Conference has recognized the advantages of having a balanced Commission, and has recommended that Congress amend the law to provide for a defender nonvoting ex officio member of the Commission as well. DOJ has previously opposed this change, and was instrumental in having it omitted from S. 3569, the “Judicial Administration and Technical Amendments Act of 2008.” The Subcommittee may examine the merits of this issue.
- XIII. Executive Branch actions targeting members of Congress. The Subcommittee may examine the implications of the manner in which recent DOJ investigative activities directed at Members of Congress have been conducted, such as wiretapping and searching the offices of Members of Congress, as in the recent case involving Representative Rick Renzi.

**SUBCOMMITTEE ON COURTS AND COMPETITION POLICY**

- I. General Antitrust. The Subcommittee expects to review a number of general antitrust issues, including general oversight of the federal antitrust enforcement agencies; telecommunications issues, such as the need for “net neutrality” legislation, the implications of the Supreme Court’s 2004 *Trinko* decision for implementation of the Telecommunications Act of 1996; international antitrust law divergence; the final report of the Antitrust Modernization Commission; antitrust issues in various transportation industries; media consolidation; whistleblower protection; the implementation of the Standards Development Organization Advancement Act of 2004; resale price maintenance and the implications of the Supreme Court’s 2007 *Leegin* decision; and health care antitrust issues.
  
- II. State Regulation of Alcohol. The Subcommittee may examine the competitive implications of State practice in the regulation of alcohol under the 21st Amendment. The amendment repealed the federal Constitutional prohibition against alcoholic beverages, but granted States the right to regulate the importation, transportation, sale, and use of alcoholic beverages within their borders. For example, many States have enacted legislation that prohibits the direct shipment of alcoholic beverages to consumers, thereby protecting in-State distributors from competition with out-of-State suppliers. However, some courts have struck down such statutes on the basis that they discriminate against out-of-State merchants in violation of the Commerce Clause.
  
- III. NFL exemption. The Subcommittee may examine the effects of the non-statutory labor antitrust exemption recognized by the courts as shielding certain labor negotiations between National Football League team owners and players, and whether this exemption diminishes the ability of retirees to bargain for pensions and health care benefits.
  
- IV. Vitamin C price fixing. The Subcommittee may examine the merits of the court-created antitrust defense of foreign sovereign compulsion. Four Chinese companies that have cornered the world market for the production of Vitamin C have been sued in federal court by an American company for price fixing. China has filed an *amicus* brief stating that if price fixing did occur, it did so under direction of the foreign state, in an attempt to enable the Chinese companies to invoke the defense.
  
- V. BCS. The Subcommittee may conduct oversight as to whether the Bowl Championship Series (BCS), created by the six most powerful college football conferences in 1998, violates the federal antitrust laws because it creates a system that favors BCS schools for invitations to lucrative bowl games and largely eliminates those opportunities for all other colleges and universities. The Judiciary Committee held a hearing on the issue on September 5, 2003. Rep. Abercrombie has indicated that he may introduce a resolution supporting the establishment of an NCAA Div. I playoff series to bring parity to college football.

- VI. Age floors for athletes in professional leagues. The Subcommittee may examine whether the age requirements for entry into the three major professional sports leagues (MLB, NBA, and NFL) could constitute an unlawful restraint of trade in violation of the federal antitrust laws, and whether any current antitrust exemptions might shield these requirements from antitrust enforcement – and if so, whether the exemptions should be revisited.
- VII. Merger clearance. The Subcommittee may conduct oversight to explore efficiencies in the FTC-DOJ Hart-Scott-Rodino merger clearance process. The current system by which the two antitrust enforcement agencies decide which one will review mergers and acquisitions has been criticized by some as inefficient, and, at times, haphazard, frequently resulting in millions of dollars of unnecessary transaction costs, which likely are ultimately reflected in higher prices for consumers.
- VIII. Banking. The Subcommittee may examine actions of the Treasury and Justice Departments concerning bank mergers, including whether the actions of the Treasury Department, in selecting which banks to allocate “bailout” funds to, and then allowing those banks to acquire other banks which did not receive federal funds, have adversely affected competition in the banking industry.
- IX. McCarran-Ferguson Act. The Subcommittee may examine the competitive effects of the McCarran-Ferguson Act, a 1945 law that exempts the “business of insurance” from the antitrust laws “to the extent that such business is regulated by State law,” except for acts of boycott, coercion, or intimidation. Legislation to scale back the exemption was reported by the Committee in 1990, 1992, and 1994. Hearings on similar legislation were held in the Senate Judiciary Committee in the last Congress.
- X. Sports Broadcasting Act of 1961 (15 U.S.C. 1291). The Subcommittee may examine the competitive effects of the antitrust exemption for the creation of joint broadcasting agreements among major professional sports, which use it to sell “packages” of games to networks. In 2006 and 2008, Senator Arlen Specter expressed interest in revoking the NFL’s exemption under the Sports Broadcasting Act.
- XI. Capper-Volstead Act (7 U.S.C. 291-2). The Subcommittee may examine the competitive effects of the current antitrust exemption for co-ops among agricultural producers, which confines supervision of their activities to the Department of Agriculture.
- XII. Waste management. The Subcommittee may examine the competitive implications of the 80%+ market share concentrated in the hands of two competitors in light of the completion of last year’s merger between Allied Waste and Republic Services. The companies have separately been accused of anti-competitive price fixing by the *Wall Street Journal*.



- XIII. Courts. The Subcommittee may examine the impact of recent and proposed amendments to the Federal Rules of Civil Procedure and Federal Rules of Evidence. The Subcommittee may also want to examine the disparate treatment of members of the military when seeking judicial review of courts martial. And the Subcommittee may examine the issue of de-linking the salaries of judges from those of members of Congress, and whether there is a need for additional federal judgeships..
- XIV. Judicial Misconduct. The Subcommittee may review whether the Judicial Conference is using the judicial misconduct and disability statute appropriately.

**SUBCOMMITTEE ON IMMIGRATION, CITIZENSHIP, REFUGEES,  
BORDER SECURITY, AND INTERNATIONAL LAW**

- I. Department of Homeland Security. The Subcommittee expects to examine the amount of resources and authority needed for U.S. Customs, Border Protection (CBP), the U.S. Immigration and Customs Enforcement (ICE), and the Citizenship and Immigration Services (CIS) to execute their responsibilities under the law. The Subcommittee expects also to examine use of technology at the Department of Homeland Security; whether USCIS and its Fraud Detection and National Security unit are using technologies and human capital that are adequate to ensure that appropriate benefits are being provided in a timely and effective manner and only to qualified applicants and petitioners; whether US VISIT is being appropriately implemented; coordination between the Department and other federal departments and agencies; electronic passports and visas; the status of border fence construction by CBP and worksite enforcement operations by ICE.; and recent trends in alien smuggling and methods for the detection, apprehension, prosecution and punishment of smugglers. The Subcommittee will also conduct oversight over U.S. refugee and asylum programs; adoption of foreign nationals by U.S. citizens, including implementation of the Hague Adoption Convention; the Office of the Ombudsman; the 287(g) program; implementation of recently enacted legislation that extends certain U.S. immigration law to the Commonwealth of the Northern Mariana Islands and Guam; and a review of electronic employment verification known as E-Verify.
- II. Department of Justice. The Subcommittee expects to examine the Executive Office of Immigration Review (EOIR) to determine whether it is properly resourced, whether additional training is needed, and whether more technology is needed at EOIR; allegations of politicization of career level positions at EOIR; the immigration review process; the Office of Immigration Litigation and their role in defending and advocating on behalf of the federal government; review of the Office of Immigration Related Unfair Employment Practices; and the role that the Federal Bureau of Investigation plays in processing name checks on immigration beneficiaries.
- III. Department of State. The Subcommittee expects to conduct oversight of the State Department's role in the U.S. refugee program; visa issuing process generally; the Visa

Waiver Program in light of recent changes in the law effecting the Visa Waiver Program; passport issuance, including privacy concerns; and adoption of foreign nationals by U.S. citizens, including implementation of the Hague Adoption Convention.

- IV. Department of Labor. The Subcommittee may examine the functions of the Department of Labor as they relate to the provision of information necessary to process immigration applications, to enforcement of certain aspects of immigration law, to protection of U.S. workers, and to enforcement of wage and hour laws in industries with a high incidence of immigrant employment.
- V. Department of Health and Human Services. The Subcommittee may examine programs administered by the Office of Refugee Resettlement within the Department of Health and Human Services, especially with regard to the detention of unaccompanied alien children.
- VI. Comprehensive Immigration Reform. The Subcommittee may examine the need for reform in United States immigration law and practices in order to ensure secure borders and an end to illegal immigration; to enhance the economic, social, and cultural well-being of the United States of America; to address the economic needs of America while protecting the interests of American workers; and to consider the desire of U.S. citizens and lawful permanent residents to be reunited with their families.
- VII. Implementation of the 9/11 Commission Recommendations and Recently Enacted Immigration Laws and Agreements. The Subcommittee may examine the implementation of the 9/11 Commission's recommendations as they relate to immigration and border security. The Subcommittee may also examine border security agreements between Mexico and Canada and various public laws enacted in the last two decades.
- VIII. The Energy Employees Occupational Illness Compensation Program Act. The Subcommittee will continue to examine the function of the claims process under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA) and the structure of auditing of data and science used by the National Institute for Occupational Safety and Health in conducting their functions under EEOICPA.
- IX. Review of U.S. Government Actions Toward Specific Groups During World War II. The Subcommittee expects to examine the need to establish commissions or other review entities to report on the U.S. Government's treatment of Latin Americans of Japanese descent, European Americans, and Jewish refugees during World War II.
- X. International Law. The Subcommittee plans to conduct oversight of international treaties, conventions, and agreements within its jurisdiction.

NICK J. RAHALL, II  
CHAIRMAN

**U.S. House of Representatives**  
**Committee on Natural Resources**  
**Washington, DC 20515**

February 4, 2009

**Hon. Edolphus Towns**  
**Chairman**  
**Committee on Oversight and Government Reform**  
**U.S. House of Representatives**  
**2157 Rayburn H.O.B.**  
**Washington, D.C. 20515**

**Dear Chairman Towns:**

Pursuant to clause 2 of Rule X of the House of Representatives, I am submitting the Oversight Plan adopted by the Committee on Natural Resources at the organizational meeting of the committee on February 4, 2009

With warm regards, I am

Sincerely,



NICK J. RAHALL, II  
Chairman  
Committee on Natural Resources

**COMMITTEE ON NATURAL RESOURCES  
OVERSIGHT PLAN  
111<sup>TH</sup> CONGRESS**

**Under clause 2 of Rule X of the House of Representatives, each standing committee of the House has general oversight responsibilities to determine whether laws and programs addressing subjects within its jurisdiction are being implemented in accordance with the intent of Congress and to determine whether they should be continued, curtailed or eliminated. The Committee intends to review the following laws, programs and issues within the Committee's jurisdiction during the 111<sup>th</sup> Congress:**

**CLIMATE CHANGE**

Planning for the Impacts of Climate Change: Federal land, water, fish, and wildlife resources will be vulnerable to a wide range of physical, biological, economic, and social effects as a result of climate change. At the same time, public lands and resources represent some of the best opportunities we have for implementing natural resource adaptation strategies to help mitigate some of those effects. Unfortunately, a recent Government Accountability Office report found that federal resource agencies have largely failed to address climate change in their strategic plans; resource managers have limited guidance concerning whether or how to address climate change and are unsure of what actions to take; and resource managers do not have sufficient site specific information to plan for and address the effects of climate change on the federal resources they manage. The Committee expects to consider and promote legislation that would establish an integrated federal program to address the impacts of climate change on our natural resources.

**ENDANGERED SPECIES ACT**

Endangered Species Act Implementation: The Bush Administration spent eight years seeking to undermine the Endangered Species Act (ESA) and the protection it provides our nation's most imperiled species. High ranking political appointees used their positions and influence to meddle in scientific decisions under the ESA and alter policy outcomes, potentially harming species and certainly harming the integrity of the law, as well as the morale and reputation of the agencies charged with its implementation. The Committee will work closely with the new Administration to restore transparency, consistency, and accountability in the implementation of the ESA, ensuring that sound science is the basis for decision-making under the law.

**INDIAN AFFAIRS**

Budget Oversight: The Committee will review the President's budget request for programs and activities related to the Bureau of Indian Affairs and other Department of the Interior agencies with tribal-related programs.

Consultation: The Committee intends to schedule an oversight hearing with the new Assistant Secretary of the Bureau of Indian Affairs, the Chairman of the National Indian Gaming

Commission (NIGC), and the Director of the Indian Health Service (IHS) to discuss the goals of the Obama Administration for Indian Country and their plan for consultation with tribal governments.

Trust Reform: The Department of the Interior (DOI) has moved several programs and millions of dollars out of the BIA and into the Office of Special Trustee (OST). The Office of Special Trustee was established by the American Indian Trust Fund Management Reform Act of 1994 to oversee trust fund management reform throughout the DOI. The Committee will review the effect this expansion of OST has had on Indian tribes, including resource and trust management, trust fund management, appraisals, and probate.

Tribal Justice, Law Enforcement and Homeland Security related issues: Several issues related to tribal justice and law enforcement will be addressed. Twenty-five Indian tribes govern over 260 miles of land that is either adjacent, or directly accessible, by boat, to international borders. In addition, tribal lands are home to several potential terrorist targets such as dams, hydroelectric systems, and oil and gas pipelines, but Indian tribes have been excluded from receiving direct funding under the Homeland Security Act. The Committee intends to conduct a hearing on the efforts of Indian tribes to protect US/tribal borders. The Committee plans to explore the effects of placing this responsibility on Indian tribes, while providing few resources or assistance.

In addition, tribal governments are the primary law enforcement agents and emergency responders for over 56 million acres, or 2%, of the United States. With staggering rates of unemployment (over 80% on some reservations), devastating poverty, and underfunded police and rescue agencies, many Indian reservations are prime targets for crime. The Committee will conduct hearings to explore the funding shortages that cause some tribal police forces to severely restrict activities part way through the fiscal year. The issue of gangs and drugs on reservations and how to address the violence they bring will also be considered.

Moreover, the Committee will build on its work from the 110<sup>th</sup> Congress to examine the status of detention facilities throughout Indian Country. In September of 2004, the DOI Office of Inspector General (IG) released a report entitled, *Neither Safe nor Secure - an Assessment of Indian Detention Facilities*. This report found longstanding neglect and BIA indifference toward safety and security concerns at the detention centers. Almost all facilities were found to be operating below minimum staffing levels. All aspects -- from funding, to staffing, to maintenance, to training, to record-keeping -- were found wanting. It is anticipated that oversight activities will also include a review of the response of BIA to the report, including what, if any, improvements have been made since 2004.

Additionally, the Committee proposes to undertake an assessment and oversight of tribal court systems. Indian tribal courts across the country operate with various degrees of competency and support. Strengthening tribal court systems and clarifying court jurisdiction is paramount to the operation of strong tribal governments and vibrant, self-sufficient Indian economies. Unfortunately, for decades there has existed a lack of clarity regarding the jurisdiction of tribal courts that is impeding the delivery of justice to Indian communities.

Native American Graves Protection and Repatriation Act (NAGPRA): The Committee has requested that the GAO study the use of funds appropriated for the implementation of NAGPRA. Upon receipt of the study, the Committee intends to hold a hearing on the results as well as proposals to strengthen implementation and enforcement of the Act. In the interim, the Committee will continue to focus on other NAGPRA issues, such as the status of the culturally unidentified remains database, and sacred sites issues.

Tribal Recognition: The Committee can anticipate that federal tribal recognition reform bills will again be introduced in the 111<sup>th</sup> Congress as well as bills to address the recognition of individual tribes. The Committee will continue to work on these bills and will collaborate with the Obama Administration to reform the current federal administrative process.

Economic Development: The Committee expects to examine what is needed to spur economic development on Indian reservations. This endeavor will extend in several directions including: the need for infrastructure conducive to development; established tribal plans, tribal laws and regulations relating to business operations and possible environmental effects; incentives that would encourage businesses to locate on Indian reservations; effective tribal court systems; and increased access for tribes to financial capital seed money. In short, the Committee's goal with this examination will be to ensure strong, stable tribal government structures that are prepared to operate business development and foster relationships with outside enterprises for the betterment of all involved.

Infrastructure: Many of the most dangerous roads, bridges, and dams in the United States are located on Indian land. In addition, the lack of basic infrastructure on Indian land impedes the health, safety, education, and economic development of Native peoples. It is expected that the Obama Administration will pursue an aggressive program to improve infrastructure nationwide. The Committee intends to conduct a hearing to collect needed information to ensure Indian lands and Indian tribes are included in any new infrastructure initiatives during the 111<sup>th</sup> Congress.

Energy: Several issues related to energy in Indian Country are likely to be addressed. With regard to renewable energy development, many of the best locations to develop wind and solar energy exist on Indian land. The Committee intends to hold a hearing on how best the federal government can assist Indian tribes in the development and retailing of renewable energy resources. Legislation, if warranted, will be pursued. In addition the Committee will facilitate the inclusion of Indian resources in any energy initiative proposed during the 111<sup>th</sup> Congress.

Regarding oil and gas development, 20% - 30% of all onshore oil and gas resources are located on Indian lands. Often mining leases on Indian land bring far less revenue to the Indian owner than do leases on non-Indian land. The Committee expects to conduct oversight into the causes of these disparities and contemplates pursuing any changes needed to address such inequities.

Regarding energy efficiency, the Committee intends to conduct a hearing to determine the energy efficiency of federal buildings and facilities located on Indian lands, the cost of inefficient buildings, and the steps necessary to make those buildings more energy efficient.

Missing Indian Health Service (IHS) Equipment: After receiving information regarding missing IHS equipment, the Committee, jointly with the House Oversight Committee, requested the General Accountability Office (GAO) conduct an investigation of the management of IHS equipment in certain offices. The GAO reported to the Committee that millions of dollars worth of equipment is missing from the IHS. In addition the GAO recommended new policy and procedures to the IHS to ensure that this problem does not reoccur. The Committee intends to hold a hearing to determine what the IHS has done to address the situation.

#### **INSULAR AFFAIRS, OCEANS AND WILDLIFE**

Budget Oversight: The Committee will oversee that portion of the President's budget which relates to the insular areas of the United States, including five principal U.S. territories (American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, Puerto Rico and the U.S. Virgin Islands) and three freely associated states (Republic of the Marshall Islands, Federated States of Micronesia, and Republic of Palau). The Committee will review the President's budget requests for the programs and activities of the National Oceanic and Atmospheric Administration (NOAA) and the U.S. Fish and Wildlife Service (FWS).

Regulation Reform: The Committee anticipates reviewing the need for, and advisability of, reducing or enhancing those federal rules and regulations falling within its jurisdiction which relate to the insular areas of the United States.

Normalizing Immigration and Border Security: The Committee recognizes that U.S. territories are also U.S. borders and that certain U.S. territories are viewed as strategic and vital to the defense of the U.S. because of their locations. Two U.S. territories (American Samoa and the Commonwealth of the Northern Mariana Islands) have previously been allowed local control over immigration policy by Congress, and were exempt from U.S. immigration law. The enactment of Public Law 110-229 provides for extending U.S. immigration laws to the Northern Marianas in a flexible manner and over a transition period scheduled to commence in the summer of 2009. The Committee intends to hold hearings on the rules and regulations being promulgated by the Department of Homeland Security, in coordination with the Department of the Interior and the Department of Labor, providing for this transition period.

Puerto Rico Self-Determination: In the 110<sup>th</sup> Congress, the Committee convened two legislative hearings on competing measures to advance Puerto Rico's political status. The Full Committee, consequently, favorably reported H.R. 900 (as amended) to the House. The Committee will continue to examine legislation to resolve Puerto Rico's political status.

Guam Military Buildup: The Committee will continue to exercise its oversight responsibility to examine the effects of relocating U.S. military forces from Okinawa, Japan, to Guam. The Committee recognizes the many challenges facing both the government of Guam and the federal government to address issues which will impact Guam's civilian community.

Infrastructure and Alternative Energy Development: The Committee plans to explore initiatives to increase and expedite infrastructure development in all U.S. territories. In addition, the

Committee anticipates reviewing alternative energy proposals and plans which would reduce reliance on imported fuel and maximize the use of both alternative and indigenous sources of energy.

Compacts of Free Association: The Committee will exercise its oversight authority of funding and program assistance to the Republic of the Marshall Islands and the Federated States of Micronesia, in accordance with the Compact of Free Association Amendments Act of 2003 (P.L. 108-188). Additionally, Public Law 99-658, which established the free association relationship between the United States and the Republic of Palau, contemplates a review of the terms and related agreements of the Compact in the fifteenth year of the political relationship. The Committee intends to oversee any formal negotiations leading up to the fifteenth anniversary between the United States and the Republic of Palau.

Convention on International Trade in Endangered Species: Roughly 169 countries are party to this international agreement that provides worldwide protection for endangered plants and animals by ensuring that trade does not threaten their survival. In 2010, member countries will assemble in Doha, Qatar for their regular meeting where proposals for protecting new species under the Convention will be considered. The Committee intends to hold hearings on proposals by the United States and other countries and will examine the strategies that the United States plans to pursue to achieve and promote species conservation.

Coastal Management in the 21<sup>st</sup> Century: Over the past two years, NOAA's National Ocean Service and the coastal states have engaged in a comprehensive visioning process involving federal, state, and non-governmental stakeholders to redefine our national approach to managing the nation's coastal zone. During the 110<sup>th</sup> Congress, several bills were introduced that offered potential amendments to the Coastal Zone Management Act (CZMA), specifically regarding alternative renewable ocean energy, coastal climate change adaptation, retention of working waterfronts, preserving coastal open space and wildlife habitat, and strengthening our system of National Estuarine Research Reserves. In addition, legislation was also considered to facilitate and promote regional federal-state ocean governance partnerships. The Committee plans to refine these ideas and further collaborate with NOAA, the coastal states, and other stakeholders to shape CZMA legislation to provide a new vision and the necessary tools to manage our dynamic ocean and coastal regions in the 21<sup>st</sup> century.

Improving Ocean Governance: Two national commissions released reports earlier this decade offering recommendations to improve collaboration among federal agencies and federal programs and policies that are aimed at the management and conservation of the U.S. Exclusive Economic Zone. As economic and energy development in our oceans increases at a rapid pace, the need for the reforms recommended by these Commissions to resolve conflicts and facilitate effective decision-making becomes even more urgent. In the last Congress, the Committee held hearings on these reforms and began the process of considering legislation to implement the highest priority recommendations of the Commissions. The Committee expects to continue that effort in the 111<sup>th</sup> Congress.



Implementation of the Magnuson Act: Among other changes to our federal fishery management system, the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act (MSRA) of 2006 mandated: 1) the implementation of annual catch limits and accountability measures to end overfishing; 2) the revision of National Marine Fisheries Service (NMFS) procedures for compliance with the National Environmental Policy Act; and 3) the development of new criteria and standards for any Limited Access Privilege Program. The Committee will continue to conduct oversight regarding policies, rules, and fishery management plan amendments designed to fulfill these and other mandates set out in MSRA to ensure that the law is being implemented as Congress intended. The Committee will also examine the appropriate levels of funding needed to implement the law effectively.

International Fisheries Management and Illegal, Unregulated, and Unreported (IUU) Fishing: Internationally, IUU fishing is a significant marine resource conservation problem that has serious impacts on U.S. fishermen and on economies around the globe. The MSRA of 2006 directed NMFS to publish a biennial report on the status of IUU fishing (including the occurrence of unacceptable levels of bycatch), to establish procedures for certifying those nations, and to evaluate subsequent progress to reduce the impacts of such fishing practices on protected living marine resources. The Committee will monitor these activities and may advance legislation to strengthen enforcement mechanisms to discourage IUU fishing.

Marine Mammals: A number of discrete marine mammal issues merit the Committee's attention during the 111<sup>th</sup> Congress. These include increasing protections for North Atlantic Right Whales, bolstering recovery efforts for Southern California Sea Otters, and assessing the impacts of ocean noise associated with a wide range of activities. The Committee intends to conduct oversight hearings on these issues and consider legislative initiatives as appropriate.

Shark Conservation: The Committee will advance legislation to strengthen the implementation and enforcement of the Shark Finning Prohibition Act of 2000. In addition to eliminating an unintended enforcement loophole and addressing the difficulty that has become apparent in implementing the statute's percentage-based standard, the Shark Conservation Act of 2009 will promote the conservation of sharks internationally and in a manner consistent with the expectations placed on U.S. fishermen.

Marine Aquaculture in Federal waters: Currently, there exists no comprehensive federal permitting and regulatory system for the siting of aquaculture facilities in the Exclusive Economic Zone, and NOAA has sought legislation to establish this authority. Such a system is needed to avoid the piecemeal approach to permitting that now poses threats to both the marine environment and public health. The Committee intends to hold hearings on legislation to authorize a coordinated set of enforceable federal regulations to address program administration, permitting and site selection issues, and characterize, monitor, and mitigate the potential, specific and cumulative ecological impacts of offshore aquaculture operations.

International Whaling Commission: The Committee will continue to monitor the activities of the U.S. Delegation as it participates in negotiations on the future of the International Whaling Commission (IWC). The Committee intends to hold an oversight hearing to elucidate the new

Administration's position heading into the 61<sup>st</sup> meeting of the IWC, with an emphasis on maintaining the United States' commitment to the commercial whaling moratorium.

Invasive Species: Invasive, nonnative species can harm the economy, the environment, other animal species' health and human health. The Committee's evaluation of these negative impacts and the inadequacies of the current injurious wildlife provisions of the Lacey Act Amendments of 1981 identified the need for a proactive approach. The Committee expects to advance legislation authorizing the FWS to establish a risk assessment process to control the importation of invasive wildlife species.

Reaffirming U.S. Global Leadership in Coral Reef Conservation and Science: In recognition of the persistent threats and tenuous health of global coral reef resources, the Committee, during the 110<sup>th</sup> Congress, reported and the House passed comprehensive legislation to reauthorize and strengthen the Coral Reef Conservation Act. Although the Senate did not act on this initiative, the need for this legislation remains undiminished. The Committee will look to pass legislation in the 111<sup>th</sup> Congress to amend the Act to increase support for local coral reef action strategies, to strengthen international cooperation and enforcement of coral reef protections, to enhance effective federal coordination by giving statutory authority to the U.S. Coral Reef Task Force, and to explicitly authorize the Secretary of the Interior to protect coral reef resources under the department's jurisdiction.

Advancing Bird Conservation in the 21<sup>st</sup> Century: The Committee remains concerned that many bird populations around the world, including some populations of popular waterfowl species that are protected under the Migratory Bird Treaty Act (MBTA), are depleted or in rapid decline due to factors related to climate change, habitat loss and fragmentation, disease, and incidental mortality. The Committee will review implementation of the MBTA and assess whether this venerable wildlife statute and other migratory bird conservation strategies, such as the North American Bird Conservation Initiative (NABCI), remain effective in addressing contemporary impacts affecting bird populations, especially the escalating development of wind energy. In addition, the Committee anticipates considering whether legislation to authorize migratory bird joint ventures or legislation to incrementally increase the price in the Federal Duck Stamp is necessary at this time.

Addressing U.S. Needs for Advancement and Innovation in U.S. Ocean Science, Research and Technologies: Recognizing the need to jumpstart efforts to address the declining investments in and attention to U.S. ocean science, research, and technology, the Committee moved through the House, during the 110<sup>th</sup> Congress, a substantial legislative package regarding ocean mapping, integrated ocean observations, undersea research and exploration and enhanced science and research concerning ocean acidification. While none of these non-controversial bills became law, the Committee will again move this package in recognition of the broad bipartisan support they garnered and the substantial scientific, economic and environmental benefits these bills will generate for the American public.

Enhancing Our Understanding and Use of Marine Protected Areas (MPAs): The underlying science justifying the use of marine protected areas as a resource management tool – including

the use of no-take marine reserves – has matured in recent years, and the use of MPAs has become more widespread. The Committee expects to carry forward efforts initiated during the 110<sup>th</sup> Congress to reauthorize the National Marine Sanctuaries Act. The Committee plans to also examine the establishment of three new marine national monuments in the Western Pacific Ocean and the release of a final management plan for the Papahānaumokuākea Marine National Monument for the Northwest Hawaiian Islands. In addition, the Committee anticipates investigating the Administration’s implementation of Executive Order 13158 regarding marine protected areas and the release of final guidelines for the development of a national system of marine protected areas.

Strengthening the U.S. Commitment to International Wildlife Conservation: The Committee invested substantial time during the 110<sup>th</sup> Congress considering reauthorizations of and additions to the Multinational Species Conservation Fund and conducted oversight concerning illegal trade in wildlife and wildlife products. During this Congress, the Committee intends to move legislation to expand the Multinational Species Conservation Fund to address the needs of great cats, canids and cranes. In addition, the Committee will look to advance legislation to provide a comprehensive authority to clarify the Secretary of the Interior’s responsibilities in international wildlife conservation and to coordinate the activities of the federal government in this regard. Additionally, considering the global reach of U.S. Armed Services, the Committee might also consider legislation to reauthorize the Sikes Act to improve its effectiveness and coordination with broader conservation initiatives.

#### **ENERGY AND MINERALS**

Budget Oversight: The Committee will examine the budgets and capacities of energy and minerals related programs within the U.S. Geological Survey, Office of Surface Mining Reclamation and Enforcement, Minerals Management Service, Bureau of Land Management and the Forest Service.

1872 Mining Law: The Committee will again consider comprehensive legislation to reform the nation’s mining law, and examine issues germane to bringing the nation’s hardrock minerals policy into the 21<sup>st</sup> century. Unlike nearly every other country in the world, the 1872 Mining Law conveys rather than leases hardrock minerals on public lands, and development occurs on a claim without a production royalty paid to the federal government. Considerations for the Committee include how to structure a royalty for mining gold, copper, uranium and other valuable hardrock minerals which produces fair return to the taxpayer but also supports a healthy industry, and the lack of a clear and enforceable national environmental standard for mining.

Regulation of Coal Ash: Approximately 129 million tons of coal ash (combustion “byproducts” or “wastes”) was produced in the United States during 2006. By one estimate, coal ash generation will increase at least 25% by 2020. In the 111<sup>th</sup> Congress, the Committee will consider legislation to address the appropriate role of the federal government in assuring the safe disposal or reuse of coal combustion waste. A 2007 draft assessment by the Environmental Protection Agency revealed risks to human health and the environment from the disposal of coal

waste in landfills and surface impoundments, and a 2006 National Research Council report recommended enforceable federal standards for coal waste disposal in mines.

Offshore Drilling: The Committee will consider the question of whether, where and under what terms future offshore oil and gas development should occur during the 111<sup>th</sup> Congress. The federally-owned Outer Continental Shelf (OCS) is responsible for producing nearly 15% of the nation's domestically produced gas and over a quarter of domestically produced oil. In Fiscal Year 2008, oil and gas activities on the OCS brought in over \$18 billion in bonus bids, rentals, and royalties. As a major source of energy and revenue for the United States, vigorous and extensive oversight of the offshore oil and gas program is critical. Further, with over 500 million acres of the OCS now open for leasing activity due to the recent expiration of the executive withdrawal and Congressional moratorium, questions about where, when, and how drilling should occur in the previously protected areas of the OCS must be addressed by the Committee.

The Committee intends to aggressively pursue oversight of these issues by conducting a comprehensive review that examines all facets of the oil and gas program on the Outer Continental Shelf. The rate of development of existing leases, the environmental impact of drilling, the effect of OCS oil and gas production on energy security and energy prices, the views of local communities on drilling activities, and more will all be addressed. The Committee will ensure that any new oil and gas activity in the OCS is done in an environmentally and fiscally responsible manner – protecting not only the scenic beauty of our shorelines, but also the return that the American people deserve from the use of their oil and gas resources.

Onshore Oil and Gas Leasing Programs: During the 111th Congress, the Committee will continue to assess the strengths and weaknesses of federal onshore energy program management, organization, and policies. Reviews are anticipated to include:

- ▶ Recent analyses by the General Accounting Office on ways the Department of the Interior can encourage diligent development, the use of categorical exclusions as allowed by the Energy Policy Act of 2005, and fluid minerals bonding.
- ▶ Recommendations by western governors for improvements in energy development, particularly coordination and planning between federal officials and policies and state and local officials to facilitate leasing while also protecting wildlife corridors and crucial habitat.
- ▶ Concerns raised by conservationists and western state citizens that resource management plans and leasing decisions are increasingly inconsistent with agency stewardship requirements. For example, six Utah Resource Management Plans (RMPs) covering 11 million acres completed in 2008 allow oil and gas exploration and development across a majority of lands which BLM itself identified as having important wilderness characteristics, and in some areas about our national parks.
- ▶ Questions about community impacts from energy development, and the pressure that various kinds of energy development places on water supplies.

Accountability in Royalty Management/Royalty in Kind Program: The Committee will continue to aggressively review the collection of royalties, rents and bonus bids accrued from leasing

federal oil and gas resources on federal lands and waters—\$24 billion in FY 2008, the second largest revenue stream to the federal Treasury after taxes.

Historically, the federal agencies tasked with tracking and collection of these revenues have not performed in an adequate or transparent manner. As evidenced by a series of independent assessments undertaken at the insistence of the Committee, there has been gross malfeasance in the federal oil and gas program. As Interior Department Inspector General Earl Devaney has said, “Short of a crime, anything goes at the Department of the Interior.” Sadly, as the Committee learned from a series of reports issued in the past two years, Interior employees did not stop short of committing crimes.

During the 110<sup>th</sup> Congress, the Committee used its authority to investigate allegations of corruption at the Department of the Interior, requesting additional Inspector General (IG) and Government Accountability Office (GAO) investigations of the Minerals Management Service (MMS), and holding four oversight hearings into the federal royalty management program. These efforts culminated with a hearing in September 2008 on the latest findings by the Inspector General detailing an array of ethical problems at MMS, including inappropriate outside employment, rigged contracts, drug abuse, and sexual relationships between MMS supervisors and oil and gas industry employees.

The Committee will continue its work to rectify the gross malfeasance and inadequacies unearthed in the federal oil and gas royalty program by closely tracking MMS’ implementation of the GAO and IG recommendations, requesting additional investigations by these entities, and by taking a fresh look at the overall structure of the federal royalty system to determine what improvements can be made in the collection of rents, bonus bids and production royalties from oil and gas development both onshore and offshore.

Renewable Energy On- and Off-shore: The Committee plans to perform oversight on programs and policies for renewable energy development on federal lands and waters, including reviews to ensure that permitting processes— whether for solar, wind, or geothermal resources— are fair and efficient, assure that transmission needs are met, and that fees and rental rates are appropriate.

There is a growing body of renewable energy laws and regulations governing siting and development. The Bureau of Land Management will prepare a Programmatic Environmental Impact Statement (PEIS) to determine where large-scale deployment of solar power is compatible with other land management goals by 2010. At the same time, BLM faces a backlog of more than 130 applications representing a combined total of more than 70 gigawatts of solar potential. The agency also recently proposed new rules to encourage geothermal energy development on federal lands via competitive leasing. Additionally, the Minerals Management Service is currently drafting regulations for the OCS Alternative Energy and Alternate Use Program. The Committee intends to conduct oversight of these agency activities, and examine how to facilitate development of clean, renewable resources in the most appropriate places on public lands and waters, consistent with other land management responsibilities, and in light of the potential to create jobs and a low-carbon economy.

Oil Shale and Tar Sands Leasing: In 2008, the Bureau of Land Management hastily finalized rules to facilitate commercial oil shale leasing on 2 million acres of public land in Utah, Colorado, and Wyoming after a congressional ban on the final rules expired at the end of September 2008. The many unknowns about oil shale as an energy commodity make it incumbent upon the Committee to question calls for large scale oil shale development. While the Energy Information Administration's long-term forecast envisions commercial oil shale production in the United States eventually if oil prices are high (\$102 per barrel of oil in 2020 and \$118 in 2030) the EIA also notes "considerable uncertainty" about future unconventional crude production, citing potential climate rules that would increase costs, possible water access restrictions in the West and other environmental limits. The Committee proposes to examine such questions as the water requirements for oil shale production, the status of the six research and development leases currently underway to test technologies for extraction, the impacts of oil shale and tar sands development in other nations, the amount of energy needed for full-scale production (and attendant increases in U.S. emissions of carbon dioxide) and potential western community impacts.

Carbon Sequestration: Coal plays a major role in meeting U.S. energy needs, and will continue to do so in coming decades. Carbon Capture and Storage (CCS) is the key enabling technology to ensuring that the U.S. can continue to take advantage of our vast domestic resources of coal without contributing to greenhouse gas emissions. CCS entails injecting carbon dioxide underground in ultra-deep geological reservoirs. The U.S. has the geological capacity to store carbon emissions in depleted oil and gas reservoirs for several decades. Capacity in other geological reservoirs is estimated to be in the hundreds of billions of tons, enough to store current levels of domestic emissions for over 300 years. This technology is still under development, but many experts are optimistic about its advancement. The Committee is committed to advancing carbon sequestration on public lands and ensuring this technology is safely developed and disseminated, and anticipates performing oversight on the Administration's implementation of Section 714 of the Energy Independence and Security Act of 2007, which was drafted by the Committee and directs the Department of the Interior to develop a recommended framework for managing geological sequestration on public lands. The Committee will also oversee the United States Geological Survey's efforts to develop geological and terrestrial carbon dioxide sequestration capacity assessments.

Abandoned Mines: The Committee will also examine shortcomings in hardrock abandoned mine management and funding, and the potential to create economic and employment benefits through mine reclamation. In 2008, the Inspector General found that thousands of abandoned mines pose dangerous physical safety and serious environmental hazards, and the GAO determined that while the BLM has improved its management of financial assurances for hardrock mining, for about 52 mining operations financial assurances are still about \$61 million less than needed to fully cover estimated reclamation costs—leaving the taxpayer vulnerable to growth in an already enormous reclamation cost burden.

**NATIONAL PARKS, FORESTS AND PUBLIC LANDS**

Budget Oversight: The Committee will review the Administration's budget requests for the National Park Service (NPS), Forest Service (FS), and Bureau of Land Management (BLM) programs and activities.

Fire: Combating wildfires continues to be the most serious challenge facing the Forest Service. The costs of such emergency activities have overwhelmed the agency's entire budget, to the point of syphoning funds away from fire prevention programs. The Committee will continue examining this issue in an attempt to develop solutions which might break this current destructive cycle.

Land Exchanges and Conveyances: The Committee intends to explore development of consistent standards governing disposal of federal land. The purpose of such standards will be to insure proper environmental review of disposals as well as a fair rate of return for taxpayers.

Fee Authority: The Committee expects to continue reviewing implementation of the Federal Lands Recreation Enhancement Act and the impacts of new and higher fees on resources and visitors.

National Environmental Policy Act (NEPA): The Committee remains concerned regarding the Forest Service's aggressive use of categorical exclusions from NEPA's environmental analysis requirements for activities impacting forest resources. Implementation of the Healthy Forests Restoration Act and other laws and policies impacting NEPA implementation will be explored.

Roadless Areas: The Committee plans to continue examining the Bush Administration's efforts to evade and undermine the Roadless Rule along with efforts by the Obama Administration to fully implement the rule.

Wilderness: The Committee expects to conduct oversight on the role wilderness is to play in federal land management. Much of the debate on this issue over the last several years has mischaracterized the value of wilderness and the impacts of wilderness designations. The Committee will explore these misconceptions.

Wild Horses and Burros: BLM has announced the agency's intent to euthanize thousands of wild horses and burros currently living on public lands due to a lack of funding and acreage on which to manage them. The Committee will continue examining the management of these iconic animals to develop alternatives to slaughter.

Energy Development: Aggressive energy development under the Bush Administration has had significant impacts on public lands and resources. The Committee will continue examining these impacts, including difficulties for owners of split estates, appropriate corridor placement and construction, and the role public lands could play in combating global climate change.

Bison: The federal agencies and states involved in the partnership to manage Yellowstone Bison

have made progress in updating the existing Inter-Agency Bison Management Plan in response to concerns identified in a Government Accountability Office report conducted at the Committee's request. The Committee will continue monitoring this progress and examining strategies for avoiding lethal removal of these iconic animals.

Exclusive Use Agreements: The Committee proposes to examine instances where private entities, some for profit, are granted exclusive use of land or facilities owned by the National Park Service. The Committee will explore such arrangements to insure that they occur only in limited circumstances and are clearly in the public interest.

Concessions: The last significant changes to NPS concessions management policy were made more than a decade ago. The Committee intends to examine implementation of the Concessions Management Improvement Act of 1998 to identify continuing problems and possible solutions.

U.S. Park Police (USPP): The Park Police continue to be underfunded, undermanned and under-equipped as the demands placed on the agency continue to increase. The Committee intends to conduct oversight on the mission and challenges facing the USPP.

Environmental Education: The Bush Administration engaged in an effort to undercut interpretation and education programs. The Committee plans to examine the state of environmental education in our parks, forests and public lands; assess what needs to be done to revitalize these programs; and spotlight the importance of these efforts, including those that connect urban and disadvantaged youth to parks.

Land acquisition: The Bush Administration pursued a strategy of starving federal land acquisitions that left federal agencies without the means to acquire crucial inholdings, such as an important property in the heart of Zion National Park. Further, property owners who want to sell their lands to federal agencies have often waited for years for money to become available. The Committee expects to examine the backlog of critical acquisitions, and will also consider the need to acquire land to connect ecosystems and provide migration corridors and open space needed to give species a fighting chance for adaptation and survival in the face of climate change.

## **WATER AND POWER**

Budget Oversight: The Committee intends to hold hearings to review the spending priorities of the Bureau of Reclamation, the Water Resources Division of the U.S. Geological Survey (USGS), and the Power Marketing Administrations (PMAs).

New Era of Western Water Management: Water is the lifeblood of communities and economies throughout the West. Drought conditions, climate change impacts, and water use conflicts are undermining the reliability of water supplies for municipal and agricultural use. Small farmers are feeling the pressure to convert their lands for development. Improving the reliability of water supplies requires innovative approaches and coordination with local water managers.



Over the past fifteen years, it is clear that the era of large, new federal water projects is ending. New water supplies for a growing West will come from water reuse projects, water conservation efforts, or appropriately-scaled storage. The demand for water reuse projects is increasing yearly and outpacing federal funding. At present, there is a nearly \$1 billion backlog in water reuse funding at the Bureau of Reclamation. The Committee plans to examine whether the Bureau of Reclamation and the Water Resources Division of the U.S. Geological Survey are adapting to the changing needs of water managers facing a host of new challenges. Specifically, the Committee will conduct oversight on how water reuse and conservation can ameliorate water shortages related to drought and competing water resource demands. The Committee expects to also examine aging water infrastructure across the West, and how the health of the economy and climate change could have detrimental impacts on water infrastructure.

The Committee proposes to also review information related to the potential for groundwater storage through the USGS aquifer study program, and examine the effects from less USGS stream-gage data for water supply.

Planning for Climate Change Impacts: Climate change is altering the historic cycle of snowfall and snowmelt that regulates the flow of water from the high mountains into streams. Generally, there is less snow, earlier snowmelt, and more rain. The water delivery infrastructure of reservoirs and canals was designed to capture snowmelt and steadily provide water for municipal and agricultural uses throughout the year. Changing precipitation patterns impact the ability to capture and deliver water in traditional ways. Further, less water at critically dry times impacts both aquatic and terrestrial species. The U.S. Drought Assessment indicates that many western states continue to experience unprecedented drought. It is critical that we better understand how climate change impacts the hydrologic cycle for both humans and their environment. The Committee intends to hold hearings to better define what role federal agencies need to play in identifying both the impacts of climate change on water supplies and ecosystems, and problem-solving adaptation strategies.

Klamath River, California and Oregon: The Klamath River is heavily impacted by a Bureau of Reclamation irrigation project and federally-licensed hydropower projects. Salmon populations of vital importance to Indian tribes and non-Indian fisheries have reached historically low levels. Federal improvements to the river have caused controversy for years. There have been ongoing settlement discussions among affected interests and the governors of California and Oregon directed at resolving river management disputes. The Committee expects to conduct hearings on a settlement proposal, and will consider, among other things, the relationship of a Klamath River settlement to other fishery restoration and river management initiatives in the region.

California Bay-Delta: The ecological health of California's Sacramento-San Joaquin Delta is in a crisis. Water deliveries from the federal and state system are being driven by federal court rulings. Drought conditions are exacerbating the impact of reduced water deliveries and forcing water restrictions throughout the state. Meanwhile, state-level initiatives are seeking to address the long-term management issues associated with the Delta ecosystem. The Committee intends to actively engage federal and state water managers on the range of issues impacted by water deliveries in California through oversight and, potentially, through legislative hearings. The

Committee is sensitive to the economic and social impacts of the reduced water deliveries, as well as the governance of new water infrastructure. The Committee will seek to highlight those impacts.

Lower Colorado River Basin Operation and Management: The Colorado River Basin states have demonstrated their ability to work together to resolve complex water management problems, but many challenges remain. Committee oversight activities will include consideration of the nexus between water supply and demand in the Lower Colorado River Basin, a continued examination of invasive species like the Quagga mussel and its effects on hydropower and water deliveries, and a look at the Shortage Sharing Agreement and its application in an era of climate change.

The Committee also expects to consider how California's changing administration of its share of the Colorado River will affect the agriculture-dependent communities and coastal urban areas that are dependent on, or expect to use, Colorado River water.

**OVERSIGHT PLAN**  
**Committee on Oversight and Government Reform**  
**U.S. House of Representatives**  
**111<sup>th</sup> Congress**  
**Honorable Edolphus Towns**  
**Chairman**

Rule X, Clause 2(d) of the Rules of the House requires each committee of the House to adopt and submit a two-year oversight plan to the Committee on Oversight and Government Reform and the Committee on House Administration by February 15 of the first session of Congress.

The following is the oversight plan for the Committee on Oversight and Government Reform for the 111<sup>th</sup> Congress. This plan consists of topics designated for investigation, evaluation, and review by the Committee on Oversight and Government Reform. The topics were selected by Chairman Edolphus Towns, in consultation with the Ranking Minority Member, Rep. Darrell Issa, other members of this Committee, and other Committees. In developing this oversight plan, the Committee reviewed oversight proposals by various entities, both inside and outside government.

Below are descriptions of some of the issues the Committee intends to investigate during the 111<sup>th</sup> Congress. The list is not exhaustive, but highlights significant areas for Committee oversight. The Committee will retain the flexibility to investigate emerging abuses and other issues as appropriate.

**Economic Stimulus**

Congress is currently considering economic stimulus legislation to invest in the nation's critical infrastructure. The Committee is committed to ensuring that the legislation provides for an unparalleled level of oversight, transparency, and accountability.

The Committee will review the implementation of any oversight mechanisms that the legislation creates and will monitor the ability of existing oversight bodies, such as inspectors general and the Government Accountability Office (GAO), to provide timely identification of problem areas. The Committee will maintain ongoing, real-time oversight of all stimulus spending at the federal, state, and local levels to prevent waste and fraud, with special attention to any contracts awarded with less than full and open competition.

The Committee will also review the federal government's long-term budget and fiscal outlook.

**Financial Sector**

The Committee will continue oversight of the financial sector, including forward-looking monitoring of all recovery programs and investigations of practices that led to the current economic climate.

Key topics for oversight include executive compensation and bonus policies at companies receiving government funds, costs and competition in contracting, whether the Treasury Department is receiving adequate equity in return for its investment of taxpayer money, compensation and recruitment of federal employees implementing the plan, the effectiveness of internal oversight from the Special Inspector General and GAO, and the potential market, legal, and regulatory implications of the federal government's ownership of shares in private banks.

The Committee will also review the administration of the Troubled Assets Relief Program (TARP), including the implementation of recommendations made by the Special Inspector General for the Troubled Asset Relief Program (SIGTARP), and to ensure greater accountability and transparency in TARP agreements.

The Committee will also review potential reorganization of federal financial regulatory agencies and the effectiveness of past legislation to regulate the financial sector, including Sarbanes-Oxley. The Committee will also review Department of Justice policies and practices on white-collar crime, including privilege and federalism issues.

The Committee will also investigate financial services industry practices that could undermine economic recovery, including bank speculation on oil and other energy prices; and conflicts of interest, such as investment banks marketing credit default swaps on states with fiscal difficulties while underwriting debt for the same states.

#### **GAO and IG Recommendations**

In January 2009, the Government Accountability Office issued its biannual "High Risk" report, which identifies government programs that are particularly vulnerable to waste, fraud, or abuse. Chairman Towns and Ranking Member Issa sent a letter to Secretary of Defense Robert Gates requesting a meeting to discuss plans for improving the fifteen DOD and Defense-related programs that appear on the list. The Committee will request such meetings with the head of every agency that has programs included on GAO's high-risk list, and will provide ongoing oversight of the agencies' corrective action plans. Among the issues contained in the High Risk series of particular interest to the Committee are all proposals for restructuring the U.S. financial regulatory system per the Committee's jurisdiction over reorganizations in the Executive Branch.

Also in January 2009, Chairman Towns and other Members issued a report finding that over 13,000 recommendations made by Inspectors General (IGs) since 2001, with potential savings of \$25 billion, had not been implemented. The Committee will continue review of all outstanding and new Inspector General recommendations to determine whether they are being implemented.

#### **Government Contracting**

In recent years, the "shadow government" of private companies working under federal contract has exploded in size. In the last several years, procurement spending

increased by nearly \$200 billion, making federal contracts the fastest growing component of federal discretionary spending. This growth in federal procurement has sometimes come at a steep cost for federal taxpayers. The Committee will examine the causes and effects of the increase in procurement, the importance of safeguards like competition from the procurement process, and shortfalls in the acquisition workforce.

The Committee will continue its work investigating waste and fraud in federal contracting and supervising the federal procurement system. Major challenges identified by the Committee in past Congresses include linking contract award and funding decisions with performance, and determining which functions are inherently governmental and should be performed by federal employees.

The Committee will oversee implementation of recent contracting reform legislation, focusing on support for contract auditing and management staff. The Committee will also continue its review of tax compliance by federal contractors and the status of contracting goals for small and disadvantaged businesses.

#### **Iraq and Afghanistan Contracting**

The Committee will continue to conduct oversight of contracting issues associated with Iraq reconstruction. Since 2004, the committee has been engaged in comprehensive oversight of contracting activities in the war zone. The Committee will also consider issues related to contracting in Afghanistan.

#### **Open Government**

The Committee will investigate allegations that the federal government may be inappropriately or unduly restricting access to information by Congress and the public. The Committee will examine public access to information through the Freedom of Information Act. The Committee will also examine the implementation of other open government laws, such as the Presidential Records Act and the Federal Advisory Committees Act, to ensure that they are being implemented to ensure public access to information.

The Committee will examine issues related to national security classification. These include concerns about the rapid growth in classified information, the process for declassifying information that no longer needs to be kept secret, and the proliferation of pseudo-classification designations such as "sensitive but unclassified." The Committee will continue to conduct oversight of the National Archives Information Security Oversight Office (ISOO) to assist it in its dual role of policy making and oversight of the Government-wide security classification system and the National Industrial Security Program. ISOO must balance the need to protect classified information with the transparency required by the Freedom of Information Act and Presidential Records Act.

#### **Technology and Cybersecurity**

The Committee will review the federal government's use of technology to make government more efficient, transparent, and interactive with citizens. Key topics for

oversight will include implementation of requirements to post government expenditure information online, accessibility of federal information to search technologies, and management of large information technology procurements.

The Committee will also review the security and integrity of federal systems, including the requirements of the Federal Information Security Management Act (FISMA) and notification and remediation practices when personally identifiable information is compromised. The Committee will also review the recent problems involving security breaches at the Veterans Administration and the Office of Personnel Management's USAJOBS system. Other topics for review include the security of mobile digital devices and peer to peer networks.

#### **Improper Payments**

This Committee will further investigate improper payments distributed by federal agencies. Under the 2002 Improper Payments Information Act (IPIA), federal agencies are required to annually review all programs and activities to identify those susceptible to significant improper payments. Improper payments are payments made in error or without proper documentation. For FY2008, improper payments may have exceeded \$72 billion, the highest dollar figure since the Act's introduction. While some of that money will be recovered, a huge portion of it may never be retrieved. Moreover, what is being reported today may only begin to scratch the surface. At a time when the federal government is looking to spend an unprecedented amount of taxpayer dollars on new programs, proper financial programs and proper financial reporting is of great importance to ensure that the federal government wastes as little money as possible.

#### **Regulatory Process**

Federal regulations can be critical to ensuring effective implementation of the laws that Congress passes to protect human health, consumers, and the environment. The integrity of a rule can be compromised if the process in which it is developed is not open and transparent. The Committee will focus on the role of the Office of Information and Regulatory Affairs (OIRA) in agency rulemakings and the transparency of OIRA's interactions with agencies and outside entities. The Committee will also focus on the need to improve the efficiency of the federal regulatory process, the effectiveness of the federal regulatory process in achieving the desired outcomes of regulation, and ways to improve the regulatory process and regulatory agencies so that they are more likely to accomplish their important missions.

#### **Rating Agency Performance**

The Committee will examine Administration efforts to rate the performance of federal programs including the extent to which such efforts incorporate input from Congress, agencies, independent analysts, and the public.

### **Minerals Management Service**

GAO and the Inspector General for the Department of the Interior have documented numerous problems with the Minerals Management Service (MMS) and its Royalty-in-Kind Program (RIK). In September 2008, the Inspector General released the results of three investigations that described appalling abuses and inadequate oversight at MMS.

In 2006, this Committee began an investigation of the MMS for corruption and cover-ups surrounding faulty oil and gas leases signed in 1998 and 1999. The investigation revealed that Interior Department officials knew the leases were faulty, yet chose to conceal the truth in hopes that nobody would notice.

The Committee intends to delve deeper into whether energy companies are correctly reporting the amount of oil and gas being produced and whether the correct royalties are being paid on that production. In tandem, the Committee will scrutinize Interior Department efforts to ensure private sector reporting and payment compliance. Oil and gas royalty payments represent one of the country's largest non-tax sources of revenue. Taxpayers must get every cent that is owed them.

### **Interior/Backlogs**

The committee will review the issues surrounding the maintenance backlogs at the Department of Interior, particularly the National Park Service, Forest Service, Bureau of Land Management (BLM), and Fish and Wildlife Services (FWS). Estimates of these backlogs vary greatly and despite appropriations, especially to the NPS, the backlogs continue to grow. The Committee will review these backlogs, how maintenance needs are being prioritized, and subsequently addressed. The review will include maintenance backlogs at important cultural and historical sites such as the National Mall.

### **Healthcare**

The Committee will investigate alleged waste, fraud, and abuse that undermine government and government-funded health programs, with special attention to abusive pricing and marketing tactics. The Food and Drug Administration (FDA) will remain a major subject of oversight, including in such key areas as drug safety and the regulation of dietary supplements and medical devices.

The Committee will also conduct oversight of the efforts of HHS and the Veterans Administration (VA) to assure the efficient use of federal health care dollars, including federal workforce health insurance, Medicare, Medicaid, and VA spending. Topics for review include whether funds are being spent efficiently on medically necessary services and potential waste, fraud, abuse, and improper payments in the programs, especially areas identified by GAO as high risk. In addition, the Committee will examine indirect costs, such as the efficiency of the drug approval process at FDA and the efficacy of the efforts of the HHS-IG and other law enforcement agencies charged with investigating and prosecuting health care fraud.

The Committee will also investigate potential conflicts of interest at the National Institutes of Health (NIH), focusing on the NIH practice under which extramural researchers at NIH are able to take money from pharmaceutical companies at the same time they are receiving grant money to test drugs for the federal government. This investigation will probe whether weak conflict of interest rules for extramural grantees has permitted federally funded science to become tainted.

In order to improve the quality of care in the United States the Committee will conduct oversight into federal efforts to prevent medical errors and healthcare associated infections which result in significant injury and death in the United States as well as unproductive health care spending.

The Committee will continue its oversight of Administration efforts to improve health preparedness for terrorist attacks and naturally occurring disease outbreaks, such as pandemic influenza.

#### **Food Safety**

The Centers for Disease Control (CDC) estimates that upward of 56 million Americans suffer from food poisoning each year. The Committee will investigate the safety and security of our Nation's food supply, with a particular focus on imported food, including melamine contamination of food imported from China. The Committee will attempt to determine how widespread the problem of melamine contaminated products is and whether the FDA's efforts to ensure that food products are not tainted with melamine are sufficient.

The Committee will investigate the adequacy of food safety law enforcement by the FDA, the Food Safety and Inspection Service (FSIS) of the USDA and Customs and Border Patrol (CBP) of DHS. This will include an examination of the extent to which the authority to inspect, interdict, and test domestic and imported food and to enjoin or prosecute industry practices that threaten the public health has been weakened over time.

The Government Accountability Office (GAO) has identified 15 federal agencies responsible for administering 30 food safety related laws. The Committee will conduct oversight into the federal food safety regulatory structure to address fragmentation and insure that federal efforts are coordinated and that agencies are effectively and efficiently using resources to improve food safety.

#### **Oversight of the Department of Homeland Security**

The creation of the DHS required one of the largest consolidations of federal agencies in history. The department was ultimately formed by bringing together 22 different parts of government. Though the department has made progress in integrating these various agencies, incidents such as the response to Hurricane Katrina reveal that there is still room to improve efficiency and responsiveness. The Committee will review the operations, management, and decisionmaking at DHS, focusing particularly on procurement, the extensive use of outside contractors, and issue of whether DHS has



attempted to usurp some important programs and functions that properly lie with other agencies.

### **Energy**

Energy policy must address all facets of energy production as they relate to the economy, national security, and the environment. The Committee will examine the role of the federal government in the advancement of renewable energy. Federal lands also provide a valuable resource for helping America meet its energy goals and the Committee will oversee all aspects of their use for energy production.

In addition to finding and utilizing cleaner and more efficient sources of energy, oversight of the electricity generation and delivery infrastructure is imperative. An aging grid and transmission line system that has proved increasingly unreliable, leading to shortfalls and blackouts, will not be able to keep pace with the changing face of power generation.

Building on the Committee's long and bipartisan history of conducting oversight over the federal government's role in controlling climate change, which is inextricably linked to our nation's energy policy, the Committee will continue to examine the role of the federal government in the advancement of alternative and low carbon energy sources. The regulation of CO<sub>2</sub> and other greenhouse gases will require the coordination of multiple government agencies and the Committee will continue to conduct oversight and investigations as the Federal government crafts a framework to regulate CO<sub>2</sub>.

The Committee will continue its review of the domestic carbon market and conduct oversight of proposed cap-and-trade systems. No single regulatory body has oversight responsibility of the domestic carbon market. Given the federal government's direct participation in the market, in the form of purchasing carbon offsets and facilitating some offset projects, addressing this lack of oversight is necessary. The Committee will conduct oversight to minimize the potential for fraud and to direct the establishment of standardized quality assurance mechanisms.

The Committee will investigate the performance of the Department of Energy (DOE) and the Nuclear Regulatory Commission (NRC) with regard to ensuring safety at the Nation's nuclear power plants and other nuclear facilities. This investigation will include the adequacy of the new facility licensing process and the NRC's proposal to license nuclear reprocessing plants.

In addition, DOE has been on the GAO's high risk program list for 19 years. The Committee will investigate whether DOE has adequate project management capabilities for major projects, such as the \$70 billion Hanford vitrification plant.

### **Environment**

The Committee will review Department of Defense (DOD) environmental activities and ascertain its record of clean-up effectiveness, ongoing monitoring, and compliance with Federal and state environmental laws and regulations. The Committee

will particularly examine EPA's failure to enforce environmental laws at DOD facilities; DOD opposition to the listing of toxic waste sites on the NPL; DOD refusal to sign interagency cleanup agreements with EPA; DOD challenges to state regulatory authority under the Resource Conservation and Recovery Act (RCRA) at formerly utilized defense sites (FUDS); and DOD delays in cleaning up its Superfund sites.

The Committee will also investigate the Department of the Navy's long-term refusal to provide medical care to current and former servicemen and their dependent families who were injured by environmental contamination at Navy facilities. The Committee will particularly examine extensive water contamination at Marine Corps Base Camp Lejeune and air contamination at Atsugi Naval Air Facility.

Finally, the Committee will investigate the Environmental Protection Agency's (EPA) development of proposals to conduct human testing of pesticides on children. In connection with this issue, the Committee will also examine EPA's treatment of whistleblowers and others who have disagreed with the agency's official.

#### **Consumer Protection**

The Committee will investigate the adequacy of efforts by the Consumer Product Safety Commission (CPSC) to safeguard consumers, particularly children, from faulty or dangerous products. This will include review of the CPSC's implementation of Section 15(b) of the Consumer Product Safety Act pertaining to Substantial Product Hazard Reports; other data gathering and dissemination efforts with respect to products within its jurisdiction; the assessment of civil penalties to enforce safety; CPSC work on emerging hazards; and the relationship of CPSC orders to common law.

The Committee will also examine the enforcement activities of the Federal Trade Commission, particularly with respect to false and deceptive advertising, including offerings made by mail and email; telemarketing; identity theft; and privacy.

#### **Trade**

The Committee will examine the implementation and effect of multilateral trade agreements (including World Trade Organization agreements) and bilateral agreements, focusing particularly on the issue of whether these trade agreements adequately protect the interests of domestic and foreign workers and the environment. Some of the trade practices that require investigation include: currency manipulation by China and others; widespread theft of American intellectual property; failure to abide by agreements regarding environment and worker health and safety; use of offshore havens to perpetrate frauds on US consumers and investors; and the proper enforcement of anti-dumping and countervailing duty laws by the Department of Commerce.

#### **9/11 Health Care**

The Committee will continue its oversight of ongoing programs to monitor and assist victims of the September 11, 2001 attacks on the World Trade Center (WTC). An unknown number of people were exposed to harmful toxins during the aftermath of the

attacks and the clean-up and recovery efforts. The health effects attributable to the attacks have proven to be both immediate and long-term, and are still not fully understood.

The Committee will continue to evaluate the adequacy of existing programs to assist those exposed to Ground Zero toxins. Key to that evaluation will be a review of the data being collected on the health of exposed populations. The Committee will also examine liability issues faced by the City of New York and private contractors who committed workers to the rescue and recovery efforts.

#### **USDA Civil Rights**

The Committee will continue its review of civil rights issues at the U.S. Department of Agriculture. Given USDA's acknowledged history of discrimination against black farmers, the Committee will review leadership and the implementation of programs within the department's Office of the Assistant Secretary for Civil Rights. The Committee will also monitor whether USDA's IG has appropriate access to review civil rights enforcement and management procedures, including delays in the processing of discrimination complaints and the lack of diversity among county committees.

#### **Army Corps of Engineers**

The Committee will continue to conduct oversight with respect to the Army Corps of Engineers civil works program. In conjunction with the economic stimulus package, the Army Corps is readying numerous backlogged programs. According to the Corps, they have the ability to accelerate over 580 construction programs.

#### **Executive Office of the President and the Office of Administration**

House Rule X 3(i) directs the Committee to "review and study on a continuous basis the operations of Government activities at all levels with a view to determining their economy and efficiency." Pursuant to this requirement, the Committee will conduct oversight of all federal entities as warranted, including the Executive Office of the President, the Office of the Vice President, the White House Office and the Office of Administration. In order to ensure compliance with the Presidential Records Act, the Committee will continue to monitor the technology associated with the Office of Administration's e-mail archiving system for the Executive Office of the President. The Committee will also continue its review of legal issues related to how the Hatch Act applies to the Office of Political Affairs.

#### **SUBCOMMITTEE ON DOMESTIC POLICY**

The Domestic Policy Subcommittee's jurisdiction is broad. In the past, the subcommittee has devoted attention to financial markets and the foreclosure crisis, the performance of Medicaid, and the adequacy of handling veterans' claims for benefits, among other topics.

In the 111<sup>th</sup> Congress, the subcommittee intends to continue its work on financial markets and banking regulation, resolution of the foreclosure crisis and oversight on the federal response to the financial crisis.

Additionally, our oversight plan includes but will not be limited to the following areas:

- Consumer protection – Waste, fraud, and abuse in corporate billing practices; enforcement of anti-trust laws by relevant agencies; certain cases of product safety enforcement;
- Workplace rights – Enforcement of the National Labor Relations Act and related laws and regulations; enforcement of the Occupational Health and Safety Act and related laws and regulations; and enforcement of the federal minimum wage, overtime rules, and related laws and regulations;
- Retirement security – Waste, fraud and abuse in employee pension programs, and enforcement and adequacy of pertinent laws and regulations;
- Civil rights – Integrity of federal enforcement of and advocacy for civil rights statutes;
- Federal management of publicly owned assets – Enforcement of Telecommunications Act and regulations, with respect to concentration of media ownership, promotion of minority ownership, and the preservation of local broadcasting; examination of the goals of the Fairness Doctrine; and oversight of the Interior Department Minerals Management Service;
- Energy – Waste, fraud, and abuse in the energy industry and government regulation thereof; the safety record of the nuclear energy industry; adequacy of long term storage plans; enforcement of public health and safety laws; and utility rates, ratemaking, and deregulation;
- Native American affairs – effectiveness and integrity of federal initiatives, programs and administration;
- Health Care and Insurance – Waste, fraud and abuse in the health insurance industry; and
- Drug Policy – Effectiveness, cost-efficiency, and socio-economic consequences of current anti-drug policies, priorities, programs, and resources throughout the government, with particular attention to the coordination, direction, and management (where applicable) of such policies, priorities, programs, and resources by the Office of National Drug Control Policy.

- Patent and Trademark Review – The Subcommittee will continue its oversight into the U.S. Patent and Trademark Office to insure that the Office is adopting the best methods and business model to achieve rapid review of applications and high quality decisions at every level.
- HUD CDBG Program – The Subcommittee should continue the Committee’s review into Community Development Block Grant Program (CDBG) with a particular interest in how Congress can retool this worthwhile program to better meet the needs of States and localities.
- Climate change and Carbon Reduction Strategies – The Subcommittee will review various strategies, including voluntary cap-and-trade and carbon taxes, and assess their overall potential impact on atmospheric carbon dioxide and the economy.

**SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE, AND  
THE DISTRICT OF COLUMBIA**

The Subcommittee has jurisdiction over federal employee issues, the postal service, and the municipal affairs of the District of Columbia. The Subcommittee’s oversight plan includes areas under its jurisdiction, but does not preclude oversight or investigation of additional matters as the need arises.

**Federal Workforce**

*Oversight of Federal Human Resources*

The Government Accountability Office (GAO) listed Strategic Human Capital Management on its High-Risk Series List again for 2009. GAO designated strategic human capital management as a high-risk area in 2001 because of the federal government’s long-standing lack of a consistent approach to human capital management. GAO cited leadership; strategic human capital planning; acquiring, developing and retaining talent; and results-oriented culture as areas in need of improvement. The report also noted United States Office of Personnel Management’s (OPM) need to provide leadership in these areas.

The Subcommittee will work with congressional staff and federal employee stakeholders to research and evaluate the effectiveness of the OPM, existing federal pay systems, and human resources processes. The Subcommittee will develop legislation, and will encourage the implementation of policies and strategies, that will enhance federal human resource systems government-wide.

*Senior Executive Service*

The Senior Executive Service (SES) was created in 1979 to provide a government-wide, systematic program for the recruitment, retention, development, and

management of senior executives in the federal government. This cadre of nearly 7,000 top-level executives is noted for its policymaking and leadership responsibilities.

A new pay system for the SES was established in 2004. Key features of the new pay system include the elimination of locality pay and annual pay adjustments; replacement of six pay rates with one broad pay range; an increase in the cap on base pay; and the addition of a second, higher cap for SES appraisal systems that have been certified by OPM.

Some have expressed concern about the new system being equitable, transparent, and free from political influence. Several members of the Senior Executive Association have suggested that the new pay system has led to the politicization of the SES. Furthermore, under the Bush Administration the number of political appointees in government has increased, including political SESers who determine the pay of career SESers. The Subcommittee will examine SES's pay system, whether or not it has been politicized, and, if necessary, will propose legislative remedies.

#### *Diversity in the Senior Executive Service*

The Subcommittee will seek to move legislation that will result in greater diversity within the SES. The legislation would require federal agencies to put in place systems that will attract and retain minorities into the SES. In testimonies before the Subcommittee on April 3, 2008, GAO testified that a significantly lower number of minorities and women are members of the SES in comparison to the numbers of minorities and women employed in the GS-15 and GS-14 levels, the feeder pools for the SES. According to GAO, in 2007, minorities made up 22.5 percent of the employees in the SES development pool while only making up 15.8 percent of the SES. Adoption of the legislation would insure that there is not only a vibrant and diverse SES workforce but also insure all qualified employees have the opportunity to become members of the SES.

The Subcommittee will continue its oversight of SES diversity at the Postal Service. Through a series of hearings, federal agencies, and the Postal Service will be called to testify about programs and policies they have implemented to improve diversity in their SES.

#### *Merit Systems Protection Board*

Established by the Civil Service Reform Act of 1978 (CSRA) as a successor agency to the U.S. Civil Service Commission, the Merit Systems Protection Board (MSPB) is an independent, quasi-judicial agency. The majority of the cases brought to the MSPB are appeals of agency adverse actions, which are removals, suspensions of more than 14 days, reductions in grade or pay, and furloughs of 30 days or less.

MSPB's authorization expired at the end of fiscal year 2007. The Subcommittee will hold a hearing to consider legislation to reauthorize MSPB.

*Office of Special Counsel*

The Office of Special Counsel (OSC) is an independent federal agency with four statutory responsibilities. The first is to investigate and prosecute employee allegations of prohibited personnel practices at federal agencies, including retaliation for whistleblowing and enforcement of federal Hatch Act provisions. In cases where an OSC investigation reveals reasonable grounds to believe a prohibited personnel practice has been committed, and an agency declines to voluntarily provide relief to a complainant, OSC will prosecute a petition for corrective action before the Merit Systems Protection Board.

OSC's current authorization expired at the end of fiscal year 2007. The Subcommittee will hold a hearing to consider legislation that would reauthorize OSC.

*Federal Employees Benefit Programs*

The Subcommittee will hold a series of oversight hearings on the benefit programs that are available to federal employees.

The *Federal Employees Health Benefits Program* (FEHBP) became effective in 1960. It is the largest employer-sponsored group health insurance program in the world, covering over 9 million federal employees, retirees, former employees, family members, and former spouses. Over 350 health plans are offered under the FEHBP Program. Each health plan carrier under the program charges a different premium. The government pays up to 75% of the costs of the enrollees' health benefits coverage and the enrollee pays the rest. The Subcommittee will examine how premium rates are set and cost of prescription drugs for enrollees.

The *Federal Employees' Group Life Insurance* (FEGLI) Plan was established in 1954. It is the largest group life insurance program in the world, covering over 4 million federal employees and retirees, as well as many of their family members. The Subcommittee will hold a general oversight hearing on FEGLI.

The *Federal Long Term Care Insurance Program* (FLTCIP) was created by Congress in 2000 when it passed the Long Term Care Security Act (Act). The Act required the federal government to offer group long-term care insurance to federal and postal employees and annuitants, members and retired members of the uniformed services, and other qualified relatives. In 2001, OPM entered into a seven-year contract with Long Term Care Partners LLC -- a joint venture formed by John Hancock Life Insurance Company and Metropolitan Life Insurance Company -- that allows eligible individuals to apply for long-term care insurance.

GAO's March 31, 2006, report, "Long-Term Care Insurance: Federal Program Compared Favorably with Other Products, and Analysis of Claims Trend Could Inform Future Decisions," found that the federal program's benefits and premiums compared favorably with other plans, but enrollment and claims experience were lower than expected. The Subcommittee will hold the first congressional oversight hearing on FLTCIP.

The *Thrift Savings Plan* (TSP) is a 401(k) style retirement savings plan for federal government employees and members of the uniformed services. The Federal Retirement Thrift Investment Board (Board) administers the TSP. The Subcommittee will seek to move legislation that requires the Board to automatically enroll newly hired federal and military employees in the TSP. Currently, 14% of eligible federal civilian employees and 75% of uniformed service members are not participating in TSP and are therefore less likely than participants to be financially self-sufficient in retirement. For civilian employees in the Federal Employee Retirement System (FERS), TSP represents one part of a three part system, the other parts being Social Security and the FERS annuity. TSP was designed to play an important role in employees' retirement income and participation should be strongly encouraged.

In the absence of an affirmative decision otherwise, participants in the TSP currently have 100% of their funds invested in the Government Securities Investment Fund, the G fund. Future legislation would authorize the Board to establish an alternative fund or funds as the default fund. The Board has indicated a desire to change the default to an age-appropriate lifecycle fund, or L Fund. These are funds which represent a combination of existing stock and other investment options to appropriately balance risk and return based on a projected retirement date.

The *Federal Employees Dental and Vision Insurance Program* (FEDVIP) held its first open season November through December 2006. FEDVIP allows dental and vision insurance to be purchased on a group basis by federal and Postal employees, retirees, and their eligible family members on an employee-pay-all basis. Premiums for enrolled federal and Postal employees are withheld from their salary on a pre-tax basis. An oversight hearing will be held on how FEDVIP is being implemented, what services are covered under the program and enrollment rates.

*Flexible Spending Accounts* (FSAs) and *High Deductible Health Plans/Health Savings Accounts* (HDHP/HSAs) have been introduced to the FEHBP over the last few years. HDHPs are health plans that typically involve lower premiums because the enrollee bears a greater share of the initial costs of care. FSAs are employer-established arrangements that reimburse employees for medical and dental expenses not covered by insurance. FSAs are funded by salary reduction agreements under which employees receive less pay in exchange for equivalent contributions to their accounts. Employees choose how much to put into accounts, which can vary from year to year; however, they must forfeit unused balances at the end of the year. HSAs are savings accounts for the purpose of health care spending that receive tax advantages.

FEHBP offers a type of "consumer-directed health plan" (CDHP) that combines a HDHP with a tax-advantaged HSA that enrollees use to pay for a portion of their health expenses. Proponents believe that HDHPs coupled with HSAs can help restrain health care spending because enrollees have an incentive to seek lower-cost health care services, and only to obtain care when necessary because account funds can accrue from year to year. Employee groups believe that these plans attract not only wealthier enrollees who use the HSA as a tax-advantaged savings vehicle but that premiums for traditional plans



could rise due to a disproportionate share of older and less healthy enrollees with higher care expenses remaining in the traditional plans.

In January 2006, GAO released a report on FEHBP's first-year experience with HDHPs and HSAs. It found that FEHBP HDHP enrollees were younger and earned higher federal salaries than other FEHBP enrollees. These differences were largely due to a smaller share of retirees enrolling in the HDHPs. The Subcommittee will evaluate the impact of FSAs and HSAs on the Federal Employees Health Benefits Program.

#### *Telework*

Every executive agency is required to have policies in place that allow eligible employees to telework. Telework provides a number of benefits including reduced energy consumption and traffic congestion, competitive hiring and retention, cost savings, and emergency preparedness. Despite these and other benefits, many agencies continue to underutilize telework.

The Subcommittee will seek to move legislation that requires the head of each agency to establish a policy that allows authorized employees to telework, requires the General Services Administration (GSA) to issue guidance on issues related to telework, creates the position of Telework Managing Officer, requires GAO to evaluate and report on agency telework programs, and requires agencies to incorporate telework into their continuity of operations planning.

#### *Law Enforcement Officers*

Federal civilian employees are covered by either the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS). Employees hired before January 1, 1984, are covered by CSRS, unless they elected to switch to FERS. Employees initially hired in 1984 or later are covered by FERS. Both CSRS and FERS allow regular federal employees to retire at age 55 after completing 30 years of service, at age 60 with 20 years of service, or at age 62 with 5 years of service.

Congress has provided special retirement rules and benefits for federal employees who are classified as law enforcement officers (LEOs). Under both FERS and CSRS, LEOs can retire at age 50 with 20 years of service. They are required to retire at age 57, or after age 57 if the completion of 20 years of service occurs after age 57. Under FERS, LEOs can retire at any age after completing 25 years of service but in any case must retire at age 57.

To compensate LEOs for being required to retire earlier than other federal employees, LEOs accrue retirement benefits at a faster rate than other federal employees. For each year of federal service, LEOs earn 1.7% of the average of their 3 highest years of pay; non-LEO federal employees earn 1.0%. Furthermore, once retired, LEOs receive annual cost-of-living adjustments (COLA) regardless of age. Federal civilian employees do not receive COLAs under FERS until age 62.

For the purposes of retirement benefits under CSRS and FERS, title 5 of the U.S. Code defines a law enforcement officer as “an employee, the duties of whose position are primarily the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States.” Federal employees with the power to arrest, the authority to carry firearms, and the duty to enforce laws but whose primary duties do not include the investigation, apprehension, or detention of individuals are not classified as LEOs for the purposes of retirement benefits.

Over the years, numerous legislative proposals have been introduced relating who should be classified as LEOs and receive LEO pay and benefits. The Subcommittee will examine how law enforcement officer is defined and who should and should not be classified as a LEO.

### **Postal Service**

#### *Financial Stability of the United States Postal Service*

The Postal Service is facing unprecedented economic challenges. During FY 2008, the Postal Service suffered a net loss of \$2.8 billion. The Postal Service has experienced a 4.5 percent (9.5 billion pieces) decrease in mail between 2007 and 2008. Because of the different ways in which people communicate today, using the internet and text messages, it is unclear how much of the previous mail volume will actually return after the recession. The spike in fuel prices during the spring and summer of 2008 had a negative impact on the Postal Service’s finances. Compounding these difficulties, the Postal Accountability and Enhancement Act of 2006 (PAEA) required the Postal Service to put \$5.6 billion of its revenue into the Retiree Health Benefit Fund.

The economic challenges confronting the Postal Service are not expected to improve during FY 2009. The Postal Service projects an additional decrease in mail volume of 8 billion pieces. The Postal Service reduced 50 million work hours from the FY 2007 levels, the largest decrease in work hours since FY 2003. The Subcommittee will hold hearings on the economic viability of the Postal Service.

#### *Whistleblower Protections*

The Postal Service is not, by law, subject to the Whistleblower Protection Act (WPA). The Employee and Labor Relations Manual (ELM) contains provisions adopted by the Service that replicate the more significant protections found in the WPA for victims of unlawful reprisal. These protections are termed “corrective actions,” which involve remedies for the victims of unlawful reprisal. The term does not include disciplinary actions that may be issued to managers or supervisors. As the ELM provisions concern only “corrective actions,” they do not mandate discipline for managers who retaliate against whistleblowers.

Ensuring employees whistleblower protections contributes to uncovering waste, fraud, and abuse. The Subcommittee will hold a hearing to examine the need to extend full whistleblower protections to postal employees.

*Additional Postal Issues*

The Subcommittee will hold hearings on Workers' Compensation costs, including an examination of how limited/light duty assignments affect productivity; postal initiatives in efficiency and economy (Flat Sequencing Program and the reduction in mail delivery costs); mailer discounts (particularly, the Intelligent Barcode program); the Postal Regulatory Commission's report to Congress on the Postal monopoly; and environmentally friendly initiatives in the Postal Service.

**District of Columbia***General Oversight of the District of Columbia*

Article I, Section 8, Clause 16 of the U.S. Constitution provides for the creation of District of Columbia to serve as the home of the federal government and grants Congress exclusive legislative oversight and budgetary authority over such District. While over the years the day to day functions of the City have been transferred to the District of Columbia government in accordance with the Home Rule Act, Congress continues to exercise its oversight authority over the legislative and budgetary affairs of the District of Columbia. The Subcommittee will hold oversight hearings on issues where there is a compelling federal interest, such as the District's financial management practices, procurement process, land transfers, firearm regulations and criminal justice functions.

*Budget and Legislative Autonomy*

The Subcommittee will hold hearings on proposals designed to reduce congressional control over the District of Columbia. These legislative proposals would amend the Home Rule Act to remove or redefine the level of congressional oversight over the budget and legislative process of the District of Columbia. In previous Congresses legislation has been introduced to grant the District of Columbia legislative autonomy, budget autonomy and the right to establish an elected District Attorney. The Subcommittee expects to once again hold hearings on each, if not all of these matters during the 111<sup>th</sup> Congress.

*District of Columbia School Reform*

The District of Columbia School Reform Act of 1995 (the Act) was enacted by Congress in 1996 and created a long-term reform and funding plan for the District's public school system and established the city's Public Charter School System. Since enactment of the Act, the District has continuously worked to improve the delivery of educational services to District of Columbia students and families. For instance, in 2007, the District of Columbia enacted the Public Education Reform Amendment Act of 2007 which authorized a comprehensive approach to school reform in the District of Columbia by granting the Mayor and a cabinet level chancellor ultimate authority over the District's schools system.

Given the Subcommittee's legislative authority over several of the District's education related statutes, the Subcommittee expects to hold both oversight and legislative hearings throughout the 111<sup>th</sup> Congress on the District's traditional public school system, its public charter school system and the District of Columbia Opportunity Scholarship Program.

*Offender Reentry*

Since the enactment of the National Capital Revitalization and Self-Government Improvement Act of 1997, sentenced felons from the District of Columbia have been incarcerated within the federal prison system. Decisions regarding their commitment and release are made by the Federal Bureau of Prisons, the U.S. Parole Commission, and the D.C. Superior Court. The responsibility for reintegrating ex-offenders into the community rests with the Court Services and Offender Supervision Agency. The Subcommittee will continue to conduct the requisite oversight of these agencies and examine their commitment to the rehabilitation and successful reentry of offenders in the District of Columbia.

*District of Columbia Water and Sewer Authority*

In April 1996, the District of Columbia City Council passed the "Department of Public Works Reorganization Act of 1996" (the Act) which established the D.C. Water and Sewer Authority (WASA). The Act authorized WASA to serve as a quasi independent regional utility charged with providing retail drinking water distribution, wastewater collection, and wastewater treatment services to District of Columbia customers and the federal government and to provide wholesale wastewater treatment services to surrounding Maryland and Virginia suburban jurisdictions.

Since the creation of WASA, Congress has held numerous oversight hearings examining a host of related issues and topics ranging from the quality of the area's drinking water to WASA's capital infrastructure projects and its compliance with Environmental Protection Agency regulatory standards. Recent news articles questioning WASA's involvement and knowledge of the Washington, DC "lead in drinking water crisis" from 2001-2004 serves as further evidence for the continual oversight of the utility agency. To this end, the Subcommittee will hold at least one general oversight hearing to examine issues confronting WASA.

*The Washington Metropolitan Area Transit Authority*

The Washington Area Transit Agency (WMATA) was created in 1967 by an interstate compact that resulted from the enactment of identical legislation by the District of Columbia, Virginia, and Maryland, with the concurrence of Congress. WMATA was established to "plan, finance, construct, and operate a comprehensive mass transit system in the National Capital Region." WMATA faces many challenges.

During the 110<sup>th</sup> Congress, legislation was passed and enacted authorizing federal funding in the amount of \$1.5 billion over 10 years to support WMATA's aging

infrastructure and system. The legislation makes the funding contingent upon Virginia, Maryland and the District each dedicating \$50 million a year for 10 years to WMATA. In addition to the agency's infrastructure challenges, WMATA has also experienced numerous problems relating to customer safety and Metrorail accidents over the past several years. While WMATA has publicly committed itself to taking the necessary steps to address operational and safety deficiencies, routine and rigorous oversight of the agency continues to be warranted. Therefore, an oversight hearing will be held to assess what WMATA is doing to address safety and communications concerns as well as to follow up on progress made on WMATA's major capital projects.

*Financial Management*

The Committee will conduct oversight of the District of Columbia financial management system, including embezzlement in the Office of Tax and Revenue and potential material weaknesses in the Medicare, Medicaid, and Child and Family Services agencies.

**SUBCOMMITTEE ON GOVERNMENT MANAGEMENT, ORGANIZATION,  
AND PROCUREMENT**

**Government Management**

*Inspectors General and Auditors*

By preventing and detecting waste, fraud, and abuse, federal inspectors general and auditors generate savings for taxpayers that exceed their office budgets. The Subcommittee will investigate whether inspectors general and auditors have received adequate resources to keep pace with the increase in federal contracting. The Subcommittee will also conduct oversight to ensure that these offices remain neutral watchdogs and are not subject to partisan and political pressure.

*GAO High Risk List*

The Subcommittee will pay close attention to several programs on GAO's 2009 High-Risk List. The Subcommittee will primarily focus on the GAO-identified topic of "Managing Federal Contracting More Effectively," including interagency contracting and contracting by the Department of Defense, Department of Energy, and NASA. Other at-risk programs identified by GAO that the Subcommittee will review include "Managing Federal Real Property," the "DOD Approach to Business Transformation," and the "Outdated U.S. Financial Regulatory System."

*Federal Government Finance*

The Subcommittee will examine federal financial management. This review will include compliance with financial management and accounting laws, and the security and reliability of federal financial systems. The Subcommittee will also focus on agency efforts to reduce improper payments and achieve a clean governmentwide audit.

GAO and other federal auditors have found that purchase card programs, through which government employees make small-value procurements using individually issued credit cards, are highly vulnerable to abuse without proper internal controls. The Subcommittee will monitor purchase card programs to ensure that departments and agencies maintain adequate oversight and review of purchase card spending.

#### *Identification Documents*

The Subcommittee will provide oversight of the REAL ID program, which mandates security and verification standards for state-issued driver's licenses and identification cards, and Homeland Security Presidential Directive 12, which establishes standards for secure identification cards for federal employees and contractors. This oversight will include review of contracts and grants, costs of compliance, and privacy and data security considerations.

#### *Technology*

The Subcommittee will conduct oversight of the federal government's use of information technology. Topics to be reviewed include IT procurement, accessibility, and cost-efficiency. This oversight will further the goal of building information systems that are compatible and interoperable across federal agencies.

#### **Government Organization**

The current financial crisis has prompted reviews of whether the federal financial regulatory structure is adequate to supervise the modern financial sector. The Subcommittee will focus on proposals to reform and streamline financial regulatory agencies, with a focus on ensuring independence and accountability in the system.

#### **Procurement**

The Subcommittee will work collaboratively with the full Committee on all procurement topics identified in the full Committee oversight plan. This oversight will include reviews of waste, fraud, and abuse in federal contracting, and determination of topics for new legislation and amendments to the Federal Acquisition Regulation. The Subcommittee will focus especially on the misuse of emergency authority to issue long-term, no-bid contracts. Another topic for review is whether the government relies too heavily on large prime contractors, who subcontract the majority of work and do little more than add a layer of expense and bureaucracy. The Subcommittee will also examine whether penalties for overcharges are sufficient to deter contractors from overbilling, and whether auditors and agency inspectors general have sufficient authority and resources to detect and take action against waste and fraud.

The Subcommittee will supplement the work of the full Committee by conducting oversight of the General Services Administration (GSA), reviewing the performance of GSA's procurement management responsibilities, and monitoring GSA management to identify and prevent improper political or partisan influence in the procurement process.

The Subcommittee will also conduct oversight of the Office of Federal Procurement Policy in the Office of Management and Budget.

In addition, the Subcommittee will continue its oversight of large information technology procurement programs, particularly the projects on the Office of Management and Budget “Management Watch List” and “High Risk IT Project List.”

Federal law and policy requires that contracting opportunities be made available to small businesses, minority-owned businesses, and businesses located in disadvantaged communities. The Subcommittee will conduct oversight to ensure that agencies are complying with laws and policies and meeting goals for diversity in contracting.

### **SUBCOMMITTEE ON INFORMATION POLICY, CENSUS, AND NATIONAL ARCHIVES**

This oversight plan provides an overview of the Subcommittee’s oversight plan but does not preclude additional oversight on subjects under the Subcommittee’s jurisdiction.

#### *Census*

In 2008, the U.S. Census Bureau’s mismanagement of the Field Data Collection Automation (FDCA) program led it to abandon plans of using handheld computers for the 2010 Decennial Census. The paper-based non-response follow-up operation for 2010 will likely cost more than \$14 billion.

GAO initially designated the 2010 Census as a high-risk area in March 2008 because of (1) long-standing weaknesses in the Bureau’s information technology (IT) acquisition and contract management function, (2) problems with the performance of handheld computers used to collect data, and (3) uncertainty over the ultimate cost of the census, currently estimated at more than \$14 billion.

Key topics to be reviewed by the Subcommittee include: (1) the Bureau’s plans to improve its information technology management capabilities; (2) evaluating operational planning and associated risks; (3) a review of the Bureau’s readiness for the 2010 decennial Census through continued rigorous end-to-end testing; (4) examining the Bureau’s efforts to reduce the differential undercount; (5) a review of the Bureau’s plans to count the homeless, people in special places and group quarters enumeration; and (6) cost overruns in contracts.

#### *Federal Advisory Committee Act*

Advisory committees play a crucial role in giving the president and agencies advice on complex issues. According to the General Services Administration (GSA), there were more than 900 advisory committees in 2008. The Federal Advisory Committee Act (FACA) is aimed at making these committees accountable, transparent, balanced, and independent from the influence of special interests. However, the courts

have created loopholes in FACA that undermine the purposes of the Act and agencies have not consistently implemented FACA. The Subcommittee will continue its oversight to ensure that FACA is implemented in a manner that ensures that advisory committees are appropriately transparent and balanced.

*Freedom of Information Act*

The Subcommittee will focus on compliance with the Freedom of Information Act (FOIA). The Subcommittee will monitor implementation of the memorandum issued by the President on January 21, 2009, reinstating the presumption of disclosure. The Subcommittee will also examine implementation of the OPEN Government Act of 2007. The OPEN Government Act of 2007 made numerous important reforms to FOIA including incentives to reduce agency backlogs of FOIA requests and the creation of an independent Office of Government Information Services within the National Archives and Records Administration.

*Privacy*

The Subcommittee will monitor and conduct oversight of federal agency information security practices that are required under the Federal Information Security Management Act (FISMA), and the Office of Management and Budget in this area. The Subcommittee will pay close attention to agency FISMA compliance and overall FISMA effectiveness. The Subcommittee will examine agency annual testing, along with their certification and accreditation procedures, plans for correcting IT security weaknesses and other measurable indications of FISMA compliance.

The Subcommittee will review public and private methods and policies for protection of personally identifiable information used by government agencies and utilized by government programs and used by the private sector. As reported by the Washington Post in January of 2009, data breaches within the United States continue to increase at an alarming rate, rising 50% in 2008 alone.

These breaches are reaching magnitudes not seen before as evidenced by the loss of 40 million card numbers by TJX holdings and the December 2008 breach at RBS exposing 1.5 million card holder data sets.

By processing \$27 billion annually in incoming credit and debit card transactions, the federal government is a prime target with data breaches and credit card fraud directly impacting federal and federally supported programs. Both the State Department and Amtrak had their credit card systems compromised in 2008.

The Subcommittee will examine and evaluate privacy and security practices used by agencies to ensure the privacy of such information.

*National Archives and Records Administration (NARA)*

The Subcommittee will examine in depth the areas that the Archivist should concentrate on to improve delivery of services to the public and stakeholders.



As the Subcommittee performs its oversight function, it will look at NARA's operations and audit procedures, its budget needs, its leadership needs, and access and accessibility of NARA records – how the public can track the activities and decision making of NARA.

The Subcommittee will examine the Presidential Library system, specifically looking at the governance of the Presidential Libraries – how the foundations govern the libraries, how the foundations interact with NARA, and how the foundations and NARA coordinate and cooperate to fulfill the mission of the Presidential Library system.

Additionally the Subcommittee will review questions of legal access to Presidential records. We will compare legal access to documents to the related subject of practical accessibility and review how libraries provide accessibility to the public for the records that are legally available.

*Performance-Based Government*

The Subcommittee should continue to bring a performance-based approach to government, and work to move government to a functionally focused approach, and away from an agency-centric approach where appropriate. The Subcommittee should also continue to evaluate management reforms and push for E-Government and other government-wide initiatives that can bring efficiency and cost-savings.

**SUBCOMMITTEE ON NATIONAL SECURITY AND FOREIGN AFFAIRS**

In preparing this plan, consultation with other committees and subcommittees having jurisdiction over the same or related laws, programs, or agencies within this Subcommittee's jurisdiction has been undertaken directly and indirectly to ensure maximum coordination and cooperation among committees and subcommittees.

This Subcommittee shall conduct oversight of the operations of U.S. Government activities in the areas of national security, foreign affairs, and homeland security to assess their economy and efficiency. The Subcommittee will conduct investigations into waste, fraud, and abuse of U.S. Government operations in those areas. In doing so, the Subcommittee aims to publicize such misconduct and inefficiency in order to hold accountable those responsible for such actions and to make improvements going forward.

As it deems necessary, the Subcommittee will use all appropriate investigative authorities in order to gather information it seeks to conduct such oversight, including, but not limited to, document requests, interviews, depositions, and fact-finding travel. Such activities will be coordinated with the full Committee and other committees and subcommittees with similar jurisdictions. Where appropriate, the Subcommittee will conduct business meetings to markup and introduce legislation over matters in its jurisdiction.

The Subcommittee intends to request, receive, and examine relevant reports of the Comptroller General of the United States as well as reports of Inspectors General, the

Congressional Budget Office, and Congressional Research Service, among others, in order to submit to the House such recommendations as it considers necessary or desirable in connection with the subject matter of such reports.

Taking advantage of the Subcommittee's unique, interagency jurisdiction, the Subcommittee will examine the effectiveness, efficiency, and cooperation of all U.S. Government agencies and departments involved in national security issues. The Subcommittee will also study intergovernmental relationships among the United States, the various states, and municipalities with respect to matters of homeland security, and among the United States and international organizations of which the United States is a member.

Matters which the Subcommittee intends to conduct oversight on include, but are not limited to:

Diplomatic, military, intelligence, economic, and development policy and related expenditures concerning U.S. relations with, among others, Afghanistan, Pakistan, India, Iran, Iraq, Syria, Somalia, Sudan, Mexico, Venezuela, Columbia, Cuba, China, North Korea, and other potential global trouble spots. Where appropriate, investigations of expenditures for reconstruction of infrastructure, training of personnel, and other related issues will be examined;

Oversight of U.S. diplomatic, military, intelligence, economic, and development efforts in Afghanistan will include, but not be limited to, investigations of the training and equipping of the Afghan National Security Forces; U.S. targeting procedures; the efficiency, accountability, and efficacy of a variety of development and reconstruction efforts, including the use of private contractors; the capacity of various U.S. Government agencies and departments to carry on needed activities in Afghanistan; U.S. force levels, deployment schedules, and equipment of U.S. forces in Afghanistan; and the development of the rule of law and justice sector.

Oversight of U.S. diplomatic, military, intelligence, economic, and development efforts in Pakistan will include, but not be limited to, investigations of the efficiency, accountability, and efficacy of the U.S. Coalition Support Program; U.S. efforts in the Federally Administered Tribal Areas (FATA); U.S. efforts to train and equip Pakistan security forces, including the Pakistan Frontier Corps and various Pakistani police entities; U.S. efforts to bolster the rule of law and the justice sector in Pakistan; U.S. efforts to ensure the safety and surety of Pakistani nuclear weapons; and development efforts, including U.S. efforts to bolster primary education for Pakistani children;

Oversight of the development, implementation, and sufficiency of the National Security Strategy of the United States;

Oversight of U.S. diplomatic, military, intelligence, economic, and development efforts to address the issue of global terrorism both in the short-term and long-term, including whether the United States is maximizing the use of all elements of

the country's national security potential and how anti-terror efforts are coordinated with other important U.S. national security interests;

International standing of the United States, humanitarian assistance, development programs, and public diplomacy efforts;

Oversight of the U.S. Foreign Service, International Broadcasting Bureau, Peace Corps, and U.S. Agency for International Development, including an examination of the rightsizing, effectiveness, and cost efficiency of these and related U.S. national security agencies toward satisfying U.S. national security objectives;

U.S. interagency efforts to strengthen the civilian law enforcement professionalism and capabilities (as well as the rule of law and justice sectors more generally) of partner countries;

Oversight of U.S. military combatant commands, especially AFRICOM and SOUTHCOM that have significant interagency inputs and non-traditional outputs, including the implications for these combatant commands on interagency national security coordination and cooperation;

An investigation into and evaluation of the need for interagency reform among the various U.S. national security agencies and departments;

The organization and management of the national security infrastructure and personnel system at the National Security Council and the Executive Office of the President;

Investigation of Defense Department weapons systems procurement, development, operations, and compliance with statutory and other regulations, testing regimes, and efficiency;

Investigation of the U.S.'s national missile defense efforts, including the actual threat posed by long-range missiles; the technical capabilities of current systems; the costs and benefits of such systems; and ensuring proper oversight and accountability;

Oversight of the newly-created Wartime Contracting Commission;

Conduct and efficiency of private contractors in providing security, military intelligence, and other endeavors on behalf of U.S. national security;

Efficiency and effectiveness of homeland security laws and initiatives particularly as they relate to aviation, rail and transit, chemical, nuclear, port, border and other facilities or critical infrastructure at risk; efforts to predict, react, and respond to mass casualty attacks; U.S. national government funding of and interactions with local responders; and efforts to strengthen the U.S. public health system;

The adequacy and limitations of U.S. counterintelligence efforts, including but not limited to those of the Federal Bureau of Investigation.

Visas, passports, and other border control and security identification issues, as well as in general, the operations and efficiency of U.S. consulates, border, and immigration policies;

Investigation into the care and conditions of wounded soldiers at Walter Reed Army Medical Center and other Defense Department medical facilities, including the Defense Department's efforts to treat post-traumatic stress disorder (PTSD) and traumatic brain injuries (TBI);

Veterans Affairs matters as they pertain to the care of wounded soldiers, troop morale, incentives for service, and fulfillment of obligations to military service personnel – including examining the implications, intended or otherwise, in the consolidations and closures of facilities (only in coordination with the Veterans Affairs Committee);

Oversight of the Defense Department's efforts to prevent, treat, and prosecute sexual assault in the military;

Non-proliferation policy and related expenditures together with the potential effects of actions or non-actions on certain treaties, agreements or military objectives related to the subject, including an examination of nuclear developments in other nations; the role, status, conditions, reliability, and surety of U.S. nuclear weapons; the potential weaponization of space; and the "modernization" of the U.S.'s nuclear weaponry;

Intelligence reorganization (including inter- and intra-agency cooperation and communication), intelligence gathering and dissemination, intelligence use and misuse, treatment of detainees and prisoners, and the use of human intelligence – including cross-agency coordination, communication, and protection of civil liberties; and

Conduct and effect of international trade agreements and obligations, and, more generally, the intersection of economic / trade policy and national security.

The foregoing will entail oversight of the Department of Defense, the Department of State (including USAID), the Central Intelligence Agency, the Department of Homeland Security, international organizations of which the United States is a member, and other national security / homeland security entities within the Subcommittee's jurisdiction.

The Subcommittee looks forward to working cooperatively and constructively with the Subcommittee's Ranking Minority Member, all bipartisan Members of the Subcommittee, and other relevant House and Senate committees and subcommittees in order to help fulfill the oversight mandate and responsibility of the U.S. Congress.

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U.S. HOUSE OF REPRESENTATIVES  
 PERMANENT SELECT COMMITTEE  
 ON INTELLIGENCE

HVC-304, THE CAPITOL  
 WASHINGTON, DC 20515  
 (202) 225-7690

MICHAEL J. DELANEY  
 STAFF DIRECTOR  
 JAMES M. LEWIS  
 MINORITY STAFF DIRECTOR

March 13, 2009

The Honorable Edolphus Towns  
 Chairman  
 Committee on Oversight and Government Reform  
 2157 Rayburn House Office Building  
 Washington, DC 20515

Dear Mr. Chairman:

Pursuant to clause 2(d)(1) of House Rule X, I submit the Permanent Select Committee on Intelligence Oversight Plan for the 111<sup>th</sup> Congress, which was adopted by the Committee on Wednesday, March 11, 2009.

Please note that a delay in the appointment of our members necessitated a postponement of the Committee's organizational meeting and the subsequent approval of the Oversight Plan. The enclosed Plan reflects the input of the Committee's newly-named membership and also includes Minority additions, changes, and revisions.

If you have any questions, please contact my Chief Clerk, Ms. Courtney A. Littig, at (202) 225-7690.

Sincerely,

  
 Silvestre Reyes  
 Chairman

Enclosure

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**U.S. HOUSE OF REPRESENTATIVES  
PERMANENT SELECT COMMITTEE ON INTELLIGENCE**

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**OVERSIGHT PLAN  
FOR THE 111<sup>TH</sup> CONGRESS**

*(Adopted March 11, 2009)*

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The following is the oversight plan for the House Permanent Select Committee on Intelligence (HPSCI) for the 111<sup>th</sup> Congress.

***History and Jurisdiction***

HPSCI authorizes funding for all intelligence activities of the United States Government and ensures that those activities are effective, legal, and an appropriate use of taxpayer money.

House Rule X(11) outlines HPSCI's jurisdiction and sets forth specific rules pertaining to its legislative and oversight functions and the handling of classified material.

HPSCI was established in the 95<sup>th</sup> Congress through H. Res. 658. The stated purpose of H. Res. 658 was to establish a committee "to oversee and make continuing studies of the intelligence and intelligence-related activities and programs of the United States government, to submit to the House appropriate proposals for legislation, and to report to the House concerning such intelligence and intelligence-related activities and programs."

H.Res. 658 also indicated that the Committee:

Shall make every effort to assure that appropriate departments and agencies of the United States provide informed and timely intelligence necessary for the executive and legislative branches to make sound decisions affecting the security and vital interest of the Nation. It is further the purpose of this resolution to provide vigilant legislative oversight over intelligence and intelligence-related activities of the United States to assure that such activities are in conformity with the Constitution and the laws of the United States.

HPSCI shares responsibilities in discrete areas with the Committees on Appropriations, Armed Services, Foreign Affairs, Judiciary, and Homeland Security. The resolution establishing HPSCI recognized this and provided that some HPSCI members be drawn from those Committees. This is a vital means of coordination, as is the daily interaction of Committee staff with their counterparts on other committees, in keeping with the framework of the Committee rules.

HPSCI also works in conjunction with the Select Intelligence Oversight Panel (SIOP) of the Committee on Appropriations. Created in the 110<sup>th</sup> Congress, SIOP is to “review and study on a continuing basis budget requests for and execution of intelligence activities; make recommendations to relevant subcommittees of the Committee on Appropriations; and, on an annual basis, prepare a report to the Defense Subcommittee of the Committee on Appropriations containing budgetary and oversight observations and recommendations for use by such subcommittee in preparation of the classified annex to the bill making appropriations for the Department of Defense.” In coordination with SIOP, HPSCI will continue to carry out its jurisdictional responsibilities, including authorizing funding for intelligence activities.

HPSCI maintains jurisdiction over the National Intelligence Program, and all legislative activity affecting or relating to sources and methods of intelligence and intelligence-related activities of the United States. HPSCI shares jurisdiction over the Military Intelligence Program with the Armed Services Committee.

The National Intelligence Program consists of intelligence activities in the following departments, agencies, or elements of the federal government:

- 1) The Office of the Director of National Intelligence;
- 2) The Central Intelligence Agency;
- 3) The Defense Intelligence Agency;
- 4) The National Security Agency;
- 5) The National Reconnaissance Office;
- 6) The National Geospatial-Intelligence Agency;
- 7) The Office of the Secretary of Defense;
- 8) The Department of the Army;
- 9) The Department of the Navy;
- 10) The Department of the Air Force;
- 11) The Department of State;
- 12) The Department of the Treasury;
- 13) The Department of Energy;
- 14) The Department of Homeland Security;
- 15) The Coast Guard;
- 16) The Federal Bureau of Investigation; and
- 17) The Drug Enforcement Administration.

The Military Intelligence Program was established in 2005 and was designed to integrate the elements of the former Joint Military Intelligence Program (JMIP) and the Tactical Intelligence and Reconnaissance Activities (TIARA). The MIP provides integrated program management of defense intelligence elements that support defense-wide and theater- or component-level consumers. The MIP includes those military intelligence activities that respond to the requirements of military commanders for operational support but may also satisfy national intelligence requirements.

The work of the Committee will encompass oversight of all aspects of the “intelligence cycle,” including requirements, collection, analysis, dissemination, and use of intelligence by policymakers. As the nation is engaged in two wars and the fight against terrorism, the Intelligence Community is a critical part of our national defense. The Committee will work to continue to improve the functioning of the intelligence community.

Much of the work done by the Committee is highly classified and extremely sensitive. We intend, however, to seek opportunities to hold hearings in open session whenever possible and conduct our work in a transparent and accountable manner.

#### *Ability to Obtain Information from the Executive Branch*

Congress has long recognized that the Committee cannot conduct effective oversight unless it is informed of intelligence activities carried out or planned by the Executive Branch. To that end, the National Security Act, 50 U.S.C. § 413 (as amended), provides that the President “shall ensure that the congressional intelligence committees are kept fully and currently informed of the intelligence activities of the United States, including any significant anticipated intelligence activity as required by this title.”

In previous Congresses, the Executive Branch has been hesitant, and, in some cases, has refused, to fulfill this statutory obligation. The Committee is hopeful that the incoming Administration will uphold both the letter and spirit of the National Security Act and keep the Committee “fully and currently” informed of all intelligence activities.

#### *Obama Administration Initiatives*

With a new President will undoubtedly come changes in national security policy. The new administration will review extant policies, directives and findings with a fresh eye. The Committee hopes for a more cooperative and consultative approach to national security policy in this administration, and will actively pursue engagement with the new administration, consistent with its statutory obligation to conduct oversight.



**FULL COMMITTEE**

The Committee, like most Committees in the House of Representatives, does much of its work through the subcommittees. There are, however, several issues of sufficient breadth and gravity that they are best addressed at the full committee level. Those issues include:

1. *The Intelligence Authorization Act.* In the 110<sup>th</sup> Congress, the House and Senate both successfully passed and conferenced an Intelligence Authorization Act, only to have that Act vetoed by the President. Because of the importance of the Authorization Act to oversight of the Intelligence Community, it remains a high priority to enact into law an Authorization Act.
2. *Declining Situation in Afghanistan/Resurgence of al-Qa'ida Safe Havens.* The Committee has watched with great concern the resurgence of al-Qa'ida in the tribal areas of Pakistan. This resurgence, coupled with the declining security situation in Afghanistan, will be a primary subject of Committee oversight in the 111<sup>th</sup> Congress. The Committee will also continue to monitor concerns over instability in Yemen and Somalia and the possibility of a new safe haven emerging there as well as the potential threat from increased radicalism in various parts of the world.
3. *Cybersecurity.* The Committee, responding to concerns raised by the Executive Branch, think tanks and private industry, made cybersecurity an area of focus in the 110<sup>th</sup>. Plans for securing cyberspace go to the core of the Committee's oversight function and the Committee will carefully and proactively engage the Executive Branch on this issue in the 111<sup>th</sup> Congress.
4. *Transition out of Iraq.* As the United States moves to transition combat forces out of Iraq, there will be important decisions on the allocation of intelligence resources— to Iraq, to Afghanistan, to the hunt for Osama bin Laden, or in defense of the Homeland. The Committee will oversee this re-allocation of resources, with an eye towards furthering American foreign policy and intelligence objectives while keeping U.S. personnel still in Iraq safe.
5. *WMD Proliferation of Iran and North Korea.* The Committee continues to believe that WMD proliferation, particularly with regard to Iran and North Korea, presents a continuing threat to global security. Building on the work of past Congresses, the Committee will continue to focus intently on WMD proliferation issues.
6. *Russia and China.* The Russian conflict with Georgia and the continued growth of the Chinese economy both brought into sharp relief in the past year the significance of Russia and China to international security. Building on the Committee's work in the 110<sup>th</sup> Congress, the Committee will seek in the 111<sup>th</sup> Congress to ensure that the Intelligence Community is properly addressing the potential impacts of Russia and China on U.S. foreign and security policy.

7. *Developing a Diverse Intelligence Workforce.* One of the Committee's highest priorities is to assist the Executive Branch in creating a diverse Intelligence Community workforce with the requisite language skills and cultural and ethnic diversity to penetrate and understand the most challenging intelligence targets across the globe.
8. *Review of Covert Action Programs.* The Committee has a unique role in reviewing Presidential Covert Action Findings and covert activities carried out to advance national security objectives where the role of the U.S. Government is unacknowledged. The Committee will continue its ongoing review of covert action programs and assess the effectiveness and appropriateness of activities conducted pursuant to covert action authorities.
9. *Intelligence Information Related to Guantanamo Bay Trials.* As plans for the legal processes for persons detained at Guantanamo Bay proceed, the Committee will seek to ensure that vital intelligence information is both properly preserved and appropriately used in those legal proceedings. In the event that novel legal structures are established, the Committee will assess carefully the impact those structures will have on intelligence information. The Committee will also monitor the implementation of relevant Executive Orders and the Administration's efforts to address emerging threats.
10. *Border Intelligence and other Homeland Security Intelligence Capabilities.* The Committee will examine the intelligence capabilities on America's borders. The Committee will also review the efforts to collect, analyze, and disseminate Homeland Security-related intelligence and the intelligence activities of homeland security officials. This will include increased oversight of the Intelligence Community's efforts with respect to Mexico.

#### **SUBCOMMITTEE ON TERRORISM, HUMINT, ANALYSIS, AND COUNTER INTELLIGENCE**

The Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence will monitor the Intelligence Community's conduct of overt and clandestine human intelligence (HUMINT), covert action, all-source analysis, counterintelligence, and scientific and technical analysis. The Subcommittee is responsible for overseeing the programs, activities, and budgets of the Central Intelligence Agency Program; the General Defense Intelligence Program; the national security components of FBI; counterintelligence programs throughout the Intelligence Community; and the intelligence elements of the Drug Enforcement Administration and the Departments of State, Treasury, Energy, and Homeland Security.

Areas of specific interest include:

1. *Current International Developments Affecting National Security.* The Subcommittee will monitor the intelligence available to policymakers and the military covering developments in key regional and functional areas. These include, but are not limited to: global terror networks; the whereabouts, capabilities, and intentions of Osama bin Laden and his key deputies and facilitators; the proliferation of weapons of mass destruction; homeland security threats; humanitarian and economic crises; and developments in countries including Iraq, Afghanistan, Pakistan, North Korea, Iran, China, Colombia, Venezuela, nations in Sub-Saharan Africa, and Russia and the Central Eurasian States.
2. *National Clandestine Service.* The Subcommittee will work to improve the Intelligence Community's human intelligence activities across various agencies. In the past, clandestine human intelligence operations have not been adequately coordinated across agencies. In particular, the Subcommittee will monitor the management of the National Clandestine Service; coordination of clandestine human intelligence operations; and community-wide efforts to recruit, train, develop, and deploy HUMINT officers.
3. *Defense HUMINT.* The Subcommittee will monitor the full range of Department of Defense human intelligence operations, particularly its coordination with other relevant agencies. It will also look into the management and strategic plans of the Defense Intelligence Agency and its coordination with other elements of the intelligence community.
4. *Counterintelligence (CI) Resources and Coordination.* The Subcommittee will look at the CI vulnerabilities of key national security and intelligence assets, assess the counterintelligence capabilities and resources of key Community elements, and examine the coordination and deconfliction of counterintelligence activities.
5. *Quality of All-Source Intelligence.* The Subcommittee will examine the quality of intelligence analysis, particularly the finished analytical products produced by the National Intelligence Council and various community components. The Subcommittee will pay particular attention to the use of Open Source intelligence; the degree to which dissenting views and alternative analysis are utilized; and the need for ongoing estimates on areas of high interest, such as Iraq, Afghanistan, and the terrorist threat, and the impact of the global economic crisis on foreign countries' stability.
6. *National Security Branch at FBI.* The Subcommittee will review ongoing efforts by the Federal Bureau of Investigation to build an integrated capability to defend the nation against terrorism, espionage and other national security threats under the new National Security Branch. The Subcommittee will also

examine whether the investigative authorities given to the FBI regarding national security matters are adequate and appropriate to its mission and adequately protect civil liberties.

7. *Homeland Security Intelligence.* The Subcommittee will evaluate the conduct of intelligence gathering and intelligence sharing at the Department of Homeland Security, including the Department's assessments of threats to the homeland, its use of classified satellite imagery, its management of departmental intelligence functions, and its interaction with the Intelligence Community and with state and local fusion centers. The Subcommittee will also examine how the Intelligence Community can better support state and local government and develop more sensible and rational criteria governing information sharing.
8. *Science and Technology (S&T).* The Subcommittee will evaluate the impact of technology on HUMINT and analysis, including the widespread use of biometrics, S&T support to HUMINT, and the use of new technologies by the analytic community.
9. *Counternarcotics.* The Subcommittee will continue focusing attention on the transnational issues of narcotics trafficking, money laundering, and their links to official government corruption and terrorism. The Subcommittee will also examine the Intelligence Community's management and coordination of the narcotics-related activities of multiple agencies, and it will evaluate the Drug Enforcement Administration's integration into the Intelligence Community.

#### **SUBCOMMITTEE ON TECHNICAL AND TACTICAL INTELLIGENCE**

The Subcommittee on Technical and Tactical Intelligence (T&T) addresses the operations and activities of those agencies and offices charged with providing technical intelligence to include: signals intelligence (SIGINT), imagery intelligence (IMINT), measurement and signatures intelligence (MASINT) and those aspects of the aforementioned that are HUMINT-enabled. The Subcommittee also considers the authorization of technical activities that enhance HUMINT collections. In addition to national-level intelligence, the Subcommittee provides shared oversight with the Armed Services Committee for tactical intelligence and intelligence, surveillance and reconnaissance. In general, the Subcommittee is responsible for the National Reconnaissance Program, the National Geospatial-Intelligence Program, the Consolidated Cryptologic Program, the technical collection activities associated with the CIA, and those DOD activities that are funded through the Military Intelligence Program.

Areas of specific interest include:

1. *National Security Agency.* Signals Intelligence (SIGINT) is the dominant means of providing intelligence to our nation's leadership. Although we have a robust

infrastructure, SIGINT is an inherently fragile source of intelligence. NSA must keep pace with the global telecommunications infrastructure; thus, continued investment will be needed, and oversight by the Subcommittee will be critical to NSA's future success and the protection of civil liberties.

2. *Intelligence Community Infrastructure.* Due to outmoded or insufficient information technology systems, our collection systems will soon yield quantities of data that our ground and space information systems will be unable to process. The Subcommittee will work with the Executive Branch toward the goal of an overall infrastructure plan that unifies all components of the ground and space architectures.
3. *Major Program Reviews.* Over the past several years, a number of major intelligence initiatives have been plagued with problems, and some have ended in failure. The Subcommittee will review the quality of internal agency assessments of problems/failures and the implementation of recommendations to ensure that past mistakes are not repeated and that technology needs are being met. The Subcommittee will also review Intelligence Community efforts to design, articulate, and implement a rational strategy for its overhead architecture.

#### **SUBCOMMITTEE ON INTELLIGENCE COMMUNITY MANAGEMENT**

The Subcommittee on Intelligence Community Management will focus on community-wide policies and management challenges, particularly as they relate to integration of the various components of intelligence community. The aim of the Subcommittee will be to help the Intelligence Community achieve what the 9/11 Commission termed "unity of effort" to collect, analyze, and disseminate policy-relevant intelligence.

Areas of specific interest include:

1. *Progress of the Office of the Director of National Intelligence and Implementation of Intelligence Reform and Terrorism Prevention Act of 2004.* At the end of the 108<sup>th</sup> Congress, the Committee was responsible for drafting legislation to reform the Intelligence Community and its management, including the creation of the Office of the Director of National Intelligence (ODNI), the National Counterterrorism Center, and other Intelligence Community-wide "mission managers." The Subcommittee will carefully monitor and, as necessary, recommend adjustments to the authorities of these new entities to ensure that they are responsive to the intelligence needs of both civilian and military customers. The Subcommittee will also continue to monitor concerns over the size of the ODNI and the scope of its mission.
2. *Information Sharing in the Intelligence Community.* The Subcommittee will help ensure greater information sharing across the elements of the Intelligence Community in the areas of tasking, collection, and analysis. The

Subcommittee will review the DNI's use of statutory authorities to share information. In addition, the Subcommittee will review the various information technology programs in development to improve information sharing across the Intelligence Community.

3. *Energy and the Environment.* The Subcommittee will review the Intelligence Community's contributions to evolving policy on energy and the environment. In particular, the Subcommittee will review the Intelligence Community's capabilities to monitor various obligations under international environmental agreements. In addition, the Subcommittee will continue to encourage the Intelligence Community to make efficient use of energy resources. The Subcommittee will also review and consider the appropriate scope of engagement for the Intelligence Community and the use of its resources with respect to these issues.
4. *Security Clearance Reform.* The process of granting clearances to qualified professionals remains a slow, cumbersome, and overly bureaucratic process that hinders efforts to create a unified workforce in the Intelligence Community. The Subcommittee will continue to review the policies and practices that hinder efficiency and make recommendations for reform.
5. *Workforce Development.* The Subcommittee will focus on the development of a professional, trusted, highly motivated, and diverse workforce that is dedicated to the national security mission, including professional development efforts. The Subcommittee will continue its review of the use of contract personnel in the intelligence community.
6. *Analysis.* The Subcommittee will review the reforms to the analytic process mandated by the Intelligence Reform and Terrorism Prevention Act.

#### **SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS**

The Subcommittee on Oversight and Investigations (O & I) will undertake targeted and in-depth reviews and investigations of discrete topics within the jurisdiction of the Committee. These investigations will range from reviews of highly sensitive intelligence operations to current practices within the Intelligence Community that implicate legal, policy, personnel, or fiscal concerns. The Subcommittee will outline some specific areas of study and investigation at the outset of the 111<sup>th</sup> Congress, but this work plan will undergo revision as other subjects of interest to the Subcommittee emerge.

LOUISE M. SLAUGHTER, NEW YORK  
CHAIRWOMAN

JAMES P. McGOVERN, MASSACHUSETTS  
ALICE I. HASTINGS, FLORIDA  
DORIS MATSUI, CALIFORNIA  
DENNIS A. CARDOZA, CALIFORNIA  
MICHAEL A. ARCURI, NEW YORK  
ED PERLMUTTER, COLORADO  
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**U.S. House of Representatives**  
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ONE HUNDRED ELEVENTH CONGRESS

DAVID DREIER, CALIFORNIA  
RANKING MINORITY MEMBER

LINDAN DINEEN-SALAJIT, FLORIDA  
PETE SESSIONS, TEXAS  
VIRGINIA FOXX, NORTH CAROLINA

RUSH N. HARTING, MINORITY STAFF DIRECTOR

MINORITY OFFICE  
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LETTER OF TRANSMITTAL

February 4, 2009

Hon. Edolphus Towns  
Chair, Committee on Oversight and Government Reform  
House of Representatives,  
Washington, DC.

Hon. Robert A. Brady  
Chair, Committee on House Administration,  
House of Representatives,  
Washington, DC.

Dear Chair Towns and Chair Brady:

On behalf of the Committee on Rules, I hereby transmit the Committee's plan for Oversight activities for the 111th Congress. Pursuant to clause 2(d)(1) of House rule X, the Committee on Rules met in public session on February 3, 2009. A quorum being present, the Committee adopted by a non-record vote the following oversight plan for the 111th Congress for submission to the Committee on House Administration and the Committee on Oversight and Government Reform in accordance with the rule.

The Committee looks forward to working with all Members of the House of Representatives in order to fulfill our responsibilities under the Rules.

Sincerely,

*Louise M. Slaughter*  
Louise M. Slaughter, Chair

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111th Congress 1st Session  
HOUSE OF REPRESENTATIVES

COMMITTEE ON RULES  
HOUSE OF REPRESENTATIVES

R E P O R T

of

OVERSIGHT PLANS

ONE HUNDRED ELEVENTH CONGRESS

Pursuant to Clause 2(d)(1) of Rule X

WITH MINORITY VIEWS

Approved February 3, 2009



COMMITTEE ON RULES

LOUISE McINTOSH SLAUGHTER, New York, *Chairwoman*

JAMES P. McGOVERN, Massachusetts, <i>Vice Chair</i>	DAVID DREIER, California
ALCEE L. HASTINGS, Florida	LINCOLN DIAZ-BALART, Florida
DORIS O. MATSUI, California	PETE SESSIONS, Texas
DENNIS A. CARDOZA, California	VIRGINIA FOXX, North Carolina
MICHAEL A. ARCURI, New York	
ED PERLMUTTER, Colorado	
CHELLIE PINGREE, Maine	
JARED POLIS, Colorado	

MUFTIAH MCCARTIN, *Staff Director*  
HUGH NATHANIAL HALPERN, *Minority Staff Director*

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111th Congress  
1st Session

HOUSE OF REPRESENTATIVES

REPORT OF OVERSIGHT PLANS OF THE HOUSE COMMITTEE ON  
RULES

Approved February 3, 2009

Ms. Slaughter of New York, from the Committee on Rules, submitted to the Committee on Oversight and Government Reform and the Committee on House Administration the following:

R E P O R T

OVERSIGHT PLANS OF THE HOUSE COMMITTEE ON RULES

Clause 2(d)(1) of Rule X of the Rules of the House requires each standing committee of the House to adopt oversight plans at the beginning of each Congress. Specifically, the Rule states in part:

"Rule X, clause (2)(d)(1). Not later than February 15 of the first session of a Congress, each standing committee shall, in a meeting that is open to the public and with a quorum present, adopt its oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Government Reform and to the Committee on House Administration."

\*\*\*\*\*

JURISDICTION OF THE COMMITTEE ON RULES

Rule X of the Rules of the House vests in the Committee on Rules broad responsibility over the House rules in general and the congressional budget process. Specifically the Rule defines the Committee's jurisdiction, as follows:

Clause 1(n), Rule X- Committee on Rules.

- (1) Rules and joint rules (other than those relating to the Code of Official Conduct) and the order of business of the House.
- (2) Recesses and final adjournments of Congress.

\* \* \* \* \*

Clause 2, Rule X - General Oversight Responsibilities

2. (a) The various standing committees shall have general oversight responsibilities as provided in paragraph (b) in order to assist the House in:

(1) its analysis, appraisal, and evaluation of (A) the application, administration, execution, and effectiveness of Federal laws; and (B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

(2) its formulation, consideration, and enactment of such changes in Federal laws, and of such additional legislation, as may be necessary or appropriate.

(b)(1) In order to determine whether laws and programs addressing subjects within the jurisdiction of a committee are being implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated, each standing committee (other than the Committee on Appropriations) shall review and study on a continuing basis--

(A) the application, administration, execution, and effectiveness of laws and programs addressing subjects within its jurisdiction;

(B) the organization and operation of Federal agencies and entities having responsibilities for the administration and execution of laws and programs addressing subjects within its jurisdiction;

(C) any conditions or circumstances that may indicate the necessity or desirability of enacting new or additional legislation addressing subjects within its jurisdiction (whether or not a bill or resolution has been introduced with respect thereto); and

(D) future research and forecasting on subjects within its jurisdiction.

\* \* \* \* \*

Clause 3, Rule X - Special Oversight Functions

3. (j) The Committee on Rules shall review and study on a continuing basis the congressional budget process, and the committee shall report its findings and recommendations to the House from time to time.

\* \* \* \* \*

## OVERSIGHT PLAN

The Committee on Rules, first established in 1789 on the second day of the first Congress, has been an integral component of the House of Representatives' committee system. It began as a select committee in the First Congress and was elevated to permanent committee status in 1880. Although the primary role of the Committee is to determine the parameters of debate and the amendment process for legislation headed to the House Floor, it does have a number important oversight responsibilities.

The fundamental portion of the present jurisdiction of the Committee is contained in clause 1(n) of rule X, which gives the Committee jurisdiction over the following:

- (1) Rules and joint rules (other than those relating to the Code of Conduct) and the order of business of the House.
- (2) Recesses and final adjournments of Congress.

The Committee will continue to monitor compliance with House rules in all these areas as part of its oversight duties. Its oversight will include strict observance of the actual rules as well as the intent and spirit of the rules.

The House rules also grant special oversight responsibility to the Rules Committee in clause 3(j) of rule X over the congressional budget process. The Committee looks forward to working with the Budget Committee on any oversight activities that may be undertaken with regard to the Congressional budget process.

In addition to the jurisdictional areas contained in the Rules of the House of Representatives, the Rules Committee has always played a major role in the changes to the House rules in the beginning of each new Congress pursuant to House Resolution 5. In the beginning of the 111<sup>th</sup> Congress the following reforms to the House Rules were made in the opening day rules package contained in House Resolution 5 (all changes that are within the jurisdiction and oversight responsibilities of the Rules Committee):

**Section-by-Section of Rule Changes – 111th Congress**

**SEC. 2. CHANGES TO THE STANDING RULES.**

**(a) INSPECTOR GENERAL AUDITS.—**

In response to the recommendation of the chairman and ranking minority member of the Committee on House Administration, this provision amends clause 6(c)(1) of rule II to clarify the non-traditional audit work that the Inspector General does in the areas of business process improvements, services to enhance the efficiency of House support operations, and risk management assessments. The change also will allow the Inspector

General to implement guidance and standards published in the Government Accountability Office's Government Auditing Standards.

**(b) HOMELAND SECURITY.—**

This provision amends clause 3(g) of rule X to direct the Committee on Homeland Security to review and study on a primary and continuing basis all Government activities, programs, and organizations relating to homeland security within its primary legislative jurisdiction.

Nothing in this rule shall affect the oversight or legislative authority of other committees under the Rules of the House.

The change in clause 3 of rule X clarifies the Committee on Homeland Security's oversight jurisdiction over government activities relating to homeland security within its primary legislative jurisdiction, including the interaction of all departments and agencies with the Department of Homeland Security. Consistent with the designation of the Committee on Homeland Security as the committee of oversight in these vital areas, the House expects that the President and the relevant executive agencies will forward copies of all reports in this area, in addition to those already covered by clause 2(b) of rule XIV, to the Committee on Homeland Security to assist it in carrying out this important responsibility.

This change is meant to clarify that the various agencies have a reporting relationship with the Homeland Security Committee on matters within its jurisdiction in addition to the agencies' reporting relationships with other committees of jurisdiction.

**(c) ADDITIONAL FUNCTIONS OF THE COMMITTEE ON HOUSE ADMINISTRATION.—**

This provision amends clause 4(d) of rule X to give the Committee on House Administration oversight of the management of services provided to the House by the Architect of the Capitol, except those services that lie within the jurisdiction of the Committee on Transportation and Infrastructure under clause 1(r).

**(d) TERMS OF COMMITTEE CHAIRMEN.—**

This provision strikes clause 5(c)(2) of rule X to eliminate term limits for committee and subcommittee chairs and includes a conforming amendment to clause 5(a)(2)(C) of rule X to provide an exception to the Budget Committee tenure limitations for a chair or ranking minority member serving a second consecutive term in the respective position.

**(e) CALENDAR WEDNESDAY.—**

This provision amends clause 6 of rule XV to require the Clerk to read only those committees where the committee chair has given notice to the House on Tuesday that he or she will seek recognition to call up a bill under the Calendar Wednesday rule. This will replace the requirement that the Clerk read the list of all committees, regardless of whether a committee intends to utilize the rule. The provision makes conforming changes to clause 6 of rule XV and clause 6 of rule XIII, including the deletion of the requirement of a two-thirds vote to dispense with the proceedings under Calendar Wednesday.

**(f) POSTPONEMENT AUTHORITY.—**

This provision adds a new paragraph (c) to clause 1 of rule XIX to give permanent authority to the Chair to postpone further consideration of legislation prior to final passage when the previous question is operating to adoption or passage of a measure pursuant to a special order of business. This codifies a practice that has become routine during the 110th Congress.

**(g) INSTRUCTIONS IN THE MOTION TO RECOMMIT.—**

This provision amends clause 2(b) of rule XIX to provide that a motion to recommit a bill or joint resolution may include instructions only in the form of a direction to report a textual amendment or amendments back to the House forthwith. The provision makes no change to the straight motion to recommit.

## (h) CONDUCT OF VOTES.—

In response to the bipartisan recommendation of the Select Committee to Investigate the Voting Irregularities of August 2, 2007, this provision deletes the following sentence in clause 2(a) of rule XX: “A record vote by electronic device shall not be held open for the sole purpose of reversing the outcome of such vote.”

## (i) GENERAL APPROPRIATION CONFERENCE REPORTS.—

This provision codifies House Resolution 491, 110th Congress, which was adopted by unanimous consent. The provision provides a point of order against any general appropriations conference report containing earmarks that are included in conference reports but not committed to conference by either House and not in a House or Senate committee report on the legislation. A point of order under the provision would be disposed of by the question of consideration, which would be debatable for 20 minutes equally divided.

## (j) PAYGO.—

This provision amends clause 10 of rule XXI to make the following changes:

- (1) A technical amendment to align the PAYGO rules of the House with those of the Senate so that both houses use the same CBO baselines;
- (2) The changes would also allow one House-passed measure to pay for spending in a separate House-passed measure if the two are linked at the engrossment stage; and
- (3) The changes would also allow for emergency exceptions to PAYGO for provisions designated as emergency spending in a bill, joint resolution, amendment made in order as original text, conference report, or amendment between the Houses (but not other amendments).

The new clause 10(c)(3) of rule XXI provides that the Chair will put the question of consideration on a bill, joint resolution, an amendment made in order as original text by a special order of business, a conference report, or an amendment between the Houses that includes an emergency PAYGO designation. The Chair will put the question of consideration on such a measure without regard to a waiver of points of order under clause 10 of rule XXI or language providing for immediate consideration of such a measure.

The intent of this exception to pay-as-you-go principles is to allow for consideration of measures that respond to emergency situations. Provisions of legislation may receive an emergency designation if such provisions are necessary to respond to an act of war, an act of terrorism, a natural disaster, or a period of sustained low economic growth. A measure that includes any provision designated as emergency shall be accompanied by a report or a joint statement of managers, as the case may be, or include an applicable “Findings” section in the legislation, stating the reasons why such provision meets the emergency requirement according to the following criteria.

In general, the criteria to be considered in determining whether a proposed expenditure or tax change meets an emergency designation include: (1) necessary, essential, or vital (not merely useful or beneficial); (2) sudden, quickly coming into being, and not building up over time; (3) an urgent, pressing, and compelling need requiring immediate action; (4) unforeseen, unpredictable, and unanticipated; and (5) not permanent, but rather temporary in nature. With respect to the fourth criterion above, an emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not “unforeseen.”

## (k) DISCLOSURE BY MEMBERS OF EMPLOYMENT NEGOTIATIONS.—

This provision amends clause 1 of rule XXVII to close the loophole in the rule that allowed lame-duck Members, Delegates, and the Resident Commissioner to directly negotiate future employment or compensation without public disclosure. The rule will now apply to all current Members, Delegates, and the Resident Commissioner requiring

them, within 3 business days after the commencement of such negotiation or agreement of future employment or compensation, to file with the Committee on Standards of Official Conduct a statement regarding such negotiations or agreement.

(I) GENDER NEUTRALITY.—

This provision amends the Rules of the House to render them neutral with respect to gender. These changes are not intended to effect any substantive changes.

The Committee intends to exercise its oversight responsibilities to ensure full compliance with these new rules and the House rules generally.

Throughout the duration of the 111<sup>th</sup> Congress, the Rules Committee intends to take its oversight responsibility seriously and will vigorously monitor those areas within its jurisdiction as well as those for which the Committee maintains oversight responsibility. When appropriate, the Committee plans to utilize the Committee's two subcommittees (the Subcommittee on Legislative and Budget Process and the Subcommittee on Rules and Organization of the House) to conduct a portion of its oversight activities on those areas which fall into the specific jurisdiction of each.

In addition to the oversight areas described in this plan for the 111<sup>th</sup> Congress, the Committee is fully prepared to undertake additional oversight activities whenever situation or circumstances dictate.

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## MINORITY VIEWS

The commencement of a new year and a new congress share more than proximity in date. Often the majority party will offer its own version of a “new Congress resolution” to be more open, fairer and more transparent. That was clearly the case at the beginning of the 110th Congress, when the Democrats regained the majority after a 12-year hiatus.

But rather than having the most open Congress in history as the majority promised, it instead ended up being the most closed and least open Congress in history. Comparing the record of the Democrats’ first 2 years in the majority to the 109th Congress, the last time Republicans ran the House, we found that there were —

- 24 percent more bills considered under closed rules;
- 55 percent fewer bills considered under truly open rules;
- 23 percent fewer minority substitutes made in order;
- On average, 17 percent fewer amendments made in order per bill; and,
- 40 percent less time to review legislation and draft amendments.

The promises of a new day in the House for the 111th Congress have been compounded by the vision articulated by our recently inaugurated President. He has laid out a vision that replaces bitterness with bipartisanship, and cynicism with a sincere commitment to a brighter future.

Of course, there is a great divergence of opinion on the details of exactly how we reach that brighter future. But we wholeheartedly agree with President Obama that the way forward is through open, inclusive debate, a strong spirit of bipartisanship and the sincere pursuit of common ground.

However, even at this early date, the record of the 111th Congress stands in stark contrast to the high-minded rhetoric of the Presidential campaign and highlights the pure cynicism of the rules changes outlined in the majority’s oversight plan. The Democratic leadership, as its very first legislative act of the 111th Congress, put forward a rules package that shredded the Obama vision of unity and bipartisanship and simply continued the record of the Democrats in the 110th Congress by adding even more restrictions on debate and deliberation in this Congress.

We believe that if the majority is committed to real oversight over the operation of the legislative processes of the House and an honest examination of the effects of the rules changes put in place so far, they will likely have to backtrack on many of these changes in the months to come.



The majority found themselves in that situation on a number of occasions during the last congress: first, they had to modify the provisions prohibiting Member use of private aircraft, since their provision as drafted prohibited Members from using their own aircraft or leasing aircraft for official or campaign use; second, the bipartisan recommendations of the Select Committee to Investigate the Voting Irregularities of August 2, 2007 that the new sentence of clause 2(a) of rule XX (relating to holding a vote open for the sole purpose of reversing the outcome) be eliminated because that “sentence is unworkable in practice” (H.Rept. 110-885, p. 20). It is worth noting that the Select Committee — not the Rules Committee — was the only body which conducted real oversight on the rules changes in the last Congress.

With that in mind, it is useful to review some of the changes made during this congress which we believe will require oversight in the months to come.

#### LIMITING THE MINORITY’S ABILITY TO FIGHT FOR ITS ALTERNATIVES

The 111th rules package systematically limited the ability of the Republican minority to offer its alternatives as we debate the pressing issues facing our Nation.

#### *Limiting the motion to recommit to “forthwith.”*

First, the package limits the motion to recommit — often the minority’s only opportunity for an alternative — to “forthwith” motions, meaning that the bill cannot be returned to committee for further work. Those motions permitted under the rule are subject to all existing House rules and provisions of the Budget Act, even when those provisions are waived against the bill itself.

The effect of this change has made it nearly impossible for the minority to offer a motion to strike a tax increase from a bill. Under the Democrats’ formulation, Republicans’ only choice is to substitute one tax increase for another; Republicans no longer have the option of just striking a tax increase because we are opposed to that tax increase.

This runs counter to the history of the Republican majority which guaranteed the motion to recommit for the 12 years which the Democrats were in the minority. The same guarantee was not afforded Republicans when they were routinely denied the motion to recommit during their previous 40 years in the minority. The best of many examples of the necessary utilization of a “promptly” motion to recommit was Minority Leader Gephardt’s motion to recommit the Medicare Prescription Drug bill. That motion could not have been drafted as a “forthwith” motion because it violated the budget caps. However, he

was still allowed to offer his alternative as a “promptly” motion in order to get a vote on the Democrats’ philosophical position.

*Legislative “sleight of hand” with the PAYGO rule.*

Another provision tucked into the majority’s rewrite of the PAYGO rule allows the Rules Committee to provide for two separate bills to be considered together for purposes of PAYGO evaluation. Under this scenario, one will have new spending, and the other will have new tax increases. While the Democrats get the benefit of having the two bills considered together for purposes of PAYGO, they didn’t have the risk of a difficult motion to recommit because the germaneness rule limits the scope of our amendments — one for spending, the other for tax increases.

Taken together, the limitation of the motion to recommit and the PAYGO restrictions interact to significantly restrict the ability of the Republican minority to offer alternatives generally and specifically limits our ability to present alternatives on proposals such as tax or entitlement bills which Republicans traditionally and philosophically differ from Democrats.

*Avoiding the tough decisions on PAYGO.*

Another provision contained in their rewrite of the PAYGO rule allows for “emergency designations” to be contained in tax and entitlement bills. That means virtually any tax bill or bill with direct spending can be designated as an “emergency” item, even by the bill’s author, and avoid having to waive PAYGO. The first use of this authority was during consideration of the \$816 billion so-called stimulus bill (H.R. 1). No longer will the Democratic majority have to struggle with finding the votes to waive PAYGO when fixing the alternative minimum tax or bailing out another failing company. They now can simply declare an emergency, and PAYGO doesn’t apply.

*Indefinite postponement authority.*

Three of the defining attributes of the House of Representatives as a legislative body have always been as follows: (1) the Rules Committee, (2) an effective germaneness rule, and (3) the operation of the previous question. Unfortunately, one of the rules changes made at the beginning of this congress undermines one of those fundamental attributes.

The majority codified a practice that it employed on a rule-by-rule basis in the 110th Congress which allowed the Speaker to postpone consideration of a measure indefinitely should the majority be presented with a motion to recommit that was politically unsettling. Now,

whenever a bill is being considered pursuant to a special rule, the Speaker has the authority at her sole discretion to postpone consideration of the measure indefinitely, irrespective of the House's prior action to pass a special rule that provides specific parameters for debate, including the ordering of the previous question *without postponement*. This presents a situation where 434 members may have voted to complete consideration on a measure (through the adoption of a special order of business which provides that the previous question is ordered through final passage), but one member — the occupant of the chair — may postpone consideration of that measure indefinitely.

In no other postponement authority granted to the Speaker in the rules on a measure or question before the House is this postponement authority indefinite. The Speaker has ultimately been given the authority to filibuster a bill that a Majority of the House had just agreed to consider and ultimately vote on.

*The case of the missing earmark reform.*

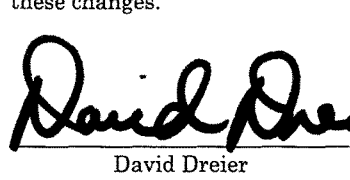
In addition to the problems highlighted by the Select Committee in the operation of clause 2(a) of rule XX, we raised concerns about loopholes in the majority's new earmark rules throughout the 110th Congress. However, changes to address the obvious flaws in the operation of clause 9 of rule XXI were curiously missing from this Congress' rules package. The rule still does not apply to amendments between the Houses and to amendments "self-executed" by the Rules Committee, two parliamentary mechanisms used at far higher rates in the last congress than before. Aside from not addressing the most obvious disclosure loopholes, the Majority failed to address the lack of enforceability, a major concern of the Minority given the record of several committee chairs in giving incorrect information concerning the status of earmarks in the 110th Congress. Members should have the ability to question the validity of earmark statements and lists presented by chairmen in some form or fashion.


#### CONCLUSIONS


The Republican Members of the 111th Congress collectively represent more than 100 million constituents. Taken in isolation, any one of these changes could be viewed as an affront to those Members and the people they represent. When they are superimposed on the Democratic majority's record of closed debate and exclusion, they have reached new lows in denying those Americans the right to be represented.

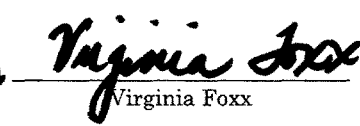
President Obama promised an end to partisan politics as usual. From all appearances, the House Democratic leadership missed the memo.

We hope that the majority will actually conduct the oversight promised in this plan, and in so doing, will realize the error of many of these changes.

  
David Dreier

  
Lincoln Diaz-Balart

  
Pete Sessions

  
Virginia Foxx

BART GORDON, TENNESSEE  
CHAIRMAN

RALPH M. HALL, TEXAS  
RANKING MEMBER

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON SCIENCE AND TECHNOLOGY

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January 28, 2009

Edolphus Towns  
Chair  
Committee on Oversight and Government Reform  
2157 Rayburn House Office Building

Robert A. Brady  
Chair  
Committee on House Administration  
1309 Longworth House Office Building

Dear Chairs,

Enclosed with this letter is the oversight plan of the Committee on Science and Technology, adopted January 28, 2009, pursuant to House Rule X (2)(d).

If there are any questions or concerns regarding this plan, please direct them to the Committee's Chief Counsel, John Piazza (56375). Thank you for your attention to this matter.

Sincerely,



Bart Gordon  
Chair

Cc: Ralph Hall, Ranking Minority Member

Enclosure

**OVERSIGHT PLAN  
FOR THE COMMITTEE ON SCIENCE AND  
TECHNOLOGY**

U.S. HOUSE OF REPRESENTATIVES

111<sup>TH</sup> CONGRESS

As Adopted by the Committee  
January 28, 2009

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## I. Introduction

In his inaugural address President Obama said, "The question is not whether our government is too big or too small, but whether it works." That is the challenge that informs the oversight plan of the Committee on Science and Technology. We are optimistic that the Obama Administration not only understands the special role Congress can play in conducting oversight, but is anxious to work with the Committee to identify problems and fix them.

During the past two years, the Committee has run a very aggressive, wide-ranging oversight operation. House Rule X sets the Committee's jurisdiction, but the legislative jurisdiction assigned to the Committee is narrower than the oversight jurisdiction (relevant text from Rule X can be found at Appendix A). Rule X also assigns the Committee special oversight responsibility for "reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving non-military research and development." The Committee appreciates the special function entrusted to it and will continue to tackle troubled programs and search for waste, fraud and abuse in non-military research and development programs regardless of where it may be found.

Much of the oversight work of the Committee is carried out by and through the Investigations and Oversight Subcommittee. However, oversight is necessarily built into the work of every Subcommittee and the Full Committee. All elements of the Committee take their oversight charge seriously, and those elements have worked cooperatively in the past, as they will in the future, to meet our oversight responsibilities.

In the last Congress, the Committee collectively authored almost 250 oversight letters (listed in Appendix B). Counting the Full Committee and the Subcommittees, the Committee held 80 oversight hearings. The Committee is committed to building on this record in the 111<sup>th</sup>.

The Committee also routinely works with GAO and the Inspectors General of our agencies to maintain detailed awareness of the work of those offices. At the moment, the Committee has 30 accepted requests for work pending with the Government Accountability Office and more will be developed over the coming weeks and months. Many of these requests are bipartisan, having been signed by both Chairmen and Ranking Members of our Committee and Subcommittees, or include multiple Committee Chairmen where there are shared interests.



The Committee on Science and Technology has a long history of maintaining a standing Subcommittee for Investigations and Oversight. The Subcommittee was first established in the 96<sup>th</sup> Congress. Among its Chairs have been Al Gore, Jr., Harold Volkmer and Howard Wolpe. The Subcommittee was eliminated in the 104<sup>th</sup> Congress. Chairman Gordon and the new Democratic majority re-established the Subcommittee in the 110<sup>th</sup> Congress. Mr. Miller of North Carolina chaired the panel in the 110<sup>th</sup> Congress and will return as Chair in the 111<sup>th</sup>.

Some of the areas that marked the oversight work of the Committee in the last Congress will continue to feature prominently in the work of the Committee going into the 111<sup>th</sup>. The Committee fully expects to continue its work on science integrity and the suppression of science, especially in the area of climate change and environmental health. The Committee expects to keep inquiring about the role of science in shaping environmental and safety regulations, as well as the use of science by public health agencies. We expect to continue to monitor the badly mismanaged satellite acquisitions of the National Oceanic and Atmospheric Administration (NOAA).

Government waste and contractor abuses were an important focus of the work of the Committee during the 110<sup>th</sup>, and this area will gain renewed attention in the next Congress. In the 110<sup>th</sup>, work by the Committee led to Appropriations reductions of \$17.8 million with another \$1.5 million in Federal property identified for reclaiming from a contractor. The Committee also identified a program which had misspent hundreds of millions of dollars during a computer acquisition; that program has been significantly restructured. Finally, the Committee has been working with GAO and other Committees to instill some rigor and transparency into the proposed acquisition of new radiation portal detection monitors; that work has kept between \$2 and \$3 billion from being committed to acquiring immature and unproven technologies.

The Committee has also kept pressure on NOAA to rein in contractor costs and improve performance in the acquisition of next generation weather and climate satellites, which have experienced a multi-billion dollar cost overrun. It is hard to calculate the savings that come from the Committee's work in this area, but it is quite likely that without this oversight, the cost overruns would be even more outrageous.

In the next Congress, the Committee will expand its work on identifying contractor abuses and cost savings by undertaking a wide-ranging review of contracts let by our agencies in the past few years. The Committee will be looking for specific instances of abuse and lessons

on how to better manage contract competitions and awards so that taxpayers know their money is being well spent. More specific themes and examples of planned oversight can be found in the text that follows.

## **II. Oversight Themes**

In the 111<sup>th</sup> Congress, the Committee will work along three broad lines of inquiry with respect to oversight: (1) restoring public confidence in the integrity of public science; (2) helping to insure that programs are well managed and that money is properly spent; and, (3) evaluating programs and identifying emerging challenges. The broad areas are described below, along with illustrations of work the Committee intends to undertake.

Of course, much of oversight is driven by events. Twice in the Committee's history it has had to radically shift its resources to respond to the catastrophic loss of a Space Shuttle. In the last Congress, the Committee did not plan to review the EPA's Integrated Risk Information System or dig into the way the Agency for Toxic Substances and Disease Registry handled the evaluation of public health risks associated with FEMA trailers. However, both emerged as very important oversight initiatives that garnered significant public attention. Each of those initiatives also contributed, in different ways, to setting the science integrity agenda for the new Obama Administration. Nevertheless, we feel that the work below is an accurate portrayal of the Committee's oversight intentions as of January 2009.

### **A. Restoring Public Confidence in the Integrity of Public Science**

In the 110<sup>th</sup> Congress, the Committee on Science and Technology carried out an enormous amount of work on the abuse, misuse or suppression of science. The fruits of that work have already been shared with the new Administration, but there will remain a need to identify areas of Federal science policy where integrity must still be restored. The work we intend to undertake includes the following areas:

**Failures of Public Health Work at the Agency for Toxic Substances and Disease Registry:** This is ongoing work which began by examining the failure of ATSDR to accurately assess the potential adverse health effects of FEMA trailers on Hurricane Rita and Katrina survivors. The Committee anticipates working broadly on how ATSDR can be strengthened to better protect public health.

**Strengthening Science at EPA:** The Committee has done substantial work on the Integrated Risk Information System (IRIS) at EPA, a risk assessment database used to guide the public and Government about health risks associated with toxic chemicals. EPA has been hamstrung in this work by OMB and other agencies. This is just one area where EPA's science work is now micromanaged by those outside the agency. The Committee will continue to develop this issue with an eye to helping the next Administration get EPA on a better path. [Note that GAO has added the EPA IRIS program to its High Risk Watch List largely based on the work of the Subcommittee on Investigations and Oversight.]

**The Office of Information and Regulatory Affairs' (OIRA)**

**Interference with Science-Based Agency Work:** OIRA at OMB has been second-guessing science in proposed IRIS listings, proposed regulations and proposed guidance. The Committee will continue to work with the new Administration to strengthen the role of agencies legally charged with determining what science says about threats to health and safety while bringing OIRA's influence more into line with its limited legal mandate.

**Science Integrity: Agencies Contracting Out to Firms and**

**Conflicts of Interest:** Over the last decade, federal agencies have contracted out more and more of their science work to private firms. Those same firms often work for one of the regulatory agencies and simultaneously for companies subject to regulation by those agencies. Two questions emerge: (1) why is the government contracting out science work that the agencies are qualified to do, and (2) are agencies taking adequate steps to guard against conflicts of interest that might lead contractors to skew their findings back to the agencies? The Committee will continue its work in this area in the 111<sup>th</sup> Congress.

**B. Helping to Ensure that Programs are Well Managed and that Money is Properly Spent**

Taxpayers expect that programs they fund be well managed and that the dollars they pay for those programs represent the best value for the money. The Committee will review the financial accounting and contract management practices of its agencies to insure that they keep track of the moneys they receive and engage with contractors in a way that is efficient and complies with the law.

When agencies have weak financial management systems (as found at the Department of Energy and NASA), they have a difficult time assuring the Congress and the public that their moneys are well managed and appropriately allocated. Financial management failures

reflect not just a hollow accounting exercise, but a fundamental inability to certify to the public that moneys are well managed.

When contracting practices of agencies are flawed, it reflects a fundamental failure to insure that the Government is getting the best price for a good or service and that contractors are being paid solely for work that they actually do for the Government. With more and more Federal discretionary money going to contractors, management failures with contractors undermines the Government's ability to attest that taxpayers are getting what they pay for.

Specific examples of work the Committee expects to pursue include the following:

**Contractor Review Initiative:** The Committee is undertaking a broad review of who has received contracts for what goods or services from its agencies. The Committee will examine whether the contracts were awarded competitively, whether the contracts are for services the government should itself provide, whether there are authentic acquisitions and whether real cost savings are realized.

**Stimulus Oversight Initiative:** Several agencies in the Committee's jurisdiction (NSF, Department of Energy, NASA, NOAA, NIST) are in line to receive significant funding from an economic stimulus package. Assuming that package is enacted, it is the Committee's intention to carefully monitor how the agencies ramp up funding and how effectively and efficiently the moneys are managed. The Committee will harness the resources of GAO and the Inspectors General, as appropriate, to carry this project forward.

#### **National Polar Orbiting Environmental Satellite System**

**Mismanagement:** The Obama Administration inherits a program that has been mismanaged, with the budget approximately \$5 billion over the original program estimates, and the capabilities of the satellites in line for launch severely degraded. The Committee has been pursuing oversight work into the conduct of the contractors and disarray among the agencies involved in the acquisition (USAF, NOAA, NASA). The Committee will work with the new Administration to try to ensure that there is data continuity in essential weather and climate change data sets.

**Computer System Acquisition Reform:** More than \$100 billion is spent each year on computer systems acquisitions by the Federal government, and very few of these acquisitions are done on time or on budget. The Committee has come across two examples on the intelligence or homeland security side of computer acquisitions where

those acquisitions have been mismanaged and the programs are in jeopardy—potentially wasting hundreds of millions of dollars. The Committee will continue working on this issue with a broad eye to how the Government can better acquire these systems.

**DHS S&T Directorate Laboratories:** In the 110<sup>th</sup> Congress the Committee succeeded in forcing DHS to keep open the Environmental Measurements Laboratory (EML), a world renowned radiation measurements laboratory. The Committee held a hearing on the weak Federal infrastructure of Federal radiation labs and their current inability to respond to the public health implications of a large scale radiation release. The unique capabilities of DHS labs to perform critical research have been weakened. Much of the work has been outsourced to contractors, resulting in an exodus of good Federal employees from the labs, and the labs themselves have been underfunded and neglected. The Committee will continue its work on the DHS S&T laboratory complex.

**EPA Laboratories:** EPA has a network of laboratories that perform research and support enforcement, monitoring and remediation activities of the Agency. Recent reports by the EPA Science Advisory Board suggest that EPA's research budgets are inadequate and that the scope of research supported by the Agency is too narrow to identify and prepare for emerging environmental and public health challenges. The Committee intends to examine the current status of the EPA laboratories and ensure the network of facilities and EPA's scientific and technical workforce are sufficient to serve the Agency's public health and environmental protection mission. GAO work on this matter is underway.

**Smart Grid Initiative:** The Committee intends to conduct oversight of the new programs adopted in the Energy Independence and Security Act of 2007 to expand research, development, and demonstration of smart grid technologies and to ensure that appropriate equipment standards are in place to facilitate the deployment of smart grid technologies. The Committee also intends to monitor the progress of the National Institute of Standards and Technology's (NIST) effort to build consensus on development of interoperability standards for smart grid devices and systems.

**DOE Laboratory Complex:** The management and upkeep of the Department's aging facilities, particularly the clean-up of radioactive and hazardous material sites, remain a continuing concern of the Committee. Efforts will continue to assure that the Department meets its responsibilities to control risks in and around these facilities.

**DOE Science programs:** DOE, like NSF, plays a leading role in supporting U.S. physical science research. Budget limits are severely restricting these programs and limiting use of major facilities such as the Relativistic Heavy Ion Collider, the new Spallation Neutron Source and the Fermi National Accelerator Laboratory. Such cases raise questions about the decision to invest in such capabilities if the resources are not available to exploit them to the fullest. The Committee intends to continue exploring this area.

**Energy Efficiency:** Several new energy efficiency programs were authorized in the Energy Policy Act of 2005 and the Energy Independence and Security Act of 2007. The Committee will conduct oversight over new and existing energy efficiency programs including: industrial efficiency, building technologies, vehicle technologies, and DOE's implementation of executive orders to improve energy efficiency at federal facilities.

**NASA Contract, Financial and Program Management Challenges:** The Government Accountability Office (GAO) has identified NASA contract management as a "high-risk" concern. In addition, the infrastructure for managing NASA's financial activities has been undergoing a long and painful upgrade. GAO in the past has regularly stated it has seen little evidence that the new system allows NASA managers to control cost and schedule issues more effectively than in the past. The Committee intends to continue our oversight efforts in this area, with an eye to working with the new Administration to ensure that NASA's programs are carried out as effectively as possible.

**Balancing Space Science and Human Space Flight:** Congress endorsed President Bush's goals for space exploration in the National Aeronautics and Space Authorization Acts of 2005 and 2008. However, Congress also made clear in the Acts that it expected NASA to carry out a balanced set of activities in science, aeronautics and human space flight. Despite that congressional direction, however, NASA's budget plans have been inadequate to accomplish all of these goals. The new Administration will be submitting its plans for NASA in the near future, starting with the Fiscal Year 2010 budget request. The Committee will devote significant time to an examination of the implications of NASA's plans and priorities and the resource requirements of a balanced, robust and beneficial space and aeronautics program at NASA. As part of its NASA reauthorization effort, the Committee will be taking a close look at the Agency's infrastructure requirements as well as the effectiveness of its programs.

**FAA NextGen Initiative:** The Committee has been actively monitoring FAA's efforts to develop a next generation air transportation system (NextGen). The Committee has a particular interest in the performance of the interagency Joint Planning and Development Office (JPDO), which is responsible for planning and coordinating the initiative to develop NextGen. The NextGen initiative has a host of issues associated with it due to its costs and complexity, and the Committee has ongoing oversight activities to examine its status, including a request to GAO to review its progress. The Committee has legislative jurisdiction over FAA's research and development programs, and the Agency's authorization expired in 2007. The Committee will use its oversight work to inform the reauthorization of FAA's R&D programs.

**International Space Station:** Given the significant national investment in the International Space Station (ISS), Congress has directed that NASA maintain a strong research and technology program to take advantage of those unique capabilities. However, NASA has made significant cuts to the programs for utilizing the ISS, virtually eliminating entire areas of life science and microgravity research. In addition, the impending retirement of the Space Shuttle raises questions about how NASA will support the utilization and operation of the ISS post-2010, even as NASA seeks commercial operators to undertake some portion of ISS logistical support. In addition, NASA has stated its intention to utilize the ISS to support its exploration initiative. The Committee expects to work closely with the new Administration to get clarity on what role the ISS will play and what it will cost to maintain it and utilize it.

**NASA and Aviation Safety:** The NASA aeronautics program has been restructured and its funding has been in decline for a number of years. The Committee plans to examine the impact of that restructuring and funding approach on NASA's ability to support the interagency effort to modernize the nation's air traffic management system, as well as on its ability to undertake important R&D on aircraft safety, emissions, noise and energy consumption—R&D that will have a big impact on our Nation's quality of life and on U.S. competitiveness in aviation.

**NASA's Technology Development:** As an R&D agency, long-term technological innovation should be a prime focus for NASA. However in recent years, constrained budgets and different priorities have diminished NASA's role in technological innovation. The Committee intends to examine NASA's activities in technology development and what needs to be done to maximize the effectiveness of its

investments; such investments can provide another boost to our economy's competitive position.

**NSF Major Research Equipment and Facilities Construction**

**(MREFC):** The MREFC approval process at NSF is being restructured to put into place much better controls against cost and schedule overruns. The Committee will be watching closely how the new controls are implemented from conceptual design through operation for the next round of research facilities.

**C. Evaluating Programs and Identifying Emerging Challenges**

Many of the program initiatives under the Committee's purview have either been badly managed or else will soon face a cross-roads regarding how to proceed and whether to commit millions, perhaps billions of dollars to a particular path. The Committee believes it is prudent to carefully monitor the way these programs are managed to help inform decisions.

Similarly, it is important to stay alert for problems on the horizon that may not have crystallized yet either in the form of existing programs or policies. For example, knowing that a changing climate is contributing to unprecedented changes in the earth's atmosphere with profound consequences for every form of life is not by itself a program or a policy, but that is exactly the kind of emerging science-based set of challenges that the Congress and the Government need to wrestle with. The Committee on Science and Technology hosted the first hearings on climate change in the early 1980s. That work ultimately led to the Committee establishing the Global Climate Change Research Act of 1990, providing the legal framework for climate science ever since. Identifying emerging challenges is an important way for Congress to adopt the new laws and authorities necessary to respond to a changing world.

The work in this category that the Committee intends to undertake includes:

**Carbon Capture and Sequestration Technologies and Reorienting**

**FutureGen:** FutureGen was radically restructured in January 2008 by Secretary of Energy Bodman. Internal DOE documents demonstrate the restructured program would add an estimated ten years to achieving the goal of having commercially scalable Carbon Capture /Carbon Sequestration technologies in the marketplace. This would have a devastating impact on our ability to burn coal without adding to global warming. The Committee is prepared to work with the next Administration to reorient the program towards goals that hold out the



promise to make our Nation's coal reserves a safe and clean source of energy.

**The National Aviation Operational Monitoring System (NAOMS):**

The Committee has done work on the National Aviation Operational Monitoring System and also on wiring and fire hazards in aging planes. The Committee will continue to work on this issue, based on any new information that emerges. GAO is due to deliver a report on NAOMS in coming weeks.

**Environmental Justice:** EPA has failed to finalize environmental justice analytical requirements for use by the Agency (and others) in evaluating the environmental impact of proposed facilities from an environmental justice perspective. The Committee proposes to work with the new Administration to establish sound ground rules for environmental justice calculations.

**Alternative Energy Supplies:** Volatility in oil prices is increasing interest in new fuel types for meeting the country's energy needs. Special attention is being given to biomass substitutes such as ethanol. The Department of Energy (DOE) helps to develop technologies for this purpose. Questions have been raised about the net energy efficiency gains and economic impacts of using food products as fuel. The Committee intends to pursue these questions in the 111<sup>th</sup> Congress.

**Oceans Agenda:** The 2004 Ocean Commission Report included over two hundred recommendations to address the future of our oceans. The Bush Administration offered a Plan in response to the Report, but many of the Commission's recommendations have not yet been addressed. Since that time, new challenges, including ocean acidification, have emerged. The Committee will examine the current status of ocean research and development, exploration and monitoring programs, and assure they are able to deliver the information and tools needed to manage global ocean resources responsibly.

**Reviving Nuclear Power:** Proponents argue that nuclear power offers an attractive solution to the problem of finding low-carbon power sources to mitigate greenhouse gas impacts. Public skepticism about the safety and economic value of such plants, however, remains high. DOE, the Nuclear Regulatory Commission and the power industry hope to restart reactor construction in the near future. The Committee will examine their readiness to do so and the status of proposed technologies.

**Clean Coal Technology:** The United States still has a massive reserve in coal to use for energy. Finding ways to remove impurities that contribute to air pollution, and then to reduce or sequester the resulting carbon dioxide emissions that contribute to climate change, may allow coal to continue its contribution as a relatively inexpensive fuel source. The Committee will continue to explore this area, and will coordinate that effort with our ongoing investigation into the management of the FutureGen project.

**Fusion and the ITER Demonstration:** Technical challenges have for decades hampered our ability to harness nuclear fusion as an energy source. The United States has recently rejoined an international consortium preparing to construct the International Thermonuclear Experimental Reactor to demonstrate whether fusion could be produced in an economically viable manner. Committee Members supported the decision to participate and will follow this multi-billion dollar project's progress.

**NASA Earth Science Program Continuity and Effectiveness:** NASA's science programs will also be an important oversight area for the Committee. One area of focus in particular will be NASA's Earth science/climate research programs. NASA currently accounts for approximately 60 percent of the Nation's climate research funding. The Committee intends to examine the effectiveness of those investments, the research outcomes being sought, and the extent to which NASA is effectively coordinating with NOAA and international agencies on its Earth science/climate research to insure there is no unnecessary duplication of effort.

**Workforce Transition Issues:** Like many other Federal agencies, NASA faces an aging workforce. However, the challenges to NASA are unique due to the five-year gap between the retirement of the Space Shuttle and the roll-out of the new CEV/CLV system. This could have disruptive consequences on the capacity of the agency to retain the best professionals needed to safely and successfully fly the remaining Shuttle flights, or to attract new talent to tend the Agency's mission between vehicles. The Committee will explore this situation, and its implications, further.

**FAA Commercial Space Transportation:** FAA's Office of Commercial Space Transportation (OCST) licenses commercial launch vehicles. An area of increasing interest is the emergence of a number of fledgling commercial human space flight ventures. In addition to its oversight of the FAA's OCST, the Committee will examine the progress of the emerging personal space flight industry as well as the challenges facing it.

**International Space Cooperation and Competition:** A growing number of nations are acquiring space exploration and utilization capabilities. That offers both increased opportunities for cooperation as well as potential geopolitical and commercial competition. The Committee intends to examine the status of the emerging space powers and the impact on U.S. space policies.

**National Space Council:** The incoming Administration has indicated its intention to reactivate the National Aeronautics and Space Council [NASC] to address interagency space and aeronautics issues. The efficacy of the NASC in past Administrations has been mixed, and the Committee intends to monitor its effectiveness as it carries out its activities under the current Administration.

**National Science Foundation Oversight:** The National Academies' *Gathering Storm* report highlighted the importance of science funding in building a globally competitive economy. The Committee anticipates that the new Administration will seek to expand funding for these programs, and the Committee will devote significant time to reviewing the agency's relevant programs to insure that increases are well managed. This work will inform a reauthorization of the Agency.

**Science and Mathematics Education:** Education is a vital component in a growing economy. Members of the Committee have intense interests in efforts to improve the teaching of Science, Technology, Engineering and Mathematics (STEM) subjects. The Committee will continue its work to determine the most effective forms of Federal support for STEM education, including examining ways to improve coordination and quality of science education programs (and to identify redundancies) across Federal STEM programs.

**U.S. Antarctic Program:** Since 1959, the U.S. has conducted operations on the Antarctic continent under the terms of the Antarctic Treaty System. Research there has been central to actions on protecting the Earth's stratospheric ozone layer and is likely to be critical to pending Congressional consideration of climate change issues. Of immediate interest is the future of the icebreaker fleet that provides vital logistical support for NSF's activities in the harsh polar environment.

**Balancing Security and Competitiveness in a Complex World:** Agencies and universities are debating the level of scrutiny and control that should be applied to research in light of the possible use of new findings by terrorists or by industrial or international competitors. At the same time, many in industry question the value of controls on

technology sales, arguing that such controls disproportionately limit American firms in competition for global sales. How to balance these competing values remains a complex subject for Committee oversight.

**Computer Network Security and Innovation:** Federal research provided the foundation for the Internet as we know it today. The Committee intends to review the existing research programs in computer networking with a focus on improving performance in next-generation networks, lowering costs to consumers while expanding access and enhancing capabilities to support improved services. Reflecting the Net's transformation into a critical infrastructure, the Committee will also promote efforts to weave security into the Internet's fabric to safeguard the economic and communication services on which our society now relies.

**Health Information Technology Standards:** Real improvements in the costs and accuracy of health care can come through enhanced integration of health data with IT systems. NIST has a critical role to play through setting standards for data sharing across systems, as well as standards that will protect patient privacy. The Committee has been active in this area and will continue to work to insure that the Nation realizes the gains in efficiency and safety implicit in an effective roll out of Health IT.

**Transportation Research and Development:** The Committee will continue to review R&D conducted by the Department of Transportation. DOT R&D is designed to enhance the efficiency, and safety, of our transportation systems. While we look for energy savings through Department of Energy programs, the Committee also expects that DOT can contribute to meeting our Nation's energy needs.

**International Standards:** The Committee is aware that the Nation's competitive position can be dramatically improved, or weakened, depending on how international standards for different products and processes are developed. NIST is not the only Federal agency working in this arena, and the Committee is concerned that cooperation across agencies is less than optimal. It is the Committee's intention to review the Government's effectiveness in international standard setting with a focus on collaboration across Federal agencies. Those agencies include NIST, the United States Trade Representative, the Federal Communications Commission and the Department of State.

**Bayh-Dole Technology Transfer Act:** The Committee began reviewing the Bayh-Dole Act in the 110<sup>th</sup> Congress. The Committee

will continue that review. There is concern that Bayh-Dole is not providing sufficient innovation moving from Universities to the private sector. Further, new relationships that have emerged between particular firms and universities calls into question whether aspects of the Bayh-Dole Act need to be updated. The Committee will review this law's implementation with an eye for elements that are out-of-date or producing unintended consequences.

**U.S. Fire Administration:** The Committee has always been active in overseeing this program. USFA is responsible for the Assistance to Firefighters grant program. Much of the training for firefighters, especially volunteer departments, has historically come through USFA. The Committee remains committed to overseeing the implementation of the USFA to guarantee that firefighters get the best support and training that the Government can provide.

### **III. Working with Outside Oversight Authorities**

The Committee maintains a rich relationship with its Inspectors General and the GAO. The Committee will continue to work with those offices, particularly to ensure accountability in those programs receiving funding increases as part of any economic stimulus package. This is particularly important in light of the new Rule XI (Tanner Amendment) language emphasizing collaborative relationships with GAO and IGs, relying on them to identify major mismanagement issues, using their reports in hearings, and working with the High Risk Series published by GAO to guide hearings and inquiries.

#### **A. The Government Accountability Office**

The Committee works closely with GAO. In the 110<sup>th</sup> Congress, GAO testified before the Committee on at least 12 occasions, and provided the Committee with 42 reports (see Appendix C) on activities within our jurisdiction.

The Committee has many outstanding requests for work with GAO. The Committee already has 30 requests, made during the 110<sup>th</sup> Congress, for reports that will be completed in the 111<sup>th</sup> Congress (see Appendix D). More will be developed as appropriate. Many of these requests are bipartisan or cross-Committee, which reflects the collaborative nature of much of the Committee's oversight work.

The High Risk series is issued by GAO every two years. This series represents the Government Accountability Office's best judgment about where the risk to program integrity and federal dollars is the highest. One issue developed by the Committee in the last Congress

has been added to the list for this new Congress: the Integrated Risk Information System (IRIS) program at EPA. The Committee will continue to work on this matter. Investigations and Oversight Chairman Brad Miller, who has held two hearings on the subject, has developed legislation, first dropped in the 110<sup>th</sup> Congress, to try to redress the failures by EPA to set up a reasonable system for publishing science-based updates of the health risks of particular chemicals.

Several other issues highlighted in the just-released High Risk update for 2009 fall into the Committee's legislative or oversight jurisdiction (See Appendix E for a full accounting of those issues that appear to be in the Committee's jurisdiction). In particular, their focus on NASA's contract, finance and management problems deserves a separate hearing by the Committee or an appropriate Subcommittee.

#### **B. Inspectors General**

The Committee regularly consults with the offices of its Inspectors General to stay current on their work plans and relevant findings. Just in the last two months the Committee has initiated oversight activities aimed at personnel matters and document destruction in two of the Committee's agencies. Those cases have involved significant, discrete communication with the IG's of the respective agencies, using their offices to help with background information and fact-checking. The DOE IG is opening an audit of records retentions training and policies based on the information the Committee shared with that office regarding one of these cases.

The Committee has also been very aggressive in pursuing allegations of misconduct by the NASA Inspector General, Mr. Robert "Moose" Cobb. The Committee worked with other IGs, the General Accounting Office and the President's Council on Integrity and Efficiency in an investigation of Mr. Cobb's conduct. The Committee feels very strongly about protecting the independence and integrity of its Inspectors General and will make sure that future IGs represent strong, independent voices who understand they have an obligation to work with the Congress.

The Committee used its expertise on IG issues to help strengthen the IG reauthorization passed by the House in the summer of 2007. Provisions the Committee sought for inclusion in the bill were included in the final bill passed by the Congress.

#### **C. Whistleblowers**

The Committee has developed many relationships with whistleblowers in agencies. The Committee has taken positive steps to try to protect them from retaliation and has been reasonably successful in that role. Most of the whistleblowers who come to the Committee remain anonymous—sometimes even from the Committee. A few whistleblowers have become public figures in debates relating to integrity of science. All of them are owed a debt of gratitude by the Congress and the public.

The Committee will retain its open-door policy regarding whistleblowers, whether they are contractors or Government employees, and they should rest assured that we will never betray a confidence. Even if the information offered turns out not to be useful, as sometimes happens, the Committee will remain a haven for such figures and we understand the absolute necessity for citizens to feel safe in their communications with Congress.

# **Appendix A**

## **House Rules Establishing the Jurisdiction of the Committee on Science and Technology**



**RULE X  
ORGANIZATION OF COMMITTEES****Committees and their legislative jurisdictions**

1. There shall be in the House the following standing Committees, each of which shall have the jurisdiction and related functions assigned to it by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing Committees listed in this clause shall be referred to those Committees, in accordance with clause 2 of rule XII, as follows:

(o) Committee on Science and Technology.

- (1) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.
- (2) Astronautical research and development, including resources, personnel, equipment, and facilities.
- (3) Civil aviation research and development.
- (4) Environmental research and development.
- (5) Marine research.
- (6) Commercial application of energy technology.
- (7) National Institute of Standards and Technology, standardization of weights and measures and the metric system.
- (8) National Aeronautics and Space Administration.
- (9) National Space Council.
- (10) National Science Foundation.
- (11) National Weather Service.
- (12) Outer space, including exploration and control thereof.
- (13) Science Scholarships.
- (14) Scientific research, development, and demonstration, and projects therefor.

**Special oversight functions**

3(k) The Committee on Science and Technology shall review and study on a continuing basis laws, programs, and Government activities relating to nonmilitary research and development.

**Appendix B**  
**Committee Oversight Correspondence**  
**in the 110<sup>th</sup> Congress**

Science Technology Committee 110th Oversight Correspondence

Date Sent	To: Organization	To: Person	From: Agency	From: Person	About
10/4/2006	Department of Commerce	Vice Admiral Conrad Lautenbacher	Science Committee	Gordon	discussion of scientific results
12/21/2006	PCIE	Chairman Clay Johnson	Science Committee	Gordon	NASA IG
12/21/2006	HUD	Inspector Kenneth Donohue	Science Committee	Gordon	NASA IG
1/10/2007	Science Committee	Gordon	HUD	Inspector Clay Johnson	NASA IG
1/10/2007	HUD	Inspector Kenneth Donohue	FBI	James Burnus	NASA IG
1/10/2007	Science Committee	Gordon	Department of Commerce	Nathaniel Wiensteke	Atlantic Hurricanes and Climate Change
1/12/2007	HUD	Inspector Kenneth Donohue	Science Committee	Gordon	NASA IG
1/17/2007	Science Committee	Gordon	HUD	James Burnus	NASA IG
1/21/2007	NSF	Bennett	Science Committee	Gordon	Detailee
1/26/2007	Science Committee	Miller	NOAA	Lautenbacher	NPOESS
1/26/2007	Science Committee	Gordon	Science Committee, I&O	Miller	NPOESS
1/30/2007	USGS	Myers	Science Committee	Miller	Climate Change
1/31/2007	FBI	James Burnus	Science Committee	Gordon	NASA IG
1/31/2007	HUD	Kenneth Donohue	Science Committee	Gordon	NASA IG
2/2/2007	Science Committee	Gordon	FBI	Gordon	NASA IG
2/2/2007	PCIE	James Burnus	HUD	Kenneth Donohue	NASA IG
2/8/2007	U.S. Senate	Sen. Sanders, Feinstein, Leahy, Kerry, AEI	Science Committee	Christopher DeMuth	IPCC Research
2/12/2007	NASA	Griffin	Science Committee	Miller	NASA Travel
2/12/2007	NIST	William Jeffrey	Science Committee	Miller, Wu	DNDQ
2/12/2007	Science Committee	Miller	NOAA	Laurentbaucher	NPOESS
2/15/2007	Department of Education	Secretary Spellings	Science Committee	Miller	Document request 1
2/15/2007	HUD	Kenneth Donohue	PCIE	Burnus	NASA IG
2/15/2007	NASA	Griffin	PCIE	Clay Johnson	NASA IG
2/16/2007	Science Committee	Gordon	HUD	Kenneth Donohue	NASA IG
2/20/2007	GAO	David Walker	Science Committee	Miller, Seitzbommer	DOE Office of Science
2/20/2007	Science Committee	Miller	Department of the Interior	Robert Doyle, Deputy Director	Climate Change
2/21/2007	Science Committee	Miller	NIST	Linda Agrieto, Leg Affairs	DNDQ
2/23/2007	NASA	Griffin	Science Committee	Miller	NASA IG
2/23/2007	Science Committee	Miller	HUD	Kenneth Donohue	NASA IG
2/23/2007	HUD	Kenneth Donohue	Science Committee	Miller	NASA IG
2/27/2007	DHS	Admiral Cohen	Science Committee	Miller	EML
2/28/2007	Science Committee	Miller	NASA	Griffin	NASA IG
2/28/2007	Science Committee, I&O	Miller	NASA	Griffin	NASA IG
3/2/2007	Science Committee	Miller	NASA IG Office	Robert W. Cobb	NASA IG
3/6/2007	Science Committee	Miller	PCIE	Clay Johnson	NASA IG
3/9/2007	Air Force	Undersecretary Segal	Science Committee	Gordon, Lampson, Miller, Udall, Wu, NPOESS	NASA IG
3/9/2007	Department of the Interior	Dick Kempthorne	Science Committee	Gordon, Miller	Science Suppression
3/9/2007	NASA	Griffin	Science Committee	Gordon, Miller, Lampson, Udall, Wu, NPOESS	NPOESS
3/9/2007	NOAA	Lautenbacher	Science Committee	Gordon, Miller, Lampson, Udall, Wu, NPOESS	NPOESS
3/9/2007	OSTP	Miarbunger	Science Committee	Gordon, Miller, Lampson, Udall, Wu, NPOESS	NPOESS

Science Technology Committee 110th Oversight Correspondence

3/12/2007	OSTP	Meiburger	Science Committee	Miller	NPOESS
3/13/2007	Science Committee	Gordon	Department of Commerce	Nathaniel F. Wieseke	response to dec 21, 2006 letter
3/13/2007	Science Committee	Gordon	Commerce	Nathaniel F. Wieseke	Atlantic Hurricanes and Climate Change
3/13/2007	Science Committee	Miller	DHS	Admiral Cohen	EML
3/15/2007	Department of Education	Secretary Spellings	Science Committee	Miller	Document request 2
3/15/2007	Department of Commerce	Secretary Gutierrez	Science Committee	Gordon, Miller	Media Policy
3/15/2007	Department of Education	Secretary Spellings	Science Committee	Gordon, Miller	Media Policy
3/15/2007	Department of Education	Secretary Spellings	Science Committee	Gordon, Miller	Media Policy
3/15/2007	Department of Labor	Secretary Chan	Science Committee	Gordon, Miller	Media Policy
3/15/2007	Department of Transportation	Secretary Peters	Science Committee	Gordon, Miller	Media Policy
3/15/2007	DDOD	Secretary Gates	Science Committee	Gordon, Miller	Media Policy
3/15/2007	DOE	Secretary Bodman	Science Committee	Gordon, Miller	Media Policy
3/15/2007	EPA	Administrator Johnson	Science Committee	Gordon, Miller	Media Policy
3/15/2007	HHS	Secretary LeVitt	Science Committee	Gordon, Miller	Media Policy
3/15/2007	NH	Director Zerhouni	Science Committee	Gordon, Miller	Media Policy
3/15/2007	NOAA	Undersecretary Laurenbacher	Science Committee	Gordon, Miller	Media Policy
3/15/2007	NSF	Director Benoit	Science Committee	Gordon, Miller	Media Policy
3/15/2007	USDA	Secretary Johanns	Science Committee	Gordon, Miller	Media Policy
3/16/2007	Science Committee	Miller	Department of Transportation	J. Richard Henry	Media Policy
3/20/2007	EPA	Administrator Johnson	Science Committee	Miller	Personnel/agency
3/20/2007	GAO	Comptroller Walker	Science Committee	Lampson, Inglis, Miller, Senesebhan	NPOESS
3/20/2007	Department of Education	Secretary Spellings	Science Committee	Miller	Document request 3
3/21/2007	Purdue University	President Martin Jascike	Science Committee	Miller	Research misconduct
3/21/2007	Appropriations Committee	John Murtha	Private	Stephen Kasl	Osgy aircraft program
3/21/2007	Science Committee	Gordon	Scientific Integrity Program	Francesca T. Grifo	Whistleblower protection rights
3/22/2007	Science Committee	Gordon	US Air Force	Colonel Warren L. Henderson	NPOESS Response
3/23/2007	Department of Commerce	Carlos Gutierrez	Science Committee	Miller	hurricane fact sheet
3/23/2007	Science Committee	Gordon, Miller	Department of the Interior	Mat Eames, Director Leg Affairs	March 9 Response, Science Suppression
3/23/2007	Science Committee	Miller	Department of Education	Tarell Halaska, Office of Leg Affairs	Response to March 20, 2007 Letter
3/23/2007	Science Committee	Gordon	Department of Defense	Robert M. Gates	Media Policy
3/23/2007	Science Committee	Miller	Department of Defense	Robert M. Gates	Media Policy
3/26/2007	Commerce	Gutierrez	Science Committee	Miller	Atlantic Hurricanes and Climate Change
3/26/2007	Science Committee	Miller	Commerce	Nathaniel F. Wieseke	Atlantic Hurricanes and Climate Change
3/29/2007	Science Committee	James Paul	OSTP	Jason Cervanik, Deputy Chief of Staff	Response to March 12, 2007
3/29/2007	Science Committee	Miller	GAO	Gloria Jamon/Mary Widan	NPOESS
3/30/2007	Science Committee	Gordon, Miller	Department of the Interior	Mat Eames, Director Leg Affairs	March 9 Response, Foreign Travel
3/30/2007	Science Committee	Miller	PCIE	James Burns	NASA IG
3/30/2007	Google	Dr. Eric Schmidt, CEO	Science Committee	Miller	New Orleans
3/30/2007	Commerce	Gutierrez	Science Committee	Gordon, Miller, Lampson	Media Policy
3/30/2007	Science Committee	Gordon	DOE	Poli A. Mamedojos	No FEAR act reports FY06-99
4/2/2007	Science Committee	Miller	Department of Commerce	William Jeffrey	NIST

Science Technology Committee 110th Oversight Correspondence

Date	From	To	Subject
4/2/2007	President Bush	Science Committee	NASA IG
4/2/2007	Miller	Google	Miller and Senator Nelson
4/2/2007	Wu	NIST	Alan Davidson, Senior Policy Counsel
4/3/2007	Clay Johnson	Science Committee	DNDO and ASP
4/4/2007	Miller	Purdue	NASA IG
4/4/2007	Gordon	Department of Commerce	Research misconduct
4/6/2007	Miller	NASA	DcC's public communication policy
4/6/2007	Gordon	Private	OKeefe travel
4/7/2007	Gordon	General Council of the Dept. of C. John Sullivan	NASA IG
4/9/2007	Miller	Interior	meets with staff
4/9/2007	Miller	Commerce	Foreign Travel
4/10/2007	Spellings	Science Committee	Atlantic Hurricanes and Climate Change
4/10/2007	Guidenz	Science Committee	E.O. 13422
4/10/2007	Bodman	Science Committee	E.O. 13422
4/10/2007	Levit	Science Committee	E.O. 13422
4/10/2007	Peters	Science Committee	E.O. 13422
4/10/2007	Johanns	Science Committee	E.O. 13422
4/10/2007	Kempthorne	Science Committee	E.O. 13422
4/10/2007	Zelenski	Science Committee	E.O. 13422
4/10/2007	Johnson	Science Committee	E.O. 13422
4/10/2007	Griffin	Science Committee	E.O. 13422
4/10/2007	Jeffrey	Science Committee	E.O. 13422
4/10/2007	Myers	Science Committee	E.O. 13422
4/10/2007	Hall	Science Committee	E.O. 13422
4/10/2007	Lautenbacher	Science Committee	E.O. 13422
4/10/2007	Cohen	Science Committee	E.O. 13422
4/10/2007	Miller	National States Geographic Inform	Stuart Davis, President
4/10/2007	Miller	GAO	Google Letter
4/11/2007	Miller	Department of Labor	NPOESS
4/12/2007	Miller	NASA	Media Policy
4/12/2007	Miller	Purdue	Brian Chase, Assistant Admin for Leg
4/12/2007	Miller	DOI	E.O. 13422
4/13/2007	Gordon, Miller	Interior	Sonofusion
4/13/2007	Miller	DOE	RPO
4/13/2007	Gordon	NASA	Foreign Travel
4/16/2007	Mr. William Wehrum	Science Committee	E.O. 13422
4/16/2007	Dr. Eric Schmidt, CEO	Science Committee	April 17, 2007 testimony
4/16/2007	Institute for Defense Analyses	Science Committee	Risk radiological capacity gap
4/16/2007	Harvard	Science Committee	New Orleans
4/16/2007	Center for Media and Democra	Science Committee	Invitation to testify on May 3, 2007
			Post-hearing thanks and qifs
			Post-hearing thanks and qifs

Science Technology Committee 110th Oversight Correspondence

4/16/2007	The George C. Marshall Institute	Mr. Jeff Kuester	Miller	Science Committee Commerce	Miller	Post-hearing thanks and qifs E.O. 13422
4/16/2007	Science Committee	Miller	John Sullivan	EPA	John Sullivan	Popcorn/diacetyl
4/16/2007	Science Committee	Miller	George Gray	Science Committee	Miller	Post-hearing thanks and qifs
4/16/2007	GAP	Tarek Masstalani	Miller	Interior	Miller	Foreign Travel/Climate Change
4/17/2007	Science Committee	Gordon, Miller	Gordon, Miller	USDA	Mike Johannes	E.O. 13422
4/18/2007	Science Committee	Miller	Miller	DHHS	Director Zerkowksi	E.O. 13422
4/18/2007	Science Committee	Miller	Miller	DOE	David Hill, General Counsel	E.O. 13422
4/18/2007	Science Committee	Miller	Miller	Education	Jeffrey Taylor, Deputy Gen. Counsel	E.O. 13422
4/18/2007	Science Committee	Miller	Miller	NASA	Griffin	E.O. 13422
4/18/2007	Science Committee	Miller	Miller	DHHS	Elias A. Zerkowksi	RPO
4/18/2007	Science Committee	Miller	Miller	EPA	Stephanie N. Dugale	RPO
4/18/2007	NASA	Griffin	Miller	Science Committee	Miller	NASA IG
4/18/2007	NASA IG	Cobb	Miller	Science Committee	Miller	NASA IG
4/19/2007	Science Committee	Miller	Wetuum, Acting Assistant Admin	EPA	Wetuum, Acting Assistant Admin	Risk radiological capacity gap
4/19/2007	Science Committee	Miller	Miller	EPA	Kenneth Krieg	Media Policy
4/19/2007	Science Committee	Miller	Miller	DOD	William L. Weluum	Response to March 2007 Letter
4/19/2007	Science Committee	Miller	Miller	EPA	Rosalind A. Knapp	RPO
4/19/2007	Science Committee	Miller	Miller	DOT	Stuart R. Davis	Imagery for the Nation Initiative
4/19/2007	Science Committee	Johnson	Miller	NSGIC	Miller	RPO
4/20/2007	EPA	Johnson	Miller	Science Committee	Miller	TA
4/20/2007	Commerce	Gutierrez	Miller	Science Committee	Miller	NASA IG
4/20/2007	Former NASA Employee	Genald Brown	Miller	Science Committee	Miller	Media Policy
4/20/2007	DOD	Genald Brown	Miller	Science Committee	Miller	Videoage
4/20/2007	Science Committee	Miller	Thomas J. Howard, Deputy IG	NASA	Peter L. Strauss	E.O. 13422
4/20/2007	Science Committee	Miller	Miller	Columbia Law School	Brita Chase, Assistant Admin for Leg Videance	Employee Survey
4/23/2007	Science Committee	Miller	Miller	NASA	Howard	CSB Compliance
4/24/2007	Science Committee	Miller	Miller	NASA	Bill Rodenick, Acting IG	Peace and Mammix
4/24/2007	Science Committee	Gordon	Miller	EPA	Daigle, Associate Administrator	NASA IG
4/25/2007	Science Committee	Miller	Miller	EPA	Miller	Videoage
4/25/2007	PCIE	Clay Johnson	Miller	Science Committee	Miller	Videoage
4/25/2007	NASA	Thomas Howard	Griffin	Science Committee	Miller	Media Policy
4/25/2007	NASA	Griffin	Griffin	Science Committee	Miller	Science Suppression
4/25/2007	Science Committee	Gordon	Gordon	DOD	Kenneth Krieg	TA
4/26/2007	Science Committee	Miller	Miller	Interior	Mat Eames, Director Leg. Affairs	TA
4/26/2007	Science Committee	Miller	Miller	Commerce	Wienecke	Mandare
4/30/2007	Science Committee	Miller	Miller	Commerce	Wienecke	LPDR Libraries
5/1/2007	EPA	Johnson	Miller	Science Committee	Miller	NASA IG
5/1/2007	Science Committee	Miller, Gordon	Miller, Gordon	Nuclear Regulatory Commission	Dale Klein	NPOESS
5/1/2007	NASA	Griffin	Griffin	US Senate	Bill Nelson	Media Policy
5/2/2007	Science Committee	Miller	Miller	NASANON/AIRFORCE	Griffin/Laurethacher/Sega	
5/3/2007	Science Committee	Gordon	Gordon	Commerce	Wienecke	

Science Technology Committee 110th Oversight Correspondence

5/3/2007	Science Committee	Miller	Science Committee	Wienecke	Media Policy
5/3/2007	Science Committee	Miller	Commerce	Popelka, Deputy Assistant Sec. for Lr TA	
5/3/2007	Science Committee	Miller	DOC	Nathaniel F. Wienecke	Response to March 30, 2007 Letter
5/3/2007	Science Committee	Miller	DOC	Randall Popelka	Response to April, 20, 2007 Letter
5/4/2007	Science Committee	Miller	DOC	Randall Popelka	Response to April, 20, 2007 Letter
5/4/2007	Science Committee	Miller	DOC	Cobb	Meeting
5/4/2007	NASA	Cobb	Science Committee	Miller	Meeting
5/4/2007	Science Committee	Gordon	NSF	Bennett	Media Policy
5/4/2007	Science Committee	Miller	NASA	Howard	Video tape
5/5/2007	Science Committee	Miller	NASA IG	Cobb	Briefing
5/8/2007	Science Committee	Miller	NASA	Brian Chase, Assistant Admin for Leg	Video tape
5/8/2007	NASA	Griffin	Science Committee	Launspson	Joint working group report
5/8/2007	NOAA	Launspacher	Science Committee	Miller	Joint working group report
5/9/2007	Prudue	Jischke	Science Committee	Stephen M. Cole	Bubble fusion
5/9/2007	Science Committee	Dan Pearson	OMB	Matt Eames, Director Leg Affairs	EO 12866 hearing
5/10/2007	Science Committee	Miller	Interior	Rep. John Barrow	Media Policy
5/11/2007	Science Committee	Miller	HHS	Leavitt	SREL Lab
5/11/2007	Science Committee	Miller	HHS	Leavitt	EO 13422
5/15/2007	DHS	Cohen	Science Committee	Miller	EWL
5/15/2007	NSF	Bennett	Science Committee	Miller	GSA
5/15/2007	DOE	Bodman	Science Committee	Miller	GSA
5/15/2007	NOAA/Commerce	Launspacher	Science Committee	Miller	GSA
5/15/2007	NASA	Griffin	Science Committee	Miller	GSA
5/15/2007	NIST	Jeffrey	Science Committee	Miller	GSA
5/15/2007	OSTP	Marburger	Science Committee	Miller	GSA
5/15/2007	EPA	Johnson	Science Committee	Miller	GSA
5/15/2007	Science Committee	Miller	DHS	Donald Kent, Assistant Secretary, Leg E.O. 13422	Popcom/diacety)
5/16/2007	Science Committee	Miller	EPA	Miller, Launspson	SREL Lab
5/16/2007	DOE	Bodman	Science Committee	Miller	Funding
5/17/2007	ExxonMobil	Tillerson	Science Committee	Miller	Funding
5/18/2007	Science Committee	James Paul	OSTP	Jason Cervenak, Deputy Chief of Staff NPO/ESS	
5/18/2007	Science Committee	Gordon	PCIE	Kenneth Kaiser, Chair, Integrity Com NASA IG	
5/21/2007	Science Committee	Gordon	Commerce	Randall Popelka	Media Policy
5/21/2007	NASA IG	Thomas Howard	Science Committee	Miller	NASA IG
5/23/2007	Science Committee	Miller	DOE	David Hill, General Counsel	SREL Lab
5/23/2007	Science Committee	Miller	DOE	James Rispoli, Assistant Secretary for SREL Lab	
5/24/2007	Science Committee	Miller	NASA	Howard	NASA IG
5/24/2007	Science Committee	Miller	USDA	Gale Buchanan, Under Secretary	Media Policy
5/24/2007	Science Committee	Gordon	USDA	Gale Buchanan, Under Secretary	Media Policy
5/25/2007	Science Committee	Miller	Commerce	Nathaniel Wienecke	GSA
5/25/2007	Systems Engineering Research	Dr. William Schuren	Science Committee	Miller	DF-2

Science Technology Committee 110th Oversight Correspondence

5/25/2007	duPont Aerospace Company, Lt. Tony duPont	Science Committee	Miller	DP-2
5/25/2007	John F. Kizer	Science Committee	Miller	DP-2
5/25/2007	Mr. G Warren Hall	Science Committee	Miller	DP-2
5/25/2007	Private	Science Committee	Miller	DP-2
5/25/2007	Mk Desalick	Science Committee	Miller	DP-2
5/29/2007	Miller	DOE	David Hill, General Counsel	GSA
5/29/2007	Bodman	Science Committee	Miller	SREL Lab
5/29/2007	Gordon	DOD	Kenneth J. Krieg	NFOESS
5/29/2007	Thomas Gelfi	Science Committee	Miller	DP-2
5/29/2007	Defense Contract Management Michael Temper	Science Committee	Miller	DP-2
5/30/2007	Miller	OSTP	Maiburger	GSA
5/30/2007	Gordon, Lampson, Hall, Inglis	Rep. Jay Inhofe	Jay Inhofe	HR 2036
5/31/2007	Johnson	Science Committee	Miller	NASA IG
6/1/2007	Adams	Science Committee	Miller	SREL Lab
6/1/2007	Miller	ExxonMobil	Miller	Funding
6/1/2007	Gordon	Dept. of Education	Daniel Nelson, Vice President	
6/1/2007	Rep. Barrow	Science Committee	Tennell Huiaska, Assistant Secretary C Media Policy	
6/4/2007	Sumner	Science Committee	Miller	SREL Lab
6/4/2007	Lautenbacher	Science Committee	Miller	Arctic Exhibit
6/4/2007	Bennit	Science Committee	Miller	Arctic Exhibit
6/4/2007	Miller	EPA	Lute A. Luna, Assistant Administrator	Arctic Exhibit
6/4/2007	Miller	EPA	George Gray	Media Policy
6/4/2007	Gordon	USGS	Mauk Myers	Climate Change Science Program Synthesis and Assessment Product 1.2
6/4/2007	Giffing	Science Committee	Miller	Arctic Exhibit
6/4/2007	Miller	Private	Daniel Dejer	NASA IG
6/5/2007	Miller	PCI-E	Kenneth Kaiser, Chair, Integrity Com	NASA IG
6/5/2007	Walker	Science Committee	Miller, Sembrenner	NSAC
6/5/2007	Miller	DOE	Charles E. Anslenson	SREL Lab
6/5/2007	Donald Winter	Science Committee	Miller	DP-2
6/5/2007	Gordon	NASA	Cobb	NASA IG
6/6/2007	William Jeffrey	Science Committee	Miller	GSA
6/6/2007	Lautenbacher	Science Committee	Miller	GSA
6/6/2007	Senator Nelson	Science Committee	Miller	Hearing notes
6/6/2007	Science, Commerce, Science, and Senator Nelson	NASA	Griffin	NASA IG
6/6/2007	Lampson	UTC Power	Jian van Dukkum	HR 2304
6/7/2007	Miller	Commerce	Nathaniel F. Wienecke	GSA
6/8/2007	President Adams	Science Committee	Miller	SREL Lab
6/8/2007	Science Committee	DOE	Fyfi	SREL Lab
6/8/2007	Miller	NASA	Mary Kerwin, Deputy Assistant Adm	Arctic Exhibit
6/8/2007	Cohen	Science Committee	Miller	TSL
6/8/2007	Miller	Navy	Knezer	DP-2 Hearing



Science Technology Committee 110th Oversight Correspondence

6/11/2007	Science Committee	Miller	EPA	Luis A. Luna, Assistant Administrator	Mandates
9/11/2007	Science Committee	Miller	Private	Jerrold Schwaber	NIF fraud
6/11/2007	Science Committee, I&O	Dan Peterson	Private	Daniel J. Degeer	NASA IG misconduct
6/12/2007	Science Committee	Miller	DHS	Cohen	EML
6/13/2007	Science Committee, I&O	Miller	NOAA	Eric Webster	Smithsonian Institution
6/14/2007	Justice	Gonzales	Science Committee	Miller, Sensenbrenner	Wholly NASA IG testimony
6/14/2007	Savannah River Ecology Labor	Paul Bertisch	Science Committee	Miller	SREL Lab
6/14/2007	Science Committee	Miller	Commerce	Nathaniel F. Wietzele	TA
6/15/2007	GAO	Walker	Science Committee	Gordon	DNDO
6/15/2007	FAA	Marion C. Blakey	Science Committee	Miller	DP-2 FAA documents
6/20/2007	Science Committee	Miller	University of Georgia	Adams	SREL Lab
6/20/2007	Science Committee	Miller	NSF	Jeffrey Nesbit, Director, Leg Affairs	GSA
6/20/2007	Science Committee	Miller	HUD	Kenneth Donohue	NASA IG
6/22/2007	Navy	Hon. Donald C. Winter	Science Committee	Miller	DP-2
6/26/2007	Science Committee	Miller	DOE	Eric J. Pygi, Deputy General Counsel	SREL Lab
6/26/2007	Science Committee	Miller	DOE	Charles Ingebretson	GSA
6/29/2007	DHS	Admiral Cohen	Science Committee	Miller	EML: S&T Contracts
6/29/2007	DHS	Admiral Cohen	Science Committee	Miller	EML
6/29/2007	CDC	Director Gebobing	Science Committee	Miller	radiochem lab infrastructure
6/29/2007	DOE	Bodman	Science Committee	Miller	FRMAC
6/29/2007	DOE	Bodman	Science Committee	Miller	SREL Lab
7/2/2007	Science Committee	Gordon	DOE	David Hill, General Counsel	Media Policy
7/2/2007	Science Committee	Miller	DOE	Eric J. Pygi, Deputy General Counsel	SREL Lab
7/9/2007	Appropriations	Hon. Jerry Lewis	Science Committee	Miller	DP-2 Funding
7/9/2007	Appropriations	Chairman Obey	Science Committee	Miller	DP-2 Funding
7/9/2007	Appropriations	Chairman Murtha	Science Committee	Miller	DP-2 Funding
7/9/2007	Appropriations	Hon. C.W. Bill Young	Science Committee	Miller	DP-2 Funding
7/9/2007	Science Committee, I&O	Miller	NSF	Karl Erb	Arctic Exhibit
7/10/2007	Science Committee	Miller	NASA	Michael Griffin	GSA
7/11/2007	Science Committee	Miller	Health and Human Services	Marc Smolensky, Associate Dir. Leg. Media Policy	
7/12/2007	Science Committee	Miller	DHS	Jay Cohen	EML
7/12/2007	Science Committee	Lautenbacher	Science Committee/Energy and C.	Gordon, Miller, Lamson, Dingell, St.	Hurricane Center
7/13/2007	Science Committee	Miller	NOAA	Eric Webster	Hurricane Center
7/13/2007	Science Committee	Miller	NOAA	Eric Webster	Arctic Exhibit
7/13/2007	Science Committee, I&O	Miller	NOAA	Eric Webster	Hurricane Center
7/13/2007	Science Committee	Miller, Lamson	DOE	Gregory Friedman	SREL Lab
7/17/2007	Science Committee	Miller	GAO	Gloria Jannon	GAO Request: National Security Branch Analysts Center
7/17/2007	Science Committee, I&O	Miller	InfexX Corporation	Jesus Meza	NSAC
7/18/2007	Science Committee, I&O	Miller, Lamson	NOAA	Lautenbacher	Hurricane Center Hearing
7/19/2007	DOE	Bodman	Science Committee	Miller	SREL Lab
7/20/2007	Science Committee	Miller	DHS	DHS	Michael Clentoff

Science Technology Committee 110th Oversight Correspondence

7/23/2007	Science Committee	Miller	NASA	Griffin	Article Exhibit
7/23/2007	Science Committee	Miller	Assistant Secretary of the Navy	Debra M. Elter	DP-2 Aircraft
7/24/2007	Science Committee, I&O	Miller	Department of Justice	Brian A. Benzokowski, Principal Dep	Whalley NASA IG Testimony
7/26/2007	Science Committee	Sensenbrenner	EPA	Charles	EPA Travel
7/30/2007	Science Committee	Miller	DOE	Eric J. Fygi	GSA
7/30/2007	Science Committee	Miller, Lampson, Gordon	NOAA	Eric Webster	Hurricane Center
7/31/2007	Science Committee	Hall, Ralph	Subcommittee on Investigations	F. James Sensenbrenner	
7/31/2007	Science Committee	Miller	Commerce	Nathaniel F. Wienecke	TA
8/1/2007	Science Committee, I&O	Miller	Subcommittee on Investigations	James Sensenbrenner, Dana Rohrabach	DoE Hearings
8/3/2007	NOAA	Lauenbacher	Science Committee	Miller and Lampson	Proenza
8/6/2007	NOAA	Lauenbacher	Science Committee	Miller and Lampson	Proenza
8/6/2007	Department of Commerce	Gutierrez	Science Committee	Miller and Lampson	Proenza
8/9/2007	Science Committee	Miller	Private	Jermol Schwaber	NIH Fraud
8/9/2007	Science Committee	Miller	DOE	Eric J. Fygi	GSA
8/9/2007	Science Committee	Gordon, Lampson, Miller	NOAA	Eric Webster	Hurricane Center
8/9/2007	Science Committee	Lampson, Miller	NOAA	Nathaniel F. Wienecke	re 8/3/07, 8/6/07
9/4/2007	House of Representatives	Gordon	Private	Angelo Karavolos	NASA
9/7/2007	GAO	Walker	Science Committee	Grassley, Gordon, Miller	NASA IG Investigation
9/7/2007	GAO	Walker	Science Committee	Grassley, Gordon, Miller	PCIIE Investigation
9/10/2007	Science Committee	Lampson, Miller	NOAA	Eric Webster	Hurricane Center
9/10/2007	Science Committee	Gordon, Lampson, Miller	NOAA	Eric Webster	Hurricane Center
9/11/2007	NOAA	Lauenbacher	Science Committee and Energy an	Lampson, Miller, Slupak	Proenza
9/12/2007	Science Committee	Miller	Department of Health and Human	Julie Louise Gebending	CDC documents
9/14/2007	S/C on Energy and Water Deve	Vaselosky, Hobson	Science Committee	Miller and Lampson	SREL Lab
9/19/2007	EPA	Administrator Johnson	Science Committee, Oversight Co	Waxman and Miller	Popcorn/diacetyl
9/19/2007	Flavor and Extract Manufacturer	Glenn Roberts, Executive Director	Science Committee, Oversight Co	Waxman and Miller	Popcorn/diacetyl
9/19/2007	ConAgra Foods	Gary Rodkin, CEO	Science Committee, Oversight Co	Waxman and Miller	Popcorn/diacetyl
9/19/2007	General Mills	Steve Stages, CEO	Science Committee, Oversight Co	Waxman and Miller	Popcorn/diacetyl
9/19/2007	American Popcorn	Gerald Smith, CEO	Science Committee, Oversight Co	Waxman and Miller	Popcorn/diacetyl
9/19/2007	FDA	von Eschenbach	Science Committee, Oversight Co	Waxman and Miller	Popcorn/diacetyl
9/19/2007	Weyerhaeuser	Mike Weaver, CEO	Science Committee, Oversight Co	Waxman and Miller	Popcorn/diacetyl
9/30/2007	Science Committee	Gordon, Lampson, Miller	NOAA	Eric Webster	Hurricane Center
9/30/2007	Science Committee	Miller	NASA	Brunner	NASA OIG Hearing
9/25/2007	GAO	Walker	Science Committee	Miller	Northrop Grumman DSO
9/25/2007	Department of Commerce	Secretary Gutierrez	Science Committee and Energy an	Miller, Lampson, Slupak	Proenza documents
9/26/2007	U.S. House of Representatives	Dingell, Slupak, Gordon, Lampson, N	Science Committee, Oversight Co	Waxman and Miller	TTC
9/27/2007	NASA	Cobb	Science Committee	Miller, Gordon	Investigations documents
9/27/2007	Science Committee	Gordon, Lampson, Miller, Dingell, Sh	NOAA	Eric Webster	Hurricane Center Proenza
10/2/2007	EPA	William L. Wehrum	Science Committee	Miller	Radiation Laboratory Network
10/4/2007	Science Committee	Miller, Lampson, Slupak	NOAA, Commerce	Nathaniel F. Wienecke	Proenza documents

Science Technology Committee 110th Oversight Correspondence

10/5/2007	Science Committee	Miller	EPA	Christopher P. Bilyey	Radiation lab network
10/9/2007	Science Committee	Gordon, Lampson, Miller, Dingell, St NOAA	EPA	Eric Webster	Proenza documents
10/9/2007	Science Committee	Waxanan	EPA	Christopher P. Bilyey	Popcom/diacety
10/11/2007	Committee on Oversight	Miller	NASA	Thomas J. Howard	Investigations documents
10/11/2007	DHS	Cohen	Science Committee	Miller	Rad-countermeasures
10/16/2007	Science Committee	Gordon, Lampson, Miller, Dingell, St NOAA	Science Committee	Eric Webster	Proenza documents
10/17/2007	ExxonMobil	Mr. Rex Tillerson	Science Committee	Miller	Science Funding
10/19/2007	NASA	Griffin	Science Committee	Miller	NAOMS
10/22/2007	Science Committee	Hall	Science Committee	Gordon	NAOMS
10/22/2007	NASA	Griffin	Science Committee	Gordon, Miller, Udall	NAOMS
10/23/2007	Battelle Institute	Dr. Carl F. Kohrt	Science Committee	Gordon, Miller, Coatsello, Udall	NAOMS
10/24/2007	OSTP	Dr. John H. Marburger III	Science Committee	Miller, Gordon	Gerberding's testimony
10/25/2007	GAO	Hon. David Walker	Science Committee	Miller	Investigation
10/25/2007	Science Committee	Miller	GAO	Gloria Jansson	PCIE Investigation
10/29/2007	Science Committee	Miller, Gordon	GAO	Chora Jansson	NASA IG
10/29/2007	Science Committee	Miller, Gordon, Udall	AFEU	Luc Stone	Government Research Results
10/29/2007	Science Committee	Miller, Gordon	OSTP	John H. Marburger, III	Gerberding testimony
11/2/2007	Science Committee	Miller	Commence	Nathaniel F. Wienecke	TA
11/5/2007	Science Committee	Miller	NASA, Office of Inspector General	Thomas J. Howard	Investigations documents
11/6/2007	Science Committee, I&O	Miller	Exxon Mobil	Daniel Nelson	ExxonMobil research support
11/6/2007	Science Committee, I&O	Johnson	Science Committee, I&O	Miller	Popcom/diacety
11/9/2007	EPA	Bodman	Science Committee, I&O	Miller	Rad Lab Follow-up
11/9/2007	DOE	Gerberding	Science Committee, I&O	Miller	Rad Lab Follow-up
11/9/2007	CDC	Chertoff	Science Committee, I&O	Miller	Rad Lab Follow-up
11/9/2007	DHS	Johnson	Science Committee, I&O	Miller	Rad Lab Follow-up
11/9/2007	EPA	Miller	DOE	Eric J. Fygi	Secretary of Energy meetings and travel
11/9/2007	Science Committee, I&O	Miller	Science Committee	Gordon, Udall, Miller, Coatsello	NAOMS data
11/14/2007	NASA	Griffin	Science Committee	Christopher P. Bilyey	Popcom/diacety
11/16/2007	Science Committee	Miller	EPA	Eric Webster	Hurricane Center
11/16/2007	U.S. House of Representatives	Gordon, Lampson, Miller, Dingell, St NOAA	Miller	Science Committee, I&E	Rad/DUS
11/16/2007	National Science Foundation	Arden L. Bennett	Science Committee	Miller	Rad/DUS
11/19/2007	OSTP	Dr. John H. Marburger III	Science Committee	Miller	Rad/DUS
11/19/2007	OMB	Jim Nussle	Science Committee	Griffin	NAOMS data
11/21/2007	Science Committee	Gordon	NASA	Bennett	Rad/DUS
11/23/2007	Science Committee	Miller	NSF	Miller	airport engines
11/29/2007	NASA	Griffin	Science Committee	Gregory Junemann, President	NAOMS
11/29/2007	Science Committee	Griffin	IFPTE	Raymond L. Orbach	SLI Program Subproject Cancellation
12/4/2007	Science Committee	Gordon	Under Secretary for Science	Christopher P. Bilyey	Popcom/diacety
12/6/2007	Science Committee	Miller	EPA	Eric Webster	NOAA documents
12/10/2007	Science Committee	Gordon, Lampson, Miller, Dingell, St NOAA	Science Committee	Lampson, Miller, Senenbrenner, Ingi GOES-R	NOAA documents
12/17/2007	GAO	Walker	Science Committee	Miller	ATSDR
12/18/2007	CDC/ATSDR	Gerberding, Franklin	Science Committee		

Science Technology Committee 110th Oversight Correspondence

12/18/2007	NIOSH	Howard	Science Committee	Miller	Manganese
12/19/2007	Science Committee	Miller	DHS	Donald Kent	Rad. Lab Follow-up
12/20/2007	Science Committee	Miller	NASA	Bruner	duPont engines
12/21/2007	International Joint Commission	Secretary Bourget	Science Committee	Miller	ATSDR
12/21/2007	Department of Homeland Security	Michael Chertoff	Science Committee	Miller	ASP radation monitors
1/7/2008	Science Committee	Miller	International Joint Commission	James G. Chandler	ATSDR
1/9/2008	Science Committee	Miller	GAO	Jamson	GOES-R
1/15/2008	Science Committee	Gordon, Miller, Lampson, Stupak, Di NOXA	Science Committee	Eric Webster	Hurricane Center
1/18/2008	OMB	Nussle	Science Committee	Miller	DIAMOND
1/23/2008	Science Committee	Miller	DNDO	Oxford	ASP radation monitors
1/24/2008	Science Committee	Miller	International Joint Commission	Chandler	ATSDR
1/28/2008	Department of Homeland Security	Michael Chertoff	Science Committee	Miller, Lampson	FEMA trailers
1/28/2008	ATSDR	Franklin	Science Committee	Miller, Lampson	FEMA trailers
2/1/2008	Washington State Dept. of Eco	Michael Gauer	Science Committee	Gordon	Energy/Solutions
2/1/2008	Governor of Washington	Gregoire	Science Committee	Gordon	Energy/Solutions
2/1/2008	Governor of Utah	Huntsman	Science Committee	Gordon	Energy/Solutions
2/1/2008	Governor of Oregon	Kulongoski	Science Committee	Gordon	Energy/Solutions
2/1/2008	Governor of Hawaii	Lingle	Science Committee	Gordon	Energy/Solutions
2/1/2008	Governor of Idaho	Oliver	Science Committee	Gordon	Energy/Solutions
2/1/2008	Governor of Alaska	Palin	Science Committee	Gordon	Energy/Solutions
2/1/2008	Governor of Montana	Schweitzer	Science Committee	Gordon	Energy/Solutions
2/1/2008	Governor of Wyoming	Freudenthal	Science Committee	Gordon	Energy/Solutions
2/4/2008	GAO	Walker	Science Committee	Gordon, Miller, Lampson, Lipinski, C'NAOMS	Energy/Solutions
2/6/2008	CDC	Gerberding	Science Committee	Gordon, Miller, Lampson	ATSDR
2/7/2008	Science Committee	Gerberding	Science Committee	Dave Freudenlhal	Energy/Solutions
2/12/2008	Nuclear Regulatory Commission	Dale Klein	Science Committee	Gordon	Energy/Solutions
2/13/2008	Science Committee	Gordon	Northwest Interstate Compact	Mike Ganner	Energy/Solutions
2/13/2008	Science Committee, I&O	Miller	Department of Homeland Security	Fred L. Schwen	Formaldehyde Documents
2/14/2008	Science Committee	Gordon	Nuclear Regulatory Commission	Rebecca L. Schmidt	Energy/Solutions
2/25/2008	CDC/ATSDR	Gerberding/Funkin	Science Committee	Miller	FEMA trailers
3/6/2008	DHS	Ganner	Science Committee	Gordon	Energy/Solutions
3/6/2008	EPA	Cohen	Science Committee	Miller	EML
3/6/2008	EPA	Johnson	Science Committee	Miller	FEMA trailers
3/12/2008	CDC	Gerberding	Science Committee	Miller	FEMA trailers
3/12/2008	Department of Justice	Makassy	Science Committee	Miller, Seusenbrenner	DOJ NASA Investigation
3/12/2008	FEMA	Paulison	Science Committee	Miller	FEMA trailers
3/12/2008	CDC	Gerberding	Science Committee	Miller	FEMA trailers
3/12/2008	Science Committee	Gordon	Buzbee Law Firm	Anthony G. Buzbee	Trailer Formaldehyde testing documents
3/13/2008	Science Committee	Gordon	Buzbee Law Firm	Anthony G. Buzbee	Trailer Formaldehyde testing documents
3/14/2008	OIRA	Susan Daultley	Science Committee	Gordon, Miller	NAAQS
3/14/2008	EPA	Johnson	Science Committee	Gordon, Miller	NAAQS

Science Technology Committee 110th Oversight Correspondence

3/14/2008	Council on Environmental Quality Commission	Gordon, Miller	Science Committee	NAAQS
3/18/2008	NCEHA/ATSDR	Franklin	Minnesota Department of Health	Draft Report, Public Health Implications of Hazardous Substances in the T
3/19/2008	EPA	Johnson	Science Committee	CASAC NAAQS
3/19/2008	Agency for Toxic Substances L Dr. Howard Franklin	Miller, Lamson	Wisconsin Department of Health	Draft Report, Public Health Implications of Hazardous Substances in the T
3/19/2008	Science Committee	Miller	EPA	FEMA trailers
3/21/2008	Science Committee	Parsons	ATSDR	EEO Complaints against him
3/28/2008	Science Committee	Gordon, Miller	OMB	NAAQS Ozone records
3/28/2008	Science Committee	Miller	EPA	NAAQS Ozone records
3/28/2008	Science Committee	Miller	EPA	NAAQS Ozone records
4/1/2008	CDC	Gerberding	Science Committee	De Rosa
4/2/2008	DOE	Samuel Bushman	Science Committee	FutureGen Project
4/2/2008	Science Committee	Gordon, Miller	Lamson	NAAQS Ozone records
4/9/2008	Centers for Disease Control and Julie Gerberding	Gordon, Miller	Executive Office of the President	Continued ATSDR Investigations
4/10/2008	DNS	Chetoff	Science Committee	NAO
4/11/2008	Science Committee	Lamson	DOE	FutureGen documents
4/11/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
4/14/2008	Science Committee	Gordon	CDC	April 1 and February 6, 2008 letters
4/15/2008	NASA	Griffin	Science Committee	ZeroG
4/15/2008	ATSDR	Howard Franklin	Science Committee	Hollywood Documents
4/15/2008	Science Committee	Miller	EPA	NAAQS Ozone records
4/17/2008	DOE	Bohman	Science Committee	FutureGen
4/17/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
4/18/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
4/18/2008	Science Committee	Gordon	EPA	NAAQS Ozone records
4/21/2008	Science Committee	Gordon	CDC	April 1, 2008 Letter
4/21/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
4/22/2008	Science Committee	Gordon, Lamson, Inglis	DOE	FutureGen documents
4/22/2008	NASA	Griffin	Science Committee	ZeroG
4/22/2008	Science Committee	Miller	NASA	April 15, 2008 Letter
4/22/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
4/23/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
4/24/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
4/25/2008	Science Committee	Gordon	CDC	February 8, 25, 2008 and March 12, 2008 letters
4/25/2008	Science Committee	Miller	NASA	April 15, 2008 Letter
4/30/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
5/1/2008	Science Committee	Lamson	DOE	FutureGen
5/2/2008	Science Committee	Gordon	CDC	February 8, 25, 2008 and March 12, 2008 letters
5/6/2008	Science Committee	Gordon	DOI	Semiannual Report of the Office of Inspector General
5/6/2008	Science Committee	Gordon, Miller	EPA	NAAQS Ozone records
5/7/2008	DOE	Bohman	Science Committee	NAAQS Ozone records
5/9/2008	Science Committee	Gordon	CDC	FutureGen documents FEMA trailers

Science Technology Committee 110th Oversight Correspondence

5/12/2008	Science Committee	Lampson	DOE	Eric Fygi	FutureGen documents in response to April 2 letter
5/13/2008	Department of Veterans Affairs	The Honorable James Peake	Science Committee	Miller	VAMC Destruction of Specimens
5/16/2008	Science Committee	George J. Opler	Science Committee	Miller	VAMC Destruction of Specimens
5/23/2008	Science Committee	Miller, Brad	GAO	Jeanette M. Frauzel	Integrity Committee
5/30/2008	Science Committee, I&O	Lampson, Nick	DoE	Eric J. Fygi	FutureGen
6/2/2008	NASA IG	Miller, Brad	Veterans Affairs	James B. Peake, M.D.	Legionella Specimens
6/3/2008	Science Committee	Cobb	Science Committee	Miller	Microngrativity and zero-g
6/6/2008	DHS	Miller	VA	George Opler	response to May 13 letter regarding OIG investigation
6/11/2008	OIRA	Chertoff	Science Committee	Miller	TSA T/W/C
6/11/2008	Science Committee	Dudley	Science Committee	Miller	TCE
6/13/2008	Science Committee	Miller	NASA	Robert W. Cobb	NASA documents
6/16/2008	Appropriations	Lampson	DOE	Eric J. Fygi	FutureGen
6/18/2008	CDC	Oberly	Science Committee	Miller	FTTF
6/26/2008	E&E Subcommittee	Gerberding	Science Committee	Miller	Health Study
6/27/2008	E&E Subcommittee	Lampson	DOE	Eric J. Fygi	Draft Strategic Planning Document For Revised FutureGen Documents
7/1/2008	Science Committee	Gordon, Wu, Udall	DOE	Eric J. Fygi	Plutonium at NIST Boulder Lab
7/1/2008	E&E Subcommittee	Lampson	NIST	Jim Schufreider	Draft Strategic Planning Document For Revised FutureGen
7/2/2008	FAA	Sturgell	DOE	Miller	Wiring
7/2/2008	Science Committee	Gordon, Wu, Udall	NIST	Jim Schufreider	NIST documents
7/7/2008	Science Committee	Gordon, Wu, Udall	NIST	Jim Schufreider	NIST documents
7/14/2008	HHS	Miller	ORAO/OMB	Stephen M. Cole	6/11/08 document request
7/17/2008	DHS	Leavitt	Science Committee	Miller	Autism
7/23/2008	FAA	Chertoff	Science Committee	Miller	TSA T/W/C
7/25/2008	Science Committee	Sturgell	Science Committee	Miller	NAOMS
7/28/2008	DOE	Gordon	GAO	David Maurer	DNDQ
7/31/2008	Science Committee	Bushman	Science Committee	Gordon, Miller, Lampson	FutureGen
8/1/2008	Science Committee	Gordon	OMB	Stephen M. Cole	TCE Documents
8/15/2008	Science Committee	Gordon	GAO	Ralph Dawn	review EPA efforts associated with managing electronic waste
8/18/2008	Science Committee	Lampson	FAA	Robert Sturgell	in response to July 2 letter about TWA Flight 800 and Swissair 111
8/19/2008	Science Committee	Miller	DOE	Eric Fygi	FutureGen documents
8/22/2008	Science Committee	Lampson	OMB	Stephen M. Cole	TCE Documents
8/27/2008	Science Committee	Gordon	DOE	Eric Fygi	response to July 28 request for FutureGen documents
9/2/2008	Science Committee	Lampson	DOE	James Peake	Documents
9/3/2008	Science Committee	Gordon	Veterans Affairs	Eric Fygi	documents in response to July 28 letter
9/16/2008	Science Committee	Gordon, Miller	The Policy Sciences Center	Gordon Mansfield	Biobanking
9/19/2008	Science Committee	Lampson	DOE	Lloyd Etheredge	Reing A voice the Gathering Storm: Energizing and Empowering America re
9/19/2008	Science Committee	Dan Peniston	OMB	Eric Fygi	documents in response to July 28 letter
9/23/2008	National Institute of Mental He	Thomas Insel	Science Committee	Steven Ashken	Miller's document request dated June 11
	US Nuclear Regulatory Commi	Dale Klein	House of Representatives	Brad Miller	IACC management
				Gordon, Matheson	Energy Solutions application to NRC

Science Technology Committee 110th Oversight Correspondence

9/23/2008	National Institute of Mental Health Thomas Insel	Science Committee	Brad Miller	IACC management
9/25/2008	US GAO Gene Dodaro	Science Committee	Gordon, Miller, Inglis, Sensenbrenner	NFOESS
9/76/2008	Science Committee Miller, Udall, Gordon, Costello, Lipton GAO	Science Committee	Gordon, Dillingham, Nancy Kingsbury	NASA Aviation Safety Survey
9/30/2008	Science Committee Miller	Veterans Affairs Pittsburgh	Gordon Mansfield	VA mailroom packages
9/30/2008	Science Committee Miller	GAO	Ralph Dawn	response to request that GAO provide oversight of NFOESS
9/30/2008	Science Committee Miller	Department of Veterans Affairs	Gordon Mansfield	response to VA ban of Janet Stout from VA Pittsburgh
9/30/2008	Science Committee Gordon, Udall, Lipinski, Miller, Coast GAO	Department of Veterans Affairs	Gerald Dillingham	Databases used for aviation safety oversight
10/17/2008	NASA Michael D. Griffin	Science Committee	Brad Miller	IT management
10/14/2008	Northrop Grumman Corporation Dr. Ronald Stuger	Science Committee	Bar Gordon	NFOESS documents
10/15/2008	Department of Veterans Affairs James Peake	Science Committee	Miller, Rohrabacher	VA Pittsburgh documents requested in September 19 letter
10/17/2008	Science Committee Miller	NASA	William Bruner III	documents relating to NASA's IT management and security weaknesses
10/22/2008	Science Committee Gordon	Northrop Grumman	Alexis Livanos	response to October 14 letter about NFOESS and VHRS
10/22/2008	Science Committee Gordon, Matheson	NRC	Dale Klein	Energy Solutions
10/31/2008	GAO	Science Committee	Lampson, Miller	EPA Laboratories
10/31/2008	Science Committee	NASA	Evelyn R. Kleinstein	Audit report
11/7/2008	Science Committee	Secretary of the Interior	Dirk Kempfblenne	Semiannual Report of the Office of Inspector General
11/14/2008	Subcommittee, E&E/I&O Lampson	DOE	Eric Fygi	FutureGen documents
11/14/2008	Science Committee	DOE	Eric Fygi	FutureGen documents
11/17/2008	Science Committee, I&O Miller	GAO	Ralph Dawn	response to October 30 request for GAO review of EPA
11/19/2008	Science Committee	DOC	Todd J. Zinser	DOC management challenges report
11/19/2008	Science Committee	DOE	Eric Fygi	FutureGen documents
11/19/2008	Subcommittee, E&E/I&O	DOE	Eric Fygi	FutureGen documents
11/24/2008	Science Committee	National Endowment for the Humanities	Eric Fygi	Semiannual Report of the Office of Inspector General
11/25/2008	Subcommittee, E&E/I&O Lampson	DOE	Eric Fygi	FutureGen documents
11/25/2008	National Science Foundation	Science Committee	Miller	documents regarding misconduct at NSF
11/26/2008	Science Committee	NASA	Michael Griffin	Comments on the GAO report
12/1/2008	Defense Advanced Research Project Agency Dr. Anthony Teller	Science Committee	Miller	DP-2 program
12/1/2008	Science Committee	DOE	Eric Fygi	documents in response to July 28 letter
12/3/2008	Science Committee	DOE	Eric Fygi	documents in response to July 28 letter
12/3/2008	GAO	Science Committee	Miller, Woolley	USDA NASS Program review
12/10/2008	NSF Aulen Bennett	Science Committee	Gordon	Responding to NSF's IG report
12/16/2008	NSF Christine C. Boesz	Science Committee	Miller	transcript of meeting of NSB Audit and Oversight Committee
12/17/2008	NSF Christine C. Boesz	Science Committee	Miller	transcript of meeting of NSB Audit and Oversight Committee
12/18/2008	Subcommittee, I&O	NSB	Steven C. Brenning	NSB Audit and Oversight Committee closed session transcript
12/19/2008	Subcommittee, E&E/I&O Lampson	DOE	Eric J. Fygi	FutureGen documents
1/16/2009	DOE	Science Committee	Miller, Gordon	FutureGen - Bodman email records

# **Appendix C**

## **GAO Reports Delivered During the 110<sup>th</sup> Congress**



**HTML View**

**Document Class:** Unrestricted  
**Accession Number:** A84902  
**Product Number:** GAO-09-88  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84902>  
**Product Title:** Inspectors General: Actions Needed to Improve Audit Coverage of NASA  
**Publication Date:** 12/18/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Sen. Charles E. Grassley, Ranking Minority Member	Senate Committee on Finance	x			x
Rep. Bart Gordon, Chairman	House Committee on Science and Technology	x			x
Rep. Brad Miller, Chairman	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x			x
Sen Charles E Grassley			x		x
Rep Brad Miller			x		x
Rep Bart Gordon			x		x

**Document Class:** Unrestricted  
**Accession Number:** A84715  
**Product Number:** GAO-09-37  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84715>  
**Product Title:** Aviation and the Environment: Initial Voluntary Airport Low Emissions Program Projects Reduce Emissions, and FAA Plans to Assess the Program's Overall Performance as Participation Increases  
**Publication Date:** 11/07/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Thomas E Petri, Ranking Minority Member	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep Jerry F Costello,	House Committee on Transportation and				

Chairman	Infrastructure: Aviation Subcommittee	x	x		x
Rep Tom Feeney, Ranking Minority Member	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x
Rep Mark Udall, Chairman	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A84582  
**Product Number:** GAO-09-130R  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84582>  
**Product Title:** Responses to Questions for the Record; September 2008 Hearing on the Next Generation Air Transportation System: Status and Issues  
**Publication Date:** 10/20/2008

**Addressees/Requestors/Witnesses/Interested Committees:** \*

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep. Bart Gordon, Chairman	House Committee on Science and Technology	x			x

**Document Class:** Unrestricted  
**Accession Number:** A84455  
**Product Number:** GAO-08-1096  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84455>  
**Product Title:** NASA: Agency Faces Challenges Defining Scope and Costs of Space Shuttle Transition and Retirement  
**Publication Date:** 09/30/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Sen Barbara A Mikulski, Chairman	Senate Committee on Appropriations: Commerce, Justice, and Science, and Related Agencies Subcommittee	x	x		x
Sen Richard C Shelby, Ranking Minority Member	Senate Committee on Appropriations: Commerce, Justice, and Science, and Related Agencies Subcommittee	x	x		x
	House Committee on Appropriations: Commerce,				

Rep Alan B Mollohan, Chairman	Justice, Science and Related Agencies Subcommittee	x	x		x
Rep Rodney Frelinghuysen, Ranking Minority Member	House Committee on Appropriations: Commerce, Justice, Science and Related Agencies Subcommittee	x	x		x
Rep. Mark Udall, Chairman	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x			x

**Document Class:** Unrestricted  
**Accession Number:** A84383  
**Product Number:** GAO-08-1114  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84383>  
**Product Title:** Motor Fuels: Stakeholder Views on Compensating for the Effects of Gasoline Temperature on Volume at the Pump  
**Publication Date:** 09/25/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A84326  
**Product Number:** GAO-08-1108R  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84326>  
**Product Title:** Combating Nuclear Smuggling: DHS's Program to Procure and Deploy Advanced Radiation Detection Portal Monitors Is Likely to Exceed the Department's Previous Cost Estimates  
**Publication Date:** 09/22/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep. Henry A. Waxman, Chairman	House Committee on Oversight and Government Reform	x	x		x
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x
Rep. Michael McCaul,	House Committee on Homeland Security: Emerging				

Ranking Minority Member	Threats, Cybersecurity, and Science and Technology Subcommittee	x			x
Rep. Jim Langevin, Chairman	House Committee on Homeland Security: Emerging Threats, Cybersecurity, and Science and Technology Subcommittee	x			x
Sen. Joseph I. Lieberman, Chairman	Senate Committee on Homeland Security and Governmental Affairs	x	x		x
Rep. Peter T. King, Ranking Minority Member	House Committee on Homeland Security	x			x
Rep. Bennie G Thompson, Chairman	House Committee on Homeland Security	x			x
Sen Charles E Schumer		x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A84133  
**Product Number:** GAO-08-1154T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84133>  
**Product Title:** Next Generation Air Transportation System: Status of Key Issues Associated with the Transition to NextGen  
**Publication Date:** 09/11/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology	x	x		x
Rep Bart Gordon, Chairman	House Committee on Science and Technology		x		x

**Document Class:** Unrestricted  
**Accession Number:** A84129  
**Product Number:** GAO-08-1078  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84129>  
**Product Title:** Next Generation Air Transportation System: Status of Systems Acquisition and the Transition to the Next Generation Air Transportation System  
**Publication Date:** 09/11/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Thomas E Petri, Ranking Minority Member	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep Jerry F Costello, Chairman	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep. John L. Mica, Ranking Minority Member	House Committee on Transportation and Infrastructure	x			x
Sen John D Rockefeller IV, Chairman	Senate Committee on Commerce, Science and Transportation: Aviation Subcommittee	x	x		x
Sen Conrad Burns, Chairman	Senate Committee on Commerce, Science and Transportation: Aviation Subcommittee		x		x
Rep Ralph M Hall, Ranking Minority Member	House Committee on Science and Technology	x	x		x
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x
Sen. Kay Bailey Hutchison, Ranking Minority Member	Senate Committee on Commerce, Science and Transportation: Aviation Operations, Safety, and Security Subcommittee	x			x

**Document Class:** Unrestricted  
**Accession Number:** A84128  
**Product Number:** GAO-08-920R  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A84128>  
**Product Title:** NASA Workforce: Briefing on National Aeronautics and Space Administration's Use of Term Appointments  
**Publication Date:** 09/10/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Sen Barbara A Mikulski, Chairman	Senate Committee on Appropriations: Commerce, Justice, and Science, and Related Agencies Subcommittee	x	x		x
Sen Richard C Shelby, Ranking Minority Member	Senate Committee on Appropriations: Commerce, Justice, and Science, and Related Agencies Subcommittee	x	x		x
Rep Alan B Mollohan, Chairman	House Committee on Appropriations: Commerce, Justice, Science and Related Agencies	x	x		x

	Subcommittee				
Rep Rodney Frelinghuysen, Ranking Minority Member	House Committee on Appropriations: Commerce, Justice, Science and Related Agencies Subcommittee	x	x		x
Rep Tom Feeney, Ranking Minority Member	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x			x
Rep. Mark Udall, Chairman	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x			x

**Document Class:** Unrestricted  
**Accession Number:** A82946  
**Product Number:** GAO-08-756  
**Link to Product:** <http://www.gao.gov/docdb/te/pubs/pubdb.php?accno=A82946>  
**Product Title:** Air Traffic Control: FAA Uses Earned Value Techniques to Help Manage Information Technology Acquisitions, but Needs to Clarify Policy and Strengthen Oversight  
**Publication Date:** 07/18/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Thomas E Petri, Ranking Minority Member	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep Jerry F Costello, Chairman	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep. Ralph M. Hall, Ranking Minority Member	House Committee on Science and Technology	x			x
Rep. Bart Gordon, Chairman	House Committee on Science and Technology	x			x
Sen. Kay Bailey Hutchison, Ranking Minority Member	Senate Committee on Commerce, Science and Transportation: Aviation Operations, Safety, and Security Subcommittee	x			x
Sen John D Rockefeller IV, Chairman	Senate Committee on Commerce, Science and Transportation: Aviation Operations, Safety, and Security Subcommittee	x	x		x
Rep. John L. Mica		x			x

**Document Class:** Unrestricted  
**Accession Number:** A82435

**Number:**  
**Product:** GAO-08-899T  
**Number:**  
**Link to:** <http://www.gao.gov/docdblite/pubdb.php?accno=A82435>  
**Product:**  
**Product Title:** Environmental Satellites: Polar-orbiting Satellite Acquisition Faces Delays; Decisions Needed on Whether and How to Ensure Climate Data Continuity  
**Publication Date:** 06/19/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A82232  
**Product Number:** GAO-08-641  
**Link to:** <http://www.gao.gov/docdblite/pubdb.php?accno=A82232>  
**Product:**  
**Product Title:** Department of Energy: Office of Science Has Kept Majority of Projects within Budget and on Schedule, but Funding and Other Challenges May Grow  
**Publication Date:** 05/30/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep F James Sensenbrenner Jr, Ranking Minority Member	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x	x		x
Rep Brad Miller, Chairman	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A82171  
**Product Number:** GAO-08-810T  
**Link to:** <http://www.gao.gov/docdblite/pubdb.php?accno=A82171>  
**Product:**  
**Product Title:** Chemical Assessments: EPA's New Assessment Process Will Further Limit the Productivity and Credibility of Its Integrated Risk Information System  
**Publication Date:** 05/21/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A81923  
**Product Number:** GAO-08-518  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81923>  
**Product Title:** Environmental Satellites: Polar-orbiting Satellite Acquisition Faces Delays; Decisions Needed on Whether and How to Ensure Climate Data Continuity  
**Publication Date:** 05/16/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Nick Lampson, Chairman	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep Bob Inglis, Ranking Minority Member	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep F James Sensenbrenner Jr, Ranking Minority Member	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x	x		x
Rep Brad Miller, Chairman	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A81864  
**Product Number:** GAO-08-581T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81864>  
**Product Title:** NASA: Challenges in Completing and Sustaining the International Space Station  
**Publication Date:** 04/24/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
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	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x
Rep Mark Udall, Chairman	House Committee on Science and Technology: Space and Aeronautics Subcommittee		x		x
Rep Bart Gordon, Chairman	House Committee on Science and Technology		x		x

**Document Class:** Unrestricted  
**Accession Number:** A81837  
**Product Number:** GAO-08-483  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81837>  
**Product Title:** Global Nuclear Energy Partnership: DOE Should Reassess Its Approach to Designing and Building Spent Nuclear Fuel Recycling Facilities  
**Publication Date:** 04/22/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep John D Dingell, Chairman	House Committee on Energy and Commerce	x	x		x
Rep Joe L Barton, Ranking Minority Member	House Committee on Energy and Commerce	x	x		x
Rep Ralph M Hall, Ranking Minority Member	House Committee on Science and Technology	x	x		x
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x
Rep Edward J Markey, Chairman	House Select Committee on Energy Independence and Global Warming	x	x		x
Sen Carl Levin, Chairman	Senate Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations	x	x		x
Sen Norm Coleman, Ranking Minority Member	Senate Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations	x	x		x
Sen Jeff Bingaman, Chairman	Senate Committee on Energy and Natural Resources	x	x		x
Rep John M Shimkus, Ranking Minority Member	House Committee on Energy and Commerce: Oversight and Investigations Subcommittee	x			x

Rep Bart Stupak, Chairman	House Committee on Energy and Commerce: Oversight and Investigations Subcommittee	x	x		x
Rep Edward Whitfield	House Committee on Energy and Commerce: Oversight and Investigations Subcommittee		x		x

**Document Class:** Unrestricted  
**Accession Number:** A81552  
**Product Number:** GAO-08-186T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81552>  
**Product Title:** NASA: Ares I and Orion Project Risks and Key Indicators to Measure Progress  
**Publication Date:** 04/03/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A81482  
**Product Number:** GAO-08-265  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81482>  
**Product Title:** Health and Safety Information: EPA and OSHA Could Improve Their Processes for Preparing Communication Products  
**Publication Date:** 03/31/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep David Wu, Ranking Minority Member	House Committee on Science: Environment, Technology, and Standards Subcommittee		x		x
Rep Lynn Woolsey, Chairman	House Committee on Education and Labor: Workforce Protections Subcommittee	x	x		x
Rep Nick Lampson, Chairman	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep Major R Owens, Ranking Minority Member	House Committee on Education and the Workforce: Workforce Protections Subcommittee		x		x

Rep. David Wu		x				x
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**Document Class:** Unrestricted  
**Accession Number:** A81294  
**Product Number:** GAO-08-579T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81294>  
**Product Title:** Environmental Protection: EPA Needs to Follow Best Practices and Procedures When Reorganizing Its Library Network  
**Publication Date:** 03/13/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A81211  
**Product Number:** GAO-08-556T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81211>  
**Product Title:** Advanced Energy Technologies: Budget Trends and Challenges for DOE's Energy R&D Program  
**Publication Date:** 03/05/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A81173  
**Product Number:** GAO-08-304  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81173>

**Product Title:** Environmental Protection: EPA Needs to Ensure That Best Practices and Procedures Are Followed When Making Further Changes to Its Library Network

**Publication Date:** 02/29/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep John D Dingell, Chairman	House Committee on Energy and Commerce	x	x		x
Sen. Barbara Boxer, Chairman	Senate Committee on Environment and Public Works	x			x
Rep Henry A Waxman, Chairman	House Committee on Oversight and Government Reform	x	x		x
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x

**Document Class:** Unrestricted

**Accession Number:** A81037

**Product Number:** GAO-08-491T

**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A81037>

**Product Title:** Aviation Weather: Services at Key Aviation Facilities Lack Performance Measures, but Improvement Efforts Are Under Way

**Publication Date:** 02/26/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep Nick Lampson, Chairman	House Committee on Science and Technology: Energy and Environment Subcommittee		x		x

**Document Class:** Unrestricted

**Accession Number:** A80850

**Product Number:** GAO-08-384

**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A80850>

**Product Title:** Aviation and the Environment: FAA's and NASA's Research and Development Plans for Noise Reduction Are Aligned but the Prospects of Achieving Noise Reduction Goals Are Uncertain

**Publication Date:** 02/15/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Thomas E Petri, Ranking Minority Member	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep Jerry F Costello, Chairman	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep Tom Feeney, Ranking Minority Member	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x
Rep Mark Udall, Chairman	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x

**Document Class:** Unrestricted

**Accession Number:** A79710

**Product Number:** GAO-08-258

**Link to Product:** <http://www.gao.gov/docdb/lite/pubdb.php?accno=A79710>

**Product Title:** Aviation Weather: FAA Is Reevaluating Services at Key Centers; Both FAA and the National Weather Service Need to Better Ensure Product Quality

**Publication Date:** 01/11/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Jerry F Costello, Chairman	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep Tom Feeney, Ranking Minority Member	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x
Rep Mark Udall, Chairman	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x
Rep Nick Lampson, Chairman	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep Bob Inglis, Ranking Minority Member	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x

**Document Class:** Unrestricted

**Accession Number:** A79708

**Product Number:** GAO-08-305  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A79708>  
**Product Title:** Hydrogen Fuel Initiative: DOE Has Made Important Progress and Involved Stakeholders but Needs to Update What It Expects to Achieve by Its 2015 Target  
**Publication Date:** 01/11/2008

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x
Rep. Bob Inglis, Ranking Minority Member	House Committee on Science and Technology: Energy and Environment Subcommittee	x			x
Rep. Nick Lampson, Chairman	House Committee on Science and Technology: Energy and Environment Subcommittee	x			x
Rep Mike Honda		x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A79028  
**Product Number:** GAO-08-42  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A79028>  
**Product Title:** Air Traffic Control: FAA Reports Progress in System Acquisitions, but Changes in Performance Measurement Could Improve Usefulness of Information  
**Publication Date:** 12/18/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep. John L. Mica	House Committee on Transportation and Infrastructure: Aviation Subcommittee		x		x
Rep Thomas E Petri, Ranking Minority Member	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Rep Jerry F Costello, Chairman	House Committee on Transportation and Infrastructure: Aviation Subcommittee	x	x		x
Sen John D Rockefeller IV, Chairman	Senate Committee on Commerce, Science and Transportation: Aviation Subcommittee	x	x		x
Sen Conrad Burns, Chairman	Senate Committee on Commerce, Science and Transportation: Aviation Subcommittee		x		x

Rep Ralph M Hall, Ranking Minority Member	House Committee on Science and Technology	x			x
Rep. Bart Gordon, Chairman	House Committee on Science and Technology	x			x
Sen. Trent Lott, Ranking Minority Member	Senate Committee on Commerce, Science and Transportation: Aviation Operations, Safety, and Security Subcommittee	x			x
Rep. John L. Mica		x			x

**Document Class:** Unrestricted  
**Accession Number:** A78670  
**Product Number:** GAO-08-70  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A78670>  
**Product Title:** DOD Schools: Additional Reporting Could Improve Accountability for Academic Achievement of Students with Dyslexia  
**Publication Date:** 12/06/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A77800  
**Product Number:** GAO-08-51  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A77800>  
**Product Title:** NASA: Agency Has Taken Steps Toward Making Sound Investment Decisions for Ares I but Still Faces Challenging Knowledge Gaps  
**Publication Date:** 10/31/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Ralph M Hall, Ranking Minority Member	House Committee on Science and Technology		x		x
	House Committee on Science and				

Rep Bart Gordon, Chairman	Technology	x	x		x
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**Document Class:** Unrestricted  
**Accession Number:** A77527  
**Product Number:** GAO-08-183T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A77527>  
**Product Title:** Geostationary Operational Environmental Satellites: Further Actions Needed to Effectively Manage Risks  
**Publication Date:** 10/23/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A77536  
**Product Number:** GAO-08-18  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A77536>  
**Product Title:** Geostationary Operational Environmental Satellites: Progress Has Been Made, but Improvements Are Needed to Effectively Manage Risks  
**Publication Date:** 10/23/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Nick Lampson, Chairman	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep Bob Inglis, Ranking Minority Member	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep F James Sensenbrenner Jr, Ranking Minority Member	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x	x		x
Rep Brad Miller, Chairman	House Committee on Science and Technology: Investigations and Oversight Subcommittee	x	x		x



**Document Class:** Unrestricted  
**Accession Number:** A73269  
**Product Number:** GAO-07-940  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A73269>  
**Product Title:** NASA Supplier Base: Challenges Exist in Transitioning from the Space Shuttle Program to the Next Generation of Human Space Flight Systems  
**Publication Date:** 07/25/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Ralph M Hall, Ranking Minority Member	House Committee on Science and Technology	x	x		x
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A73212  
**Product Number:** GAO-07-1121T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A73212>  
**Product Title:** NASA: Challenges in Completing and Sustaining the International Space Station  
**Publication Date:** 07/24/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A73008  
**Product Number:** GAO-07-691  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A73008>  
**Product Title:** Business Modernization: NASA Must Consider Agencywide Needs to Reap the Full Benefits of Its Enterprise Management System Modernization Effort

**Publication Date:** 07/20/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Todd Platts, Chairman	House Committee on Government Reform: Government Management, Finance and Accountability Subcommittee		x		x
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x
Rep. Todd R. Platts		x			x

**Document Class:** Unrestricted  
**Accession Number:** A71431  
**Product Number:** GAO-07-432  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A71431>  
**Product Title:** Property Management: Lack of Accountability and Weak Internal Controls Leave NASA Equipment Vulnerable to Loss, Theft, and Misuse  
**Publication Date:** 06/25/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A70499  
**Product Number:** GAO-07-650  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A70499>  
**Product Title:** Weather Forecasting: National Weather Service's Operations Prototype Needs More Rigorous Planning  
**Publication Date:** 06/08/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
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Rep Nick Lampson, Chairman	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep Bob Inglis, Ranking Minority Member	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x
Rep David Wu		x	x		x
Rep Vernon J Ehlers		x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A70427  
**Product Number:** GAO-07-910T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A70427>  
**Product Title:** Polar-Orbiting Operational Environmental Satellites: Restructuring Is Under Way, but Challenges and Risks Remain  
**Publication Date:** 06/07/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Energy and Environment Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A70035  
**Product Number:** GAO-07-918R  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A70035>  
**Product Title:** Responses to Questions for the Record; Hearing on JPDO and the Next Generation Air Transportation System: Status and Issues  
**Publication Date:** 05/29/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Mark Udall, Chairman	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A68845  
**Product Number:** GAO-07-498  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A68845>  
**Product Title:** Polar-Orbiting Operational Environmental Satellites: Restructuring Is Under Way, but Technical Challenges and Risks Remain  
**Publication Date:** 04/27/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep David Wu, Ranking Minority Member	House Committee on Science: Environment, Technology, and Standards Subcommittee		x		x
Rep Vernon J Ehlers	House Committee on Science: Environment, Technology, and Standards Subcommittee		x		x
Rep. Bob Inglis, Ranking Minority Member	House Committee on Science and Technology: Energy and Environment Subcommittee	x			x
Rep. Nick Lampson, Chairman	House Committee on Science and Technology: Energy and Environment Subcommittee	x			x
Rep. David Wu		x			x
Rep. Vernon J. Ehlers		x			x

**Document Class:** Unrestricted  
**Accession Number:** A67445  
**Product Number:** GAO-07-693T  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A67445>  
**Product Title:** Joint Planning and Development Office: Progress and Key Issues in Planning the Transition to the Next Generation Air Transportation System  
**Publication Date:** 03/29/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
	House Committee on Science and Technology: Space and Aeronautics Subcommittee	x	x		x
Rep Mark Udall			x		x

**Document Class:** Unrestricted  
**Accession Number:** A66384  
**Product Number:** GAO-07-306R  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A66384>  
**Product Title:** NASA: Enhanced Use Leasing Program Needs Additional Controls  
**Publication Date:** 03/01/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Sen Ted Stevens, Co-Chairman	Senate Committee on Commerce, Science and Transportation	x	x		x
Sen Daniel K Inouye, Chairman	Senate Committee on Commerce, Science and Transportation	x	x		x
Rep. Ralph M. Hall, Ranking Minority Member	House Committee on Science and Technology	x			x
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x
Rep Sherwood L Boehlert	House Committee on Science		x		x

**Document Class:** Unrestricted  
**Accession Number:** A66349  
**Product Number:** GAO-07-283  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A66349>  
**Product Title:** Crude Oil: Uncertainty about Future Oil Supply Makes It Important to Develop a Strategy for Addressing a Peak and Decline in Oil Production  
**Publication Date:** 02/28/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x
Rep Sherwood L Boehlert	House Committee on Science		x		x
Rep Lynn Woolsey		x	x		x
Rep Wayne T Gilchrest		x	x		x

Rep Vernon J Ehlers		x	x		x
Rep Judy Biggert		x	x		x
Rep Roscoe G Bartlett		x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A66124  
**Product Number:** GAO-07-333R  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A66124>  
**Product Title:** Biological Research Laboratories: Issues Associated with the Expansion of Laboratories Funded by the National Institute of Allergy and Infectious Diseases  
**Publication Date:** 02/22/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A64921  
**Product Number:** GAO-07-58  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A64921>  
**Product Title:** NASA Procurement: Use of Award Fees for Achieving Program Outcomes Should Be Improved  
**Publication Date:** 01/17/2007

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep Bart Gordon, Chairman	House Committee on Science and Technology	x	x		x

**Document Class:** Unrestricted  
**Accession Number:** A62346  
**Product Number:** GAO-07-38  
**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A62346>

**Product:**

**Product Title:** Small Business Innovation Research: Agencies Need to Strengthen Efforts to Improve the Completeness, Consistency, and Accuracy of Awards Data

**Publication Date:** 10/19/2006

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep David Wu, Ranking Minority Member	House Committee on Science: Environment, Technology, and Standards Subcommittee	x	x		x
Rep Vernon J Ehlers, Chairman	House Committee on Science: Environment, Technology, and Standards Subcommittee	x	x		x
Rep Bart Gordon, Ranking Minority Member	House Committee on Science	x	x		x
Rep Sherwood L Boehlert, Chairman	House Committee on Science	x	x		x

**Document Class:** Unrestricted

**Accession Number:** A60332

**Product Number:** GAO-06-993

**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A60332>

**Product Title:** Geostationary Operational Environmental Satellites: Steps Remain in Incorporating Lessons Learned from Other Satellite Programs

**Publication Date:** 09/06/2006

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep David Wu, Ranking Minority Member	House Committee on Science: Environment, Technology, and Standards Subcommittee	x	x		x
Rep Vernon J Ehlers, Chairman	House Committee on Science: Environment, Technology, and Standards Subcommittee	x	x		x

**Document Class:** Unrestricted

**Accession Number:** A56981

**Product Number:** GAO-06-792

**Link to Product:** <http://www.gao.gov/docdblite/pubdb.php?accno=A56981>

**Product Title:** Weather Forecasting: National Weather Service Is Planning to Improve Service and Gain Efficiency, but Impacts of Potential Changes Are Not Yet Known

**Publication Date:** 07/14/2006

**Addressees/Requestors/Witnesses/Interested Committees:**

Name/Title	Committee/Agency	Addr	Req	Wit	Int Comm
Rep David Wu, Ranking Minority Member	House Committee on Science: Environment, Technology, and Standards Subcommittee	x	x		x
Rep Vernon J Ehlers, Chairman	House Committee on Science: Environment, Technology, and Standards Subcommittee	x	x		x

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**Appendix D**  
**Open GAO Requests from the**  
**Committee as of January 21, 2009**

GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on: 1/22/2009 (CR)

HSE COM SCIENCE & TECHNOLOGY

CCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED START DATE	ALL SIGNERS OF REQUEST
<b>PENDING REQUESTS/MANDATES</b>						
08-0143-01	10/15/2008	FREQ.OT DUE:10/15/09 -PL 110-423-SEC. 112-REVIEW OF NASA'S PROGRAMS AND DUPLICATION WITH OTHER FEDERAL PROGRAMS (120887)	ASM	CHAPLAIN, CRISTINA T MORRISON, JAMES L	2/2/2009	PL 110-422, INTL. AERO. & SPACE ACT 08 SEN WOODIE, DANIEL K - SEN COM COMMERCE, SCIENCE & TRANSPORT SEN STEVENS, TED - SEN COM COMMERCE, SCIENCE & TRANSPORT REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP HALL, RALPH M - HSE COM SCIENCE & TECHNOLOGY
*MANDATE						
09-0023-01	10/6/2008	AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY CLEARANCE POLICIES	HC	KANOF, MARJORIE E		REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP MILLER, BRAD - HSE SUB INVESTIGATION/OVERSIGHT/SCITECH REP SCHOENBRENNER, F JAMES JR - HSE SUB INVESTIGATION/OVERSIGHT/SCITECH
07-0542-01	12/20/2006	FREQ.OT DUE:01/31/10-9L 109-424-SEC.4- TSUNAMI DETECTION, FORECASTING,WARNING & HAZARD MITIGATION(SAME MANDATE ALSO IN PL 109-479-SEC.804)	NRE	ROBINSON, ROBERT A	1/30/2008	PL 109-424-TSUNAMI WARNING & EDUCATION PL 109-479-MACHUSON/STEVENS FISHERY AUTH SEN WOODIE, DANIEL K - SEN COM COMMERCE, SCIENCE & TRANSPORT SEN STEVENS, TED - SEN COM COMMERCE, SCIENCE & TRANSPORT REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP HALL, RALPH M - HSE COM SCIENCE & TECHNOLOGY
*MANDATE						
08-1093-01	5/22/2008	REORGANIZATION OF EPA'S LIBRARY SYSTEM AND PLAN TO DIGITIZE LIBRARY HOLDINGS AND MAKE AVAILABLE THROUGH ELECTRONIC MEANS	NRE	DALTON, PATRICIA A		SEN BOXER, BARBARA - SEN COM ENVIRONMENT AND PUBLIC WORKS REP WAXMAN, HENRY A - HSE COM OVERSIGHT & GOVT REFORM REP JAWWELL, JOHN D - HSE COM ENERGY & COMMERCE REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY
08-1325-01	7/25/2008	ENVIRONMENTAL PROTECTION AGENCY'S (EPA) EFFORTS WITH MANAGING ELECTRONIC WASTE	NRE	DALTON, PATRICIA A		REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY
09-0142-01	10/15/2008	FREQ.OT DUE:07/12/09 -PL 110-422-SEC. 112-REVIEW OF NASA'S REGULATIONS CONCERNING DISSEMINATION OF RESEARCH RESULTS	NRE	DALTON, PATRICIA A		PL 110-422, INTL. AERO. & SPACE ACT 08 SEN WOODIE, DANIEL K - SEN COM COMMERCE, SCIENCE & TRANSPORT SEN STEVENS, TED - SEN COM COMMERCE, SCIENCE & TRANSPORT REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP HALL, RALPH M - HSE COM SCIENCE & TECHNOLOGY
*MANDATE						

\*Mandate: Freq=Frequency; AN=Annual; S=Semi-Annual; OT=One Time; CT=Contingent; NS=Not Specified; OR=Other; QU=Quarterly  
Due=Due Date; C=Contingent; NS=Not Specified

GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on 1/22/2009 (CR)

HSE COM SCIENCE & TECHNOLOGY

CCARE	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED START DATE	ALL SIGNERS OF REQUEST
<b>PENDING REQUESTS/MANDATES</b>						
09-0152-01	10/29/2008	PHARMACEUTICALS IN DRINKING WAS SUPPLIES	NRE	DALTON, PATRICIA A		REF GORDON, BART -HSE COM SCIENCE & TECHNOLOGY
07-0004-01	9/29/2006	ASSET MANAGEMENT PRACTICES AT SELECTED AGENCIES-REAL PROPERTY MANAGEMENT	PI	GOLDSTEIN, MARK L SAUSVILLE, DAVID E	5/31/2007	REF GORDON, BART -HSE COM SCIENCE & TECHNOLOGY
07-1444-01	9/18/2007	STUDY TO DETERMINE STATUS OF HUMAN FACTORS RESEARCH AND DEVELOPMENT PORTFOLIO IN AERONAUTICS	PI	DILLINGHAM, GERALD L		REF GORDON, BART -HSE COM SCIENCE & TECHNOLOGY REF HALL, RALPH M -HSE COM SCIENCE & TECHNOLOGY
07-1445-01	9/18/2007	UNDERTAKE EVALUATION STUDY OF AIRPORT COOPERATIVE RESEARCH PROGRAM (ACRP)	PI	FLEMING, SUSANA		REF GORDON, BART -HSE COM SCIENCE & TECHNOLOGY REF HALL, RALPH M -HSE COM SCIENCE & TECHNOLOGY
09-0277-01	1/9/2009	CO-REQUEST - STUDY OF TRANSFORMATION OF NATION'S AIR TRAFFIC CONTROL SYSTEM TO NEXTGEN (SEE 09-0263)	PI	SIGGERUD, KATHERINE A		REF GORDON, BART -HSE COM SCIENCE & TECHNOLOGY REF HALL, RALPH M -HSE COM SCIENCE & TECHNOLOGY
<b>ACTIVE REQUESTS/MANDATES</b>						
07-0835-02	5/8/2007	INTERNATIONAL SPACE STATION UTILIZATION (120782)	ASM	CHAPLAIN, CRISTINA T MORRISON, JAMES L		REF GORDON, BART -HSE COM SCIENCE & TECHNOLOGY
		120782 UTILIZATION OF THE INTERNATIONAL SPACE STATION (ISS) FOR RESEARCH				ESTIMATED ISSUANCE: TBD
07-0835-02	5/8/2007	NASA'S INTERNAL CONTROLS OVER THE ACQUISITION, MANAGEMENT AND DISPOSAL OF PERSONAL PROPERTY (195117)	FMA	DALY, KAY L NEFF, DONALD R		REF GORDON, BART -HSE COM SCIENCE & TECHNOLOGY
		195117 NASA'S INTERNAL CONTROLS OVER THE ACQUISITION, MANAGEMENT, AND DISPOSAL OF PROPERTY, PLANT, AND EQUIPMENT (PP&E)				ESTIMATED ISSUANCE: 1/30/2009

\*Mandate: Freq=Frequency - AN=Annual, SA=Semi-Annual, OT=One Time, CT=Contingent, NS=Not Specified, OR=Other, QU=Quarterly  
Due=Due Date - CT=Contingent, NS=Not Specified

GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on 1/22/2009 (CP)

HSE COM SCIENCE & TECHNOLOGY

CCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED START DATE	ALL SIGNERS OF REQUEST
<b>ACTIVE REQUESTS/MANDATES</b>						
09-0144-01	10/15/2008	FREQ. OT CUE 1015009, PL 110-422-SEC. 1001(B) RESTRICTED REPORT ON VULNERABILITIES OF NASA'S NETWORK RESOURCES	IT	WILSHUSEN, GREGORY C WADSWORTH, WILLIAM F		PL 110-422, INTL HERO, & SPACE ACT (8) SEN INOUYE, DANIEL K - SEN COM COMMERCE, SCIENCE & TRANSPORT SEN STEVENS, TED - SEN COM COMMERCE, SCIENCE & TRANSPORT REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP HALL, RALPH M - HSE COM SCIENCE & TECHNOLOGY
<b>MANDATE</b>						
NASA'S INFORMATION TECH. RESOURCES						
<b>311023 NASA INFORMATION SECURITY CONTROLS</b>						
09-0144-01	10/15/2008	FREQ. OT CUE 1015009, PL 110-422-SEC. 1001(B) RESTRICTED REPORT ON VULNERABILITIES OF NASA'S NETWORK RESOURCES	IT	WILSHUSEN, GREGORY C WADSWORTH, WILLIAM F		PL 110-422, INTL HERO, & SPACE ACT (8) SEN INOUYE, DANIEL K - SEN COM COMMERCE, SCIENCE & TRANSPORT SEN STEVENS, TED - SEN COM COMMERCE, SCIENCE & TRANSPORT REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP HALL, RALPH M - HSE COM SCIENCE & TECHNOLOGY
<b>MANDATE</b>						
NASA INFORMATION SECURITY CONTROLS						
<b>311023 NASA INFORMATION SECURITY CONTROLS</b>						
07-1044-02	6/15/2007	DHS PORTAL MONITOR CERTIFICATION (360961)	NRE	ALOISE, EUGENE E WOODWARD, EDWIN H		REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY
<b>360961 DOMESTIC NUCLEAR DETECTION OFFICE TESTING OF ADVANCED SPECTROSCOPIC PORTAL SUPPORT CHEMICALS FOR IDENTIFICATION AND DEPLOYMENT AT BORDER CROSSINGS</b>						
07-1306-01	8/9/2007	FREQ. NS DUE 0809009 - PL 110-696-SEC. 3009-NIST'S ADDITIONAL AUTHORITY TO PROCURE TEMPORARY SERVICES OF EXPERTS & CONSULTANTS (361027)	NRE	MITTAL, ANUJ WILLIAMS, CHERYL A		PL 110-69-AMERICA COMPETES ACT SEN INOUYE, DANIEL K - SEN COM COMMERCE, SCIENCE & TRANSPORT SEN STEVENS, TED - SEN COM COMMERCE, SCIENCE & TRANSPORT REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP HALL, RALPH M - HSE COM SCIENCE & TECHNOLOGY
<b>MANDATE</b>						
PROCURE TEMPORARY SERVICES OF EXPERTS & CONSULTANTS (361027)						
<b>361027 PROCUREMENT AUTHORITY GRANTED TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY BY THE AMERICA COMPETES ACT</b>						
08-0496-01	2/16/2008	REVIEW OF FUTUREGEN PROGRAM(360971)	NRE	GAFFIGAN, MARK E HAZERA, CARLOS E		REP COSTELLO, JERRY F - HSE COM SCIENCE & TECHNOLOGY REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP LIPINSKI, DAN - HSE COM SCIENCE & TECHNOLOGY REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH
<b>360971 FUTUREGEN CLEAN COAL ENERGY INITIATIVE</b>						
<b>ESTIMATED ISSUANCE: 2/16/2009</b>						

\*Mandate: Freq=Frequency, AN=Annual, SA=Semi-Annual, OT=One Time, CT=Contingent, NS=Not Specified, OR=Other, QU=Quarterly  
 Due=Due Date, CT=Contingent, NS=Not Specified

GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on 1/22/2009 (CR)

HSE COM SCIENCE & TECHNOLOGY

REQUEST DATE	DEFERRED START DATE	DIRECTOR/ASSISTANT DIRECTOR	TEAM	ALL SIGNERS OF REQUEST
08-0882-01	4/9/2008	MITTAL, ANU K	NRE	REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH

ACTIVE REQUESTS/MANDATES

SCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED START DATE	ALL SIGNERS OF REQUEST
08-0882-01	4/9/2008	WATER SUPPLY AND DISTRIBUTION(561021)	NRE	MITTAL, ANU K LUDWIGSON, JON R		REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH
08-0084-01	10/22/2007	361021 ELECTRICITY PRODUCTION AND WATER QUALITY AND AVAILABILITY CO-REQUEST - STUDY ON IMPACTS OF CLIMATE CHANGE ON GLOBAL CLIMATE CHANGE & PROPOSED EUROPEAN EMISSION TRADING SCHEME (SEE 07-1404) (541042)	PI	FLEMING, SUSAN A MORRISON, TATE R		REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP HALL, RALPH M - HSE COM SCIENCE & TECHNOLOGY
08-0441-01	2/4/2008	541042 EFFORTS TO REDUCE AVIATION SECTOR'S CONTRIBUTION TO GREENHOUSE GAS EMISSIONS ANALYSIS OF DATA COLLECTED BY NATIONAL AVIATION OPERATIONAL MONITORING SERVICE (NAOMS) (540171)	PI	DILLINGHAM, GERALD L SPISAK, TERESA F		REP COSTELLO, JERRY F REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP LIPINSKI, DAN - HSE COM SCIENCE & TECHNOLOGY REP MILLER, BRAD - HSE SUB INVESTIGATION/OVERSIGHT/SCITECH REP UDALL, MARK - HSE SUB SPACE & AERONAUTICS/SCITECH
08-0441-02	2/4/2008	540171 NASA AVIATION SAFETY SURVEY FAA SAFETY OVERSIGHT DATABASES(540179)	PI	DILLINGHAM, GERALD L SPISAK, TERESA F		REP COSTELLO, JERRY F REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP LIPINSKI, DAN - HSE COM SCIENCE & TECHNOLOGY REP MILLER, BRAD - HSE SUB INVESTIGATION/OVERSIGHT/SCITECH REP UDALL, MARK - HSE SUB SPACE & AERONAUTICS/SCITECH
540179		DATABASES USED FOR AVIATION SAFETY OVERSIGHT				ESTIMATED ISSUANCE: 5/7/2009
						ESTIMATED ISSUANCE: 1/16/2009

\*Mandate - Freq=Frequency - AN=Annual, SA=Semi-Annual, OT=One Time, CT=Contingent, NS=Not Specified, OR=Other, QU=Quarterly  
Due=Due Date - CT=Contingent, NS=Not Specified

GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on 1/22/2009 (CR)

HSE SUB ENERGY & ENVIRONMENT - SCITECH

CCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED START DATE	ALL SIGNERS OF REQUEST
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PENDING REQUESTS/MANDATES

09-0084-01	10/15/2008	ENVIRONMENTAL PROTECTION AGENCY'S (EPA) RECYCLING AND REUSE OF OBSOLETE ELECTRONICS	NRE	DALTON, PATRICIA A		REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP MILL, DAVID - HSE SUB TECHNOLOGY & INNOVATION - SCITECH
09-0155-01	10/30/2008	REVIEW ENVIRONMENTAL PROTECTION AGENCY'S LABORATORY INFRASTRUCTURE STAFFING, AND OPERATIONS	NRE	DALTON, PATRICIA A		REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP MILLER, BRAD - HSE SUB INVESTIGATION/OVERSIGHT-SCITECH

ACTIVE REQUESTS/MANDATES

08-0287-01	12/17/2007	GEOSTATIONARY OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEMS SERIES (#310874)	IT	POWNER, DAVID A PHILLIPS, COLLEEN M		REP INGUS, BOB - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP MILLER, BRAD - HSE SUB INVESTIGATION/OVERSIGHT-SCITECH REP SENSENBRENNER, JAMES, JR. - HSE SUB INVESTIGATION/OVERSIGHT-SCITECH
08-1109-01	5/30/2008	310874 GEOSTATIONARY WEATHER SATELLITES PROGRAM STATUS AND ECONOMIC JUSTIFICATION EVALUATE EFFORTS TO ESTABLISH BASELINE OF THE CURRENT PERFORMANCE PROVIDED BY THE NATIONAL WEATHER SERVICE	IT	POWNER, DAVID A PHILLIPS, COLLEEN M		REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH
08-1536-01	9/25/2008	310879 CHANGES TO FAA'S AND NWS'S JOINT AVIATION WEATHER PROGRAM OVERSIGHT OF THE NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM (NPOESS)	IT	POWNER, DAVID A PHILLIPS, COLLEEN M		ESTIMATED ISSUANCE: 4/30/2009 REP INGUS, BOB - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP MILLER, BRAD - HSE SUB INVESTIGATION/OVERSIGHT-SCITECH REP SENSENBRENNER, JAMES, JR. - HSE SUB INVESTIGATION/OVERSIGHT-SCITECH
310890		POLAR SATELLITES: MANAGEMENT, PROGRESS AND CHALLENGES				ESTIMATED ISSUANCE: TBD

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Due=Due Date - CT=Contingent, NS=Not Specified

GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on 1/22/2009 (CR)

HSE SUB ENERGY & ENVIRONMENT - SCITECH

CCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED START DATE	ALL SIGNERS OF REQUEST
<b>ACTIVE REQUESTS/MANDATES</b>						
08-0496-01	2/15/2008	REVIEW OF FUTUREGEN PROGRAM(360971)	NRE	GAFFIGAN, MARK E HAZERA, CARLOS E		REP COSTELLO, JERRY F - HSE COM SCIENCE & TECHNOLOGY REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP LIPINSKI, DAN - HSE COM SCIENCE & TECHNOLOGY REP LAMPSON, WICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH
360971		FUTUREGEN CLEAN COAL ENERGY INITIATIVE			ESTIMATED ISSUANCE: 2/16/2009	
08-0882-01	4/9/2008	WATER SUPPLY AND DISTRIBUTION(361021)	NRE	MITTAL, ANU K LUDWIGSSON, ION R		REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP LAMPSON, WICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH
361021		ELECTRICITY PRODUCTION AND WATER QUALITY AND AVAILABILITY			ESTIMATED ISSUANCE: TBD	

\*Mandate: Freq=Frequency - AN=Annual; SA=Semi-Annual; OT=One Time; CT=Contingent; NS=Not Specified; OR=Other; QU=Quarterly  
Due=Due Date - CT=Contingent; NS=Not Specified

GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on 1/22/2009 (CR)

HSE SUB INVESTIGATION&OVERSIGHT-SCITECH

SCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED-START DATE	ALL SIGNERS OF REQUEST
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PENDING REQUESTS/MANDATES

09-0023-01	10/09/2008	AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY CLEARANCE POLICIES	HC	KANOF, MARJORIE E		REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP MILLER, BRAD - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH REP SENSENBRENNER, F. JAMES, JR. - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH
09-0185-01	10/30/2008	REVIEW ENVIRONMENTAL PROTECTION AGENCY'S LABORATORY INFRASTRUCTURE STAFFING, AND OPERATIONS	NRE	DALTON, PATRICIA A		REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP MILLER, BRAD - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH
09-0218-01	12/5/2008	REVIEW OF USDA'S DECISION TO ELIMINATE THE AGRICULTURAL CHEMICAL USAGE PROGRAM	NRE	DALTON, PATRICIA A		REP WOOLSEY, LYNN REP MILLER, BRAD - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH

ACTIVE REQUESTS/MANDATES

08-0287-01	12/17/2007	GEOSTATIONARY OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM-R SERIES (#310874)	IT	POWNER, DAVID A PHILLIPS, COLLEEN M		REF INGLIS, BOB - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP MILLER, BRAD - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH REP SENSENBRENNER, F. JAMES, JR. - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH  ESTIMATED ISSUANCE: 4/2/2009
08-1536-01	9/25/2008	OVERSIGHT OF THE NATIONAL POLAR-ENVIRONMENTAL SATELLITE SYSTEM (NPOESS)	IT	POWNER, DAVID A PHILLIPS, COLLEEN M		REF INGLIS, BOB - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP LAMPSON, NICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP MILLER, BRAD - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH REP SENSENBRENNER, F. JAMES, JR. - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH
08-0441-01	2/4/2008	ANALYSIS OF DATA COLLECTED BY NATIONAL AVIATION OPERATIONAL MONITORING SERVICE (NAOMS) (540171)	PI	DILLINGHAM, GERALD L SPISAK, TERESA F		REP COSTELLO, JERRY F REP GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REP LIPINSKI, DAN - HSE COM SCIENCE & TECHNOLOGY REP MILLER, BRAD - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH REP UDALL, MARK - HSE SUB SPACE & AERONAUTICS-SCITECH  ESTIMATED ISSUANCE: 1/16/2009
540171		NASA AVIATION SAFETY SURVEY				ESTIMATED ISSUANCE: 1/16/2009

\*Mandate: Freq=Frequency - AN=Annual, SA=Semi-Annual, OT=One Time, CT=Contingent, NS=Not Specified, OR=Other, QU=Quantity Due=Due Date - CT=Contingent, NS=Not Specified



GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

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HSE SUB INVESTIGATION&OVERSIGHT-SCITECH

CCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED-START DATE	ALL SIGNERS OF REQUEST
<b>ACTIVE REQUESTS/MANDATES</b>						
08-041-02	2/4/2008	FAA SAFETY OVERSIGHT DATABASES(540179)	PI	DILLINGHAM, GERALD L SPISAK, TERESA F		REF COSTELLO, JERRY F REF GORDON, BART - HSE COM SCIENCE & TECHNOLOGY REF JURSKI, DAN - HSE COM SCIENCE & TECHNOLOGY REF MILLER, BRAD - HSE SUB INVESTIGATION&OVERSIGHT-SCITECH REF UDALL, MARK - HSE SUB SPACE & AERONAUTICS-SCITECH ESTIMATED ISSUANCE: 5/29/2009

540179 DATABASES USED FOR AVIATION SAFETY OVERSIGHT

\*Mandate: Freq=Frequency - AN=Annual, SA=Semi-Annual, OT=One Time; CT=Contingent, NS=Not Specified, OR=Other, QU=Quarterly  
Due=Due Date - CT=Contingent, NS=Not Specified

GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on 1/22/2009 (CR)

HSE SUB SPACE & AERONAUTICS-SCITECH

CCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED START DATE	ALL SIGNERS OF REQUEST
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ACTIVE REQUESTS/MANDATES

08-1313-01 7/22/2008 CO-REQUEST - NASA'S PLANS FOR TRANSITION OF AERONAUTICS-SCITECH TO THE USE OF TERM APPOINTMENTS FOR CIVIL SERVANT JOBS (SEE 08-8669) (120765)  
 ASM  
 CHAPLAIN, CRISTINA T  
 MORRISON, JAMES L  
 REP:UDALL, MARK - HSE SUB SPACE & AERONAUTICS-SCITECH

120765 NASA'S COMMERCIAL ORBITAL TRANSPORTATION SERVICES (COTS) PROGRAM MANAGEMENT AND EXPENDITURES REVIEW ESTIMATED ISSUANCE: TBD

07-1428-02 9/14/2007 AVIATION AND THE ENVIRONMENT PI DILLINGHAM, GERALD L  
 (540166) LAUGHLIN, EDWARD J  
 REP:FEENEY, TOM - HSE SUB SPACE & AERONAUTICS-SCITECH  
 REP:UDALL, MARK - HSE SUB SPACE & AERONAUTICS-SCITECH

540166 AVIATION ENVIRONMENTAL TRENDS, EFFORTS, AND CHALLENGES ESTIMATED ISSUANCE: 7/19/2009

08-0441-01 2/4/2008 ANALYSIS OF DATA COLLECTED BY NATIONAL AVIATION OPERATIONAL MONITORING SERVICE (NAOMS) (540171) PI DILLINGHAM, GERALD L  
 SPISAK, TERESA F  
 REP:GORDON, BART - HSE COM SCIENCE & TECHNOLOGY  
 REP:UPINSKI, DAN - HSE COM SCIENCE & TECHNOLOGY  
 REP:MILLER, BRAD - HSE SUB INVESTIGATION/OVERSIGHT-SCITECH  
 REP:UDALL, MARK - HSE SUB SPACE & AERONAUTICS-SCITECH

540171 NASA AVIATION SAFETY SURVEY ESTIMATED ISSUANCE: 1/16/2009

08-0441-02 2/4/2008 FAA SAFETY OVERSIGHT DATABASES(540179) PI DILLINGHAM, GERALD L  
 SPISAK, TERESA F  
 REP:FEENEY, TOM - HSE SUB SPACE & AERONAUTICS-SCITECH  
 REP:GORDON, BART - HSE COM SCIENCE & TECHNOLOGY  
 REP:UPINSKI, DAN - HSE COM SCIENCE & TECHNOLOGY  
 REP:MILLER, BRAD - HSE SUB INVESTIGATION/OVERSIGHT-SCITECH  
 REP:UDALL, MARK - HSE SUB SPACE & AERONAUTICS-SCITECH

540179 DATABASES USED FOR AVIATION SAFETY OVERSIGHT ESTIMATED ISSUANCE: 5/29/2009

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GAO PENDING REQUESTS AND ACTIVE ASSIGNMENTS AS OF 1/21/2009

Printed on 1/22/2009 (CR)

HSE SUB TECHNOLOGY&INNOVATION - SCITECH

CCAR#	REQUEST DATE	SUBJECT	TEAM	DIRECTOR/ASSISTANT DIRECTOR	DEFERRED-START DATE	ALL SIGNERS OF REQUEST
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PENDING REQUESTS/MANDATES

09-0084-01	10/15/2008	ENVIRONMENTAL PROTECTION OF OBSOLETE ELECTRONICS AND REUSE OF OBSOLETE ELECTRONICS	NRE	DALTON, PATRICIA A		REP LAMPSON, MICK - HSE SUB ENERGY & ENVIRONMENT - SCITECH REP WOLDAVID - HSE SUB TECHNOLOGY&INNOVATION - SCITECH
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\*Mandate: Freq=Frequency - AN=Annual, SA=Semt-Annual, OT=One Time, CT=Contingent, NS=Not Specified, OR=Other, QU=Quarterly  
Due=Due Date - CT=Contingent, NS=Not Specified

# **Appendix E**

## **Summary of 2009 “High Risk” Topics**

GAO Item Title	Possible Oversight Action
Modernizing the Outdated U.S. Financial Regulatory System	Included among GAO's "nine characteristics that should be reflected in any new regulatory system" are "[m]echanisms ... for identifying, monitoring, and managing risks to the financial system." Large financial institutions' reliance on proprietary risk-assessment models to determine the adequacy of their capital has been increasing, and it is soon to be institutionalized in the U.S. under an international agreement, Basel II. Federal regulators' role will then be to "validate" the institutions' models, but whether they – or, in fact, anyone, anywhere – possess the mathematical expertise to perform this task is questionable. Risk assessments, modeling and technical evaluations of those are all in the jurisdiction and expertise of the Committee
Transforming EPA's Processes for Assessing and Controlling Toxic Chemicals	GAO reiterates in the 2009 High-Risk Series Update its 2008 finding that EPA's Integrated Risk Information System (IRIS) – a database that contains EPA's scientific position on the potential human health effects of exposure to more than 540 chemicals – is at serious risk of becoming obsolete. EPA has not been able to complete timely, credible assessments. "Without greater attention to EPA's efforts to assess toxic chemicals, the nation lacks assurance that human health and the environment are adequately protected," The I&O Subcommittee has held hearings on IRIS in the past and would continue to oversee this important database.
2010 Census	GAO designated the 2010 Census "high-risk" in March 2008 largely due to problems with the Census Bureau's information technology (IT) acquisition management practices that have increased the cost of the project to more than \$14 billion. This is one of many problematic IT programs the Subcommittee may look into that reflect Federal IT acquisition deficiencies.
Strategic Human Capital Management	GAO singles out Strategic Human Capital Planning as an area offering "ample opportunity" for federal agencies to improve. It says: "Strategic human capital planning that is integrated with broader organizational strategic planning is critical to ensuring agencies have the talent and skill mix they need to address their current and emerging human capital challenges." This is an issue at many of our agencies, particularly NASA.
Protecting the Federal Government's Information Systems and the Nation's Critical Infrastructures	The U.S.'s critical infrastructure – including power distribution systems, national defense, water supply, emergency services, and telecommunications – relies extensively on computerized information systems and electronic data in normal operations. Federal agencies have made progress in strengthening information security, yet "most agencies continue to experience significant deficiencies that jeopardize the confidentiality,

	<p>integrity, and availability of their systems and information,” GAO says. “Until agencies implement the hundreds of recommendations made by GAO and their [own] inspectors general... a broad array of federal assets and operations will remain at unnecessary risk of fraud, misuse, and disruption.” The Committee is charged with overseeing NIST, which mandates federal computer security standards.</p>
Implementing and Transforming the Department of Homeland Security	<p>DHS remains on GAO’s High-Risk List owing to numerous management challenges and problems overseeing its \$40 billion annual budget that GAO has identified, particularly in DHS’s acquisitions and R&amp;D programs. The Committee has jurisdiction over the agency’s Science and Technology Directorate and will continue to review its programs, focusing on its laboratories and contracts. Problems GAO has identified at DHS also include its IT-related acquisitions, which the Committee also has a role in reviewing.</p>
Establishing Effective Mechanisms for Sharing Terrorism-Related Information to Protect the Homeland	<p>Since 9/11 there have been significant efforts among federal, state, and local partners to share terrorism-related data. These efforts are now being developed under an overarching Information Sharing Environment (ISE). Still, GAO “found that the scope, projects, and milestones – the road map – for guiding the future ISE were not fully defined and, along with OMB, observed that the expected results and metrics – the system of accountability – to ensure progress were not in place.” It is the Committee’s role to oversee federal computer standards, including such efforts.</p>
Ensuring the Effective Protection of Technologies Critical to U.S. National Security Interests	<p>GAO calls for a “fundamental re-examination of current government programs” to determine how agencies involved in protecting “critical technologies while advancing U.S. interests” – including the Department of Commerce – can “collectively achieve their mission.” At stake are not only such concerns as the proliferation of nuclear weapons, but also the issue of whether the U.S. has maintained under its control the technologies and production capacity that may be critical to its defense base and economic security. Both manufacturing and competitiveness, including national technological leadership, are within the Committee’s jurisdiction.</p>
Department of Energy’s Contract Management for the National Nuclear Security Administration and Office of Environmental Management	<p>GAO found that the Department of Energy’s Office of Science has been extremely effective in completing large projects within budget and schedule requirements, which it attributes to leadership commitment, good management and technical expertise, and strict adherence to project management policies. It may be fruitful to see how DOE could copy the lessons from the Office of Science to these other divisions.</p>
National Aeronautics and Space Administration	<p>NASA, which conducts virtually all its business under contract with outside entities, appears unable to finish its projects at the</p>

Acquisition Management	cost and on the schedule it provides to Congress. GAO cautions that organizational and programmatic pressures could derail NASA's otherwise promising corrective action plan, which GAO feels might finally address many of the issues keeping NASA on the High-Risk List. Experience has shown that close and continued attention by the Committee to these management issues can increase the likelihood of change at NASA. Because NASA and DOD employ the same acquisition processes, there should be an opportunity to consider applying at NASA changes identified in work on the DOD High-Risk items. Similarly, lessons learned here might be applied at other agencies trying to develop and implement complex technical systems.
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NYDIA M. VELAZQUEZ, NEW YORK  
CHAIRWOMAN

SAM GRAVES, MISSOURI  
RANKING MEMBER

**Congress of the United States**

**U.S. House of Representatives**

**Committee on Small Business**

**2501 Rayburn House Office Building**

**Washington, DC 20515-6315**

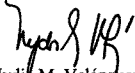
February 12, 2009

Chairman Edolphus Towns  
Committee on Oversight and Government Reform  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Chairman Towns,

Attached please find the Oversight plan approved by the House Committee on Small Business, on January 28, 2009, for the 111<sup>th</sup> Congress.

Sincerely,



Nydia M. Velázquez  
Chairwoman  
House Committee on Small Business



OVERSIGHT PLAN OF THE COMMITTEE ON SMALL BUSINESS FOR THE ONE  
HUNDRED ELEVENTH CONGRESS

JANUARY 28, 2009. Approved by the Committee on Small Business.

Ms. VELAZQUEZ, from the Committee on Small Business, submitted to the Committee on Oversight and Government Reform and the Committee on House Administration the following

## REPORT

Clause 2(d)(1) of rule X of the Rules of the House of Representatives for the 111th Congress requires each standing committee, not later than February 15<sup>th</sup> of the first session to adopt an oversight plan for the 111th Congress. The oversight plan must be submitted simultaneously to the Committee on Oversight and Government Reform and the Committee on House Administration.

The following agenda constitutes the oversight plan of the Committee on Small Business for the 111th Congress. It includes areas in which the Committee and its subcommittees expect to conduct oversight during this Congress, but does not preclude oversight or investigation of additional matters or programs as they arise. The Committee will consult, as appropriate, with other committees of the House that may share jurisdiction over any of the subjects listed below.

### I. Oversight of the Small Business Administration.

A. Agency Management. Given the challenges facing the economy, the Committee will review the adequacy of the management structure, staffing levels, and financial resources of the agency's programs. The Committee will review new initiatives that have been implemented to respond to the economic slowdown and determine if further action or modification is warranted. With the decrease in SBA lending activity, the Committee will examine the role that the centralization of loan processes played, including the role that the facilities in Herndon, Virginia; Hazard, Kentucky; and Citrus Heights, California facilities have played. The Committee will also consider whether the commercial loan centers in Fresno, California and Little Rock, Arkansas are accomplishing their mission. The Committee will examine the role of SBA District Offices and whether they are meeting the needs of the local community. The Committee will review human resources policies and employee training programs, including SBA University, to determine their effect on agency morale and preparedness. The Committee will review the agency's cooperative agreements, partnerships and co-sponsorships. The Committee will continue to assess the adequacy of the agency's budgetary requests, financial management, and reporting goals.

- B. Lending Programs. With loan volumes declining substantially across SBA's lending programs, the Committee will review measures to reverse these trends. This will include examining alternatives to existing programs, as well as changing existing initiatives' structure. The Committee also will analyze the government's response to the recent economic downturn and financial crisis. This will include an evaluation of the impact of the Troubled Assets Relief Program (TARP) and the Capital Purchase Program (CPP) on SBA lending. In addition, the Committee will assess whether the Federal Reserve's Term Asset- Backed Securities Loan Facility (TALF) has assisted the secondary market for SBA loans. The Committee will also consider enhancing the 7(a) and Certified Development Company programs so that they are more effective in reaching borrowers unable to secure conventional loans. Additionally, the Committee will review the Microloan program with the intent of making it more affordable for borrowers and reducing barriers to its growth.
- C. Lender Oversight. The Committee will conduct hearings regarding the effectiveness of SBA's Office of Lender Oversight. This will include an assessment of the SBA's ability to monitor risk in its loan portfolio and the corrective actions it has taken to address undue risk. In addition, the Committee will also review the sufficiency of the budgetary resources for the lender oversight function. The Committee also will examine methods the SBA uses to manage risk in its loan portfolio and review the agency's policies and practices regarding its lending partners. Finally, the Committee will review the procedures to monitor the SBA's investment programs, including an assessment of actions taken to protect the government from loss due to capital impairment in these programs.
- D. Investment Programs. The Committee will conduct hearings regarding the availability of equity capital for small firms in the current economic environment. The Committee will consider proposals to modify and reestablish the SBIC participating securities program, with a focus on broadening early-stage investment in high-growth, job-creating industries. The Committee will continue to consider policy changes that will increase angel investment. Finally, the Committee will assess the New Markets Venture Capital program and how it can be strengthened to better fulfill its mission of making equity capital more available to low-income in urban and rural communities.
- E. Disaster Programs. The Committee will review the implementation of major statutory changes to the SBA's disaster loan and response programs made during the 110<sup>th</sup> Congress. This will include an assessment of the programs that: incorporate private sector lenders into the disaster loan program; improve the agency's response during and after disasters; enhance coordination among agency's responding to disasters; and provide for improved system resiliency. In addition, the Committee will review SBA's disaster simulations, planning

and preparations for large-scale disasters, and modifications made to the disaster cadre.

- F. **Entrepreneurial Development Programs.** The Committee will conduct hearings into how these programs can play a greater role in current economic downturn and assist struggling businesses and unemployed workers. This will include ensuring that these initiatives are focused on stimulating economic development, providing workforce retraining, and creating new jobs. The Committee also will evaluate the sufficiency of these programs' services to make certain that the needs of small businesses are being met. The Committee will examine proposals to establish a national incubator program that will provide serve as a catalyst for entrepreneurial growth in local communities.
- G. **Government Contracting and Business Development Programs.** The Committee will examine the SBA's contracting and business development to ensure that the agency's efforts are meeting the needs of small businesses. In particular, the Committee will review the 8(a) program, the Small Disadvantaged Business program, and the Women's Procurement program. With regard to the Women's Procurement Program, the Committee will continue to review the agency's implementation actions. The effectiveness of SBA's role in mitigating bundled contracts, including the hiring and retention of procurement center representatives, will be assessed. In light of reports raised by the SBA's Inspector General, the Committee will examine the role that Alaskan Native Corporation's play in the 8(a) program and ensure that the program's rules and regulations encourage minority small business growth and development. The Committee will continue to oversee the HUBZone program, including addressing the GAO's findings of fraud and insufficient program controls. The Committee will assess the Service-Disabled Veteran-Owned Procurement Program to ensure that it is being properly implemented. The Committee will examine recent decisions by the GAO (International Programs, Inc. B-400278; B-400308), as well as changes to the Federal Acquisition Regulations (FAR) that would effect the coordination of SBA's contracting and business development programs government-wide. The Committee will examine the SBA's Office of Size Standards to ensure that it has the resources and organization structure to effectively update size standards in a timely manner. With regard to the 7(j) program, the Committee will review the agency's process to determine awards under this authority. Finally, the Committee will review the SBA's actions to improve the accuracy of federal contracting databases that list eligibility and awards made to small businesses.
- H. **Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs.** Building on the Committee's efforts to assess and reauthorize the SBIR and STTR programs during the 110th Congress, the Committee will consider proposals to strengthen and modernize the SBIR and

STTR programs. In order to further the most promising technologies and promote maximum job creation, the Committee will consider specific proposals to permit venture capital-backed companies to participate in the SBIR program.

- I. Office of Advocacy. The Committee will assess the policies of the Office of Advocacy and its capabilities to reduce regulatory burdens on small businesses.
  - J. Veterans Corporation. The Committee will review the on-going activities of the National Veterans Business Development Corporation to determine whether the Corporation is serving as an effective advocate for veteran-owned businesses. In light of concerns that the Corporation is not meeting its obligation to veterans, the Committee will examine the Corporation's operation and performance to determine whether or not it should be replaced with a new entity. The Committee will examine the Corporation's relationship within the context of all federal programs designed to assist veterans, particularly those returning from Iraq and Afghanistan. The Committee also will evaluate the relationship between the SBA and the Corporation to identify whether the SBA is working cooperatively with the Corporation, or whether work is being unnecessarily replicated. The Committee will identify whether the Corporation's efforts at expanding and enhancing private funding options have been successful.
- II. Agriculture.
- A. Implementation of Recent Agricultural Policy. The Committee will examine the impact of federal policies on family farms, ranchers, and rural small businesses. The Committee will provide an in-depth examination of the implementation of the 2008 Farm Bill and its impact on small entities. This will include an investigation of the policies' effects on the income, production costs, and prices received by small producers.
  - B. Financial and Technical Assistance. The Committee will examine the impact of access to capital issues facing rural areas, farmers and agribusinesses. The Committee will evaluate federal programs that provide training, information, and networking resources to enhance entrepreneurial activity in these regions.
  - C. Program Harmonization. The Committee will examine the SBA and Department of Agriculture economic development programs to determine how the two agencies can better coordinate their missions to assist small business owners, both through program harmonization and streamlined communications.
  - D. Renewable fuels. The Committee will examine the role of small businesses in renewable fuel development and production. The Committee will assess the

operational needs of small farmers seeking to produce alternative fuel products.

- E. Climate Change. The Committee will examine how farmers and small businesses can contribute to climate change mitigation, and how they can minimize their climate impact in a way that will positively affect their revenues and profitability.
- F. Food Prices. The Committee will examine how over the course of the last months of 2008, commodity prices have dramatically declined, yet retail food prices remain high. The Committee will examine further all responses to the food price issue, including their impact on American farmers, consumers and small businesses.
- G. Value Added Products. The Committee will increase oversight of financing and technical assistance programs that aid small farmers' expansion into emerging niche agricultural markets, including organic products. The Committee will evaluate the operational needs of small farmers working to add value to outputs and maintain competitiveness in the changing marketplace.
- H. Rural Economic Development. The Committee will oversee federal activities to spur economic development in rural communities. The Committee will conduct hearings on the physical and financial infrastructure needed to maintain and grow small rural businesses, including access to air transportation.
- I. Competition Problems in Rail Industry and Impact on Rural Areas. The Committee will examine competition problems facing small firms as related to the rail industry and rail rates, and identify anticompetitive barriers to entry. The Committee will identify antitrust policies that increase competition and foster market conditions, thus allowing for more competition in terms of price and availability for rural areas.

### III. Energy.

- A. Energy Bill Provisions. The 110<sup>th</sup> Congress passed sweeping energy legislation signed by the President (P.L. 110-140 December 19, 2007) that included Title XII, entitled "Small Business Energy Programs." The Committee will play an active oversight role as these provisions are implemented, especially with respect to the adequacy of the programs for small firms.

- B. Energy Efficiency. The Committee will investigate methods to increase energy efficiency and improve resource conservation practices for small businesses. The Committee will conduct oversight of federal initiatives to streamline business operations and reduce energy costs for small firms.
- C. Renewable Energy Incentives. The Committee will examine expiring renewable energy tax incentives. This will include a review of how important these policies have been in stimulating small business commerce within the sectors of renewable biofuels, wind, solar, and geothermal.
- D. Energy Prices. The Committee will conduct hearings on the effect of volatile energy and petroleum prices on small businesses, particularly fuel intensive sectors, such as farming, transportation, and those that use petroleum products as feedstock.

IV. Financial Services and Credit Availability.

- A. Financial Crisis. The Committee will review the impact that legislation aimed at stabilizing the U.S. financial markets has had on small financial firms and other small businesses. This will include an assessment of the Troubled Asset Relief Program (TARP) and the Capital Purchase Program (CPP). In addition, the Committee will review several actions taken by the Federal Reserve, including the establishment of the Term Asset- Backed Securities Loan Facility (TALF) and its effect on commercial lending.
- B. Emerging Economic Trends. The Committee will continue to examine ongoing economic conditions stemming from the recession that began in August of 2008, and their effect on small firms' ability to grow, create jobs, and access capital.
- C. Credit Markets. The Committee will review conditions in the national credit markets as they relate to small business lending and investment and will oversee federal efforts to ensure that those markets function properly.
- D. Secondary Market. The Committee will examine the role that the secondary market plays in small business finance. This will include a review of asset-securitization procedures and policies in place for commercial lending. The Committee will consider whether the secondary market for small business loans can be enhanced through standardization, credit enhancements, or making performance data more readily available.
- E. Costs of Sarbanes-Oxley Compliance. In 2009, the Security and Exchange Commission (SEC) will release data on the costs small public companies would face if they were required to comply with Section 404 of the Sarbanes-Oxley Act. The Committee will evaluate the findings of the SEC and will assess the affect of SOX 404 compliance costs on small firms.

- F. **Venture Capital.** The Committee will conduct oversight hearings into trends in venture capital investment, including whether start-up firms are securing such funding. The Committee also will consider declining initial public offering activity and its impact of venture capital financing.
  - G. **Capital Formation.** The Committee will review barriers that impede small businesses' access to the capital markets, including obstacles to initial public offerings and the public equity markets. This will include a review of how SEC rules, regulations, and forms affect small companies and whether SEC regulation S-B is sufficiently tailored to the needs of small issuers.
  - H. **Middle Market Financing.** The Committee will examine whether middle market companies are able to secure sufficient and cost-effective financial resources. These companies, which generate between \$5 and \$250 million in annual revenue, contribute approximately 70 percent toward the nation's gross national product. The financing needs of these companies are often well beyond the capacity of SBA's programs and, given the current economic downturn, many of these companies are left without access to affordable credit and capital.
  - I. **Role of Small Lenders.** The Committee will assess the impact of consolidation and attrition in the financial services industry on small lenders and small business borrowers. In addition, the Committee will review industry trends and regulatory developments that may reduce the availability of financing to small firms.
  - J. **Insurance.** The Committee will evaluate the use of insurance products by small businesses, including property/casualty lines. The Committee also will assess the impact of federal insurance reforms on small insurers and small businesses. Finally, the Committee will examine the impact of federal regulatory efforts on small insurance companies and insurance brokers.
- V. **Health Care.**
- A. **Access to Affordable Health Coverage.** The Committee will evaluate a number of health care policies designed to expand access to affordable health insurance through small employers. The Committee will look at proposed federal changes to give small employers greater options for coverage. The Committee will examine current and proposed state initiatives to promote coverage, and will evaluate the impact of these reforms on small employers in those markets. The Committee will examine the impact of these changes on the small-group health insurance market.
  - B. **Expanding Available Options for Small Employers to Purchase Health Insurance.** The Committee will examine options for removing barriers to

affordable small employer coverage. The Committee will conduct hearings to review new and emerging policies to increase access to affordable health care coverage. These possible changes include, but are not limited to, increasing pooling mechanisms for small businesses, reinsurance models, and ERISA reforms.

- C. **Tax Credits to Increase Health Coverage.** The Committee will analyze the intersection of tax policy and health care in the 111<sup>th</sup> Congress as health care reform becomes not only a national but also a small business priority. The Committee will examine whether the current system, which allows an employer deduction for health insurance premiums, is the best way to make health care affordable for the millions of small business employers and small business employees that currently are without any coverage. The Committee will examine reform options, including but not limited to: capping the deduction on employer benefits, converting the deduction into a fixed refundable credit for the small business employer, converting the deduction into a fixed, refundable credit for the small business employee, or some other reform option.
- D. **Health IT Adoption.** The Committee will conduct hearings to evaluate the economic benefits derived through the adoption of a uniform, secure, interoperable health information technology infrastructure (Health IT) by small healthcare groups – i.e. physicians, vendors and other providers. In particular, the Committee will consider the degree to which Health IT creates market efficiencies and whether those advantages will exist for small groups. The Committee will evaluate the challenges of Health IT adoption.
- E. **Health Care Consolidation.** The Committee will examine the impact of consolidation in the health care industry on the cost and availability of care to small firms. The Committee will assess the effects of health insurer consolidation on healthcare providers. The Committee will examine the need to revise the FTC/DOJ Joint Health Care Guidelines to reflect increased consolidation health care markets, and to ensure that the Guidelines are not placing physicians on an unlevel playing field.
- F. **CMS Healthcare Provider Compensation.** The Committee will examine federal reimbursement of healthcare providers and the effect that such reimbursement decisions have on non-Medicare/Medicaid insurer reimbursement to physicians and other healthcare providers. This will provide a particular focus of the impact on small healthcare practices.
- G. **CMS Regulation.** The Committee will evaluate CMS regulations that affect the business operation of small healthcare providers. In particular, the Committee will examine CMS' regulatory structure and consider how current regulations may be enhanced to improve the business environment of healthcare providers.



## VI. International Trade.

- A. Domestic and International Trade Policies. The Committee will hold hearings to identify measures for inclusion in trade agreements that reflect the interests of small domestic businesses, particularly facilitation measures and sector-specific preferences. The Committee also will work to increase the representation of small business interests in the negotiation of new trade agreements and enforcement of existing agreements and treaties. This will include an effort to expand the focus on small business interests among federal trade policymakers. Additionally, the Committee will identify domestic policies compliant with international regulations, such as export loans, which help ensure the global competitiveness of small United States businesses.
- B. Trade and Employment. The Committee will examine the impact of trade policies on job losses among small firms. This will include a review of trade agreements, regulations, and procedures that adversely effect small firms' ability to create and retain domestic jobs.
- C. Trade Promotion Programs. The Committee will hold oversight hearings to measure the performance of federal trade programs, which seek to reduce small firms' costs of expanding into international markets, including those administered by the SBA, Departments of Commerce and Agriculture, the Export-Import Bank, and the Overseas Private Investment Corporation. The Committee also will evaluate the implementation of the National Export Promotion Strategy, particularly its focus on small businesses. Further, the Committee will highlight components of the country's infrastructure that facilitate efficient cross-border trade, but are in need of improvements such as ports, roads, and airport facilities.
- D. Regulations Affecting Trade. The Committee will assess whether existing international trade sanctions effectively prevent unfair trade practices such as theft of intellectual property or dumping of products below the cost of production. This evaluation will incorporate an examination of mechanisms to increase small businesses' access to relief from unfair trade practices through trade remedy programs. Finally, the Committee will work with the Executive Branch to reduce regulations that serve as barriers to small businesses engaged in importing and exporting.
- E. Trade Data and Trends. The Committee will evaluate the availability and quality of data measuring the contributions to the nation's trade performance by small businesses, including information gathered by the Department of Commerce and the United States Trade Representative. This will include an effort to examine the data compiled by federal agencies, indicating the output by small firms receiving trade-related assistance.

## VII. Procurement.

- A. Troubled Asset Relief Program (TARP). The Committee will examine the impact of waiving certain provisions of the Federal Acquisition Regulation on small business in the implementation of the Emergency Economic Stabilization Act of 2008. The Committee will examine measures taken by the Department of Treasury to utilize small businesses, including minority-owned and women-owned businesses as asset managers, consultants, and servicers for the TARP.
- B. Omnibus Economic Stimulus. The Committee will conduct oversight of any economic stimulus legislation to determine its impact of small businesses. This will include an examination of the number and amount of federal contracts awarded to small businesses and an analysis of the job creation benefits of such procurement actions.
- C. Implementation of National Defense Authorization Act of 2008. The Committee will review the impact of the “enhanced competition” and new bid protest provisions of this Act on small firms. This will include an investigation of whether these new authorities are benefiting small firms, particularly in defense-related industries.
- D. Application of Small Business Set-Asides for Task and Delivery Orders under Multiple Award Contracts. The Committee will examine recent GAO decisions (including Delex Systems, Inc., B-400403) that determined that federal small business set-asides and “the rule of two” apply to task and delivery order under multiple award schedule contracts. The Committee will examine efforts taken by agencies to understand if such set-asides are being applied consistently government-wide.
- E. Use of Indefinite Delivery/Indefinite Quantity (ID/IQ) versus Sealed Bids for Construction Project Awards. The Committee will investigate whether federal agencies are increasingly relying on ID/IQ solicitations, instead of sealed bids, to award construction projects. The Committee will use this examination to determine whether such a trend promotes competition, particularly for smaller firms in construction and related industries.
- F. Emergency Contracting Authority. The Committee will review the federal government’s emergency contracting practices, such as the use of no-bid contracts and the raising of the micropurchase threshold, to ensure that maximum competition is achieved in such circumstances, particularly with regard to small business participation.

- G. **Contract Bundling.** The practice of contract bundling displaces small businesses from the federal marketplace. The Committee will continue to monitor the use of “bundled” contracts, and ensure that regulations to reduce contract bundling are being followed. The Committee will continue to work to “unbundle” contracts where appropriate.
- H. **Federal Contracting Goal.** The Committee will review federal agencies performance in meeting annual contracting goals. In order to foster greater small business participation in the federal marketplace, the Committee will seek to work with agencies that have historically underperformed in meeting their contracting goals.
- I. **Agency Miscounting of Contracts.** The Committee will investigate the sufficiency of actions taken by the SBA, the FAR Council, and the Office of Federal Procurement Policy to ensure that contract awards to small firms are accurately enumerated. The continued reliance by the Executive Branch on an inaccurate data collection system overstates agency compliance with small business contracting goals – a situation that has yet to be rectified. The Committee will continue to review whether processes, including the usage of the Federal Procurement Data System, are appropriate to provide an accurate and transparent accounting of small business participation in the federal procurement market.

VIII. Regulations.

- A. The Committee will examine federal agency rules and regulations, as well consider proposals to simplify them and ensure that small businesses are not subject to undue regulatory burdens.
- B. The Committee will identify regulations that impose unnecessary barriers to competitive market entry by small businesses and place small businesses at a competitive disadvantage with respect to larger competitors.
- C. The Committee will identify regulations that fail to minimize recordkeeping and reporting requirements, including the elimination of duplicative requirements as required by the Paperwork Reduction Act.
- D. The Committee will assess whether small businesses are provided sufficient compliance assistance, including small entity compliance guides issued by agencies as mandated by the Small Business Regulatory Enforcement Fairness Act.
- E. The Committee will examine the agency process for promulgating rules and regulations including: the adequacy of an agency's compliance with the Regulatory Flexibility Act; the adequacy of an agency's compliance with the Paperwork Reduction Act; whether the agency minimized burdens and

maximized benefits for small businesses while achieving its statutory and regulatory objectives; whether the agency fully considered alternatives to the regulations that would lessen burdens on small firms; and, whether small businesses have been provided sufficient opportunity to comment and provide input into the development of regulations.

- F. The Committee will examine the need to amend and further strengthen the Regulatory Flexibility Act and the Paperwork Reduction Act to improve agency compliance with the laws and ensure that small businesses are not unnecessarily burdened by regulations.

#### IX. Taxation Issues.

- A. **Tax Incentives and Measures to Stimulate Economy.** The Committee will hold hearings on the state of the U.S. economy and how tax policy geared towards small businesses can generate an economic recovery. The Committee will focus on tax stimulus items to mitigate the negative effects of the economic slowdown. This will include an examination of the concerns of specific industries such as housing, manufacturing, technology, travel, and retail, where small businesses play a dominant role. The Committee will highlight regulatory and legislative efforts that increase consumption, hiring, retention, and investment by and for small businesses.
- B. **Current State of the Tax Code.** Nearly all aspects of taxation, including the current taxation of individual income, capital gains, estate taxes, and dividends, are set to change in 2010. As such, the committee will analyze, keeping fiscal considerations in mind, whether a renewal, modification, or expiration of some or all of these tax policy items best promotes development and growth of the economy and small business. Finally, the Committee will examine if this is the appropriate time to enact fundamental tax reform that includes a rationalization of deductions, exclusion, and credits, and an integrated tax system, which would promote small business expansion.
- C. **Investment in Small Businesses and Tax Policy.** The Committee will study tax proposals that encourage investments from outside sources while also analyzing tax initiatives that encourage small firms to expand their businesses. This includes not only scrutiny of existing incentives, such as the Investment Tax Credit, and New Markets Tax Credit, but also new tax credits, deductions or preferences that would encourage investors to directly invest in small business start-ups. Additionally, the Committee will examine other specific tax relief, such as Section 179 expensing provisions, accelerated bonus depreciation provisions, and hiring and retention tax credits that encourage small firms to expand their workforce and grow their businesses.
- D. **Alternative Minimum Tax.** The Committee will examine ways to reform the alternative minimum tax to provide tax relief for small businesses. The

Committee will review proposed changes and the budgetary costs of making such modifications.

- E. **Tax Modernization.** The last major reform of the tax code occurred in 1986, and changes made since have occurred in a piecemeal fashion. Therefore, the Committee will investigate obsolete provisions in the tax code that need to be modernized to help small businesses. The Committee will identify code provisions that need to be updated on account of inflation, altered business realities, or inequitable treatment due to the small business's choice of entity.
- F. **Tax Simplification and Fairness.** The Committee will explore the growing complexity of the United States tax system and its adverse impact on small employers. Also, because the tax system is based on voluntary compliance, the Committee will examine the myriad of complex and unclear tax rules that cause frequent errors by small businesses and exacerbate opportunities for noncompliance. Finally, the Committee also will examine inequities within the tax code that treat smaller businesses differently from their larger counterparts. The Committee will focus on proposals and make recommendations that ensure that tax policy is fair and reasonable for small businesses.
- G. **Three Percent Withholding Requirement and Potential Impact on Small Businesses.** A three percent withholding measure was added to the Tax Increase Prevention and Reconciliation Act of 2005. This measure, which will become effective in 2011, will require that all federal payments have three percent withheld for future taxes. The Committee will examine the potential negative impact this provision could have on the cash flow for small firms who perform federal contracts. The Committee will review whether this could hinder the competitiveness of small businesses.
- H. **Retirement and Pension Benefits.** The Committee will analyze tax code restructuring to enhance the ability of small businesses to offer retirement benefits through lowering their costs. Any such restructuring also will examine mechanisms to maximize employee enrollment. In performing this assessment, the Committee necessarily will investigate why such plans are outdated given current economic conditions, the morass of regulatory red-tape that prevents nearly 70 percent of small businesses from offering retirement plans. The Committee will explore what can be done to minimize the impact of burdensome pension plans and regulations so that small businesses can find and retain quality employees.

#### X. Technology and Innovation.

- A. **Broadband Deployment.** The Committee will assess the impact and conduct oversight of proposals to spur broadband deployment. This will include a review of the benefit from efforts to expand access to broadband services.

The Committee will review the concerns of rural areas that are “underserved” in terms of broadband coverage. It will examine the issue of how increased broadband speed affects the potential for further economic growth.

- B. Immediate Job Creation with Broadband Deployment. The Committee will investigate and oversee efforts to use public funds to encourage broadband deployment as an economic stimulus. This will include an assessment of the potential for immediate job creation with small telecommunications companies. In addition, the Committee will review how rapid deployment spurs growth.
- C. Universal Service Fund. The Committee will investigate the economic benefits of increasing the speed of broadband and proposals for reform of the Universal Service Fund. The Committee will assess whether such action could increase costs borne by providers or consumers.
- D. Broadband Adoption. The Committee will investigate the benefits of increasing the affordability of high-speed access to the Internet. The Committee will consider an array of potential government-led incentives designed to encourage consumers, including small firms, to adopt broadband services.
- E. Openness and Networks. The Committee will seek to ensure that small firms, including device manufacturers, software application providers and online service providers, have open access to the public and private networks of the Internet. The Committee will also examine proposals that limit the necessary network management that helps ensure that all consumers, including small businesses, benefit from high-speed Internet access.
- F. Patent Reform. The Committee will examine the cost and benefits of proposed reforms to the U.S. patent system. In particular, the Committee will seek to evaluate the effect of patent reform legislation on the small businesses that apply for, receive and enforce patents. It will also assess the impact of reforms on those small companies that manufacture innovative products, license patented technologies, and defend themselves in alleged patent infringement cases.
- G. Cybersecurity. The Committee will monitor any efforts to create onerous or questionable cybersecurity mandates on private industry in an attempt to monitor and protect the Internet. The Committee will ensure that the concerns of small firms are raised. It will also assess the current government-wide National Cybersecurity Initiative to ensure small technology firms have adequate contracting opportunities.
- H. Online Advertising. The Committee will examine the increasing importance of online marketing strategies to many successful small businesses and the

concerns some have raised about consumer privacy. The Committee will also consider challenges some small firms have driving traffic to their website and converting on-line advertising into sales.

- I. Proposed Changes to Internet Domains. The Committee will investigate a proposal by the Internet Corporation for Assigned Names and Numbers (ICANN) to introduce new generic top-level domains (gTLDs). The proposed change is likely to compel many small businesses to invest in defensive domain registrations but may also provide new opportunities for some small firms. ICANN is expected to release the final gTLD in 2009 and the Committee will consider the costs and benefits of the proposal.
- J. Small Business Adoption of New Technology Tools. The Committee will examine the success with which small firms are utilizing new technologies and services (including social networking, so-called "cloud computing" services) to make their companies more efficient and competitive. The Committee will consider the challenges some small businesses face with respect to the effective adoption of these technologies and services.

XI. Transportation and Infrastructure.

- A. The Committee will conduct oversight hearings on the impact of transportation and infrastructure legislation and associated project funding on small businesses. This will include examining how small contractors are utilized in these projects, as well as the impact on local businesses that are dependent on transportation networks.

XII. Veteran's Entrepreneurship.

- A. Customized Assistance. The Committee will hold hearings to ensure federal entrepreneurial and capital assistance programs accommodate the growing veteran population. This will include evaluating the programs to ensure that services address the specialized needs of current veterans, including service disabled, women, and Reservists/Guardsman.
- B. Federal Veteran Procurement Policy. The Committee will review federal actions to assist veteran entrepreneurs and ensure that they are consistent with federal small business policy. This will include a review of regulations establishing agency-specific veteran contracting initiatives.
- C. Program Performance. The Committee will examine the effectiveness of federal programs that seek to improve veterans' access to markets and training by monitoring the output of veterans receiving entrepreneurial assistance. The Committee also will work with Executive Branch officials to ensure veterans have improved access to local business development facilities.

- D. **Transition Services.** The Committee will identify current transition assistance needs of separating service members and those experiencing ongoing deployments, such as Reservists, to help them apply skills gained in the service to the private sector. This will include working with administration officials to ensure that federal agencies, including, but not limited to, the SBA, and the Departments of Defense and Veterans Affairs, prepare service members with resources to initiate entrepreneurial enterprises upon separation from the military.
- E. **Federal Coordination and Centralization.** The Committee will examine whether the federal government is sufficiently coordinating activities and allocating resources appropriately with regard to veteran entrepreneurship activities and initiatives. In addition, the Committee will investigate whether a government-wide office should be established to better facilitate the provision of services to veteran entrepreneur.

### XIII. Workforce Issues.

- A. **Green Jobs.** As small firms combat climate change by implementing renewable energy strategies from wind, solar, and geothermal to the development of more energy efficient heating systems, the Committee will have the opportunity to consider and evaluate green jobs and public policies that affect potential growth. The Committee also will evaluate needs for more workforce training.
- B. **Technology Workforce.** The Committee will investigate the impact of government programs and initiatives on small technology companies' ability to hire and retain the scientists, researchers and engineers these companies need to succeed. The Committee will examine the efficacy of public-private partnerships aimed at strengthening education and training for American students and workers in subjects related to science, technology, engineering and math and will consider mechanisms that increase small firm participation in such initiatives. The Committee also will investigate the potential benefits to small firms associated with increasing the annual cap on H-1B visas, reforming the process by which employment visas are awarded, and permitting the recapture of used green cards.
- C. **Visa System.** The Committee will assess whether the existing visa system is meeting the workforce needs of small firms, and how it is affecting their ability to compete in a global marketplace. The Committee will examine suggestions to improve the visa system that benefits small firms.



**U.S. House of Representatives**

COMMITTEE ON STANDARDS OF  
OFFICIAL CONDUCT

Washington, DC 20515

February 10, 2009

The Honorable Edolphus Towns  
Chairman  
Oversight and Government Reform  
2157 Rayburn House Office Building  
Washington, D. C. 20515

Dear Mr. Chairman:

Pursuant to House Rule, we are enclosing the Committee's Oversight Plan for the 111<sup>th</sup> Congress.

Sincerely,

  
Zoe Lofgren  
Chair

  
Jo Bonner  
Ranking Republican Member

Enclosure

**U.S. House of Representatives**COMMITTEE ON STANDARDS OF  
OFFICIAL CONDUCT

Washington, DC 20515

## OVERSIGHT PLAN

111<sup>th</sup> Congress

February 10, 2009

The oversight plan of the Committee on Standards of Official Congress for the 111th Congress, adopted pursuant to clause 2(d)(1) of House Rule X, is as follows.

The Standards Committee is in the unusual circumstance that while its legislative jurisdiction is confined to the House Code of Official Conduct (House Rule XXIII),<sup>1</sup> the Committee itself administers a range of ethics laws, rules and standards for House Members, officers and employees, as well as, in some instances, certain other legislative branch officials. A brief summary of the various provisions of law and rules that confer such responsibility and authority upon the Committee is provided below. In addition, among the functions assigned to the Committee in the House Rules are –

- To recommend to the House “such administrative actions as it may consider appropriate to establish or enforce standards of official conduct” for Members and staff, and
- To investigate alleged violations by Members or staff of the House Code of Official Conduct or other law, rule or standard of conduct applicable to official conduct.<sup>2</sup>

Furthermore, under the Ethics Reform Act of 1989, the Committee is charged with providing to House Members and staff, through its Office of Advice and Education, information and guidance on the applicable ethics laws and rules, and responding to their questions on the application of the laws and rules in particular circumstances.<sup>3</sup>

In fulfilling its responsibilities as summarized above, the Committee, on a daily basis, deals directly with the various laws, rules and regulations in its jurisdiction. These include rules on acceptance of gifts, the limitations on outside earned income and employment, the prohibition against private subsidy of official House activities, applications of the Foreign Gifts and Decorations Act and the rules on proper use of official House resources and proper use of campaign resources.

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<sup>1</sup> House Rule X, cl. 1(q).

<sup>2</sup> House Rule XI, cl. 3(a)(1), (2).

<sup>3</sup> 2 U.S.C. §29(d)(i).


Accordingly, in the fulfillment of its regular duties, there may be instances in which a change in a law, rule or Committee interpretation may be in order related to a matter within the Committee's jurisdiction. When such instances arise, the Committee's practice is to propose appropriate amendments to statutory law or the House Rules, or, where the change is one that can be made by the Committee on its own authority, to effect an appropriate change.

In performing its duties under law and House Rules, the Committee will continue to be alert for instances in which a change in a law, rule or standard of conduct may be in order. When such instances arise, the Committee will seek information on, study and discuss the matter and develop appropriate changes. The Committee will itself effect those changes that are within its authority, but where a change would require amendment of statutory law or House Rules, the Committee will bring the matter to the attention of the House leadership and other committees as appropriate.

**Provisions of the House Rules and Statutory Law that Confer Specific Authorities on the Committee**


- The House gift rule (House Rule XXV, cl. 5) provides, in paragraph (h), that its provisions are to be interpreted and enforced solely by the Committee.
- House Rule XI, cl. 3(b)(7) provides that the Committee is to have the functions designated in titles I and V of the Ethics in Government Act of 1978 (relating to financial disclosure and the outside earned income and employment limitations), 5 U.S.C. §§7342 (the Foreign Gifts and Decorations Act), 7351 (on gifts to superiors), and 7353 (on gifts to Federal employees), and House Rule X, cl. 11(g)(4) (on unauthorized disclosure of intelligence).
- Provisions of the financial disclosure statute designate the Committee as the "supervising ethics office" for House Members, officers and employees and certain other Legislative Branch officers and employees (5 U.S.C. app. 4 §109(18)(B)) and state that the statute is to be administered by the Committee with regard to those Members, officers and employees (*id.* §111(2)). The Committee also reviews the financial disclosure statements filed by candidates for the House.
- A provision of the statute establishing the outside earned income and employment limitations states that those limitations are to be administered by the Committee with respect to House Members and staff, as well as certain Legislative Branch officers and employees (5 U.S.C. app. 4 §503(1)).
- For certain purposes under the Foreign Gifts and Decorations Act, the Committee is designated as the "employing agency" of House Members and staff (5 U.S.C. §7342(a)(6)).

- Both the Committee and the House of Representatives are designated as the “supervising ethics office” of House Members, officers and employees in the statute that governs gifts to Federal employees (5 U.S.C. §7353(d)(1)(A)), as well as the statute on gifts to superiors (*id.* §7351(c)). Those statutes also designate the Committee as the supervising ethics office for certain other Legislative Branch officers and employees (*id.* §7353(d)(1)(E)).



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Zoe Lofgren  
Chair



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Jo Bonner  
Ranking Republican Member



**U.S. House of Representatives**  
**Committee on Transportation and Infrastructure**

**James L. Oberstar**  
Chairman

Washington, DC 20515

**John L. Mica**  
Ranking Republican Member

February 12, 2009

David Reymond, Chief of Staff  
Ward W. McCarragher, Chief Counsel

James W. Coon II, Republican Chief of Staff

The Honorable Edolphus Towns, Chairman  
Committee on Oversight and Government Reform  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Towns:

Pursuant to clause (2)(d)(1) of Rule X of the Rules of the House of Representatives, I hereby submit the Oversight Plan for the Committee on Transportation and Infrastructure for the 111<sup>th</sup> Congress. This plan was adopted by voice vote by the Full Committee on Wednesday, February 12, 2009.

The Oversight Plan reflects the Committee's intent to ensure that government agencies implement the laws, programs, and policies under the Committee's jurisdiction in a manner that is consistent with statutory intent. While the plan will serve as a guide to the Committee's oversight activities, it does not preclude the investigation of other matters as needed.

Please do not hesitate to contact me if I can provide you with additional information.

Sincerely,

A handwritten signature in cursive script that reads "James L. Oberstar".

James L. Oberstar  
Chairman

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE  
OVERSIGHT PLAN FOR THE 111<sup>TH</sup> CONGRESS

*February 12, 2009*

In the 111<sup>th</sup> Congress, the Committee on Transportation and Infrastructure will actively review the activities of government agencies and entities within its jurisdiction and the public and private interests that they affect or regulate. The Committee will provide oversight to ensure that these agencies and entities implement the laws, programs, and policies within the Committee's jurisdiction in a manner that is consistent with Congressional intent and the principles of good governance. As appropriate, the Committee will also investigate ways to improve the overall performance and operation of the agencies and entities, and eliminate fraud, waste, abuse, and mismanagement.

The oversight function is performed by the full Committee and each of the Committee's six Subcommittees. The Committee<sup>1</sup> will continue to exercise its oversight duties through its own staff as well as through work performed at the Committee's request by the Government Accountability Office (GAO) and the various Inspectors General within their respective agencies and departments. Oversight activities may include hearings, briefings, correspondence, reports, media releases, and public statements.

On January 22, 2009, GAO released the biennial update to its list of Federal programs, policies, and operations that it considers to be at "high risk" for waste, fraud, abuse, and mismanagement or in need of broad-based transformation. Although no new issues that fall under the jurisdiction of the Committee were added to the list, two issues remain on the list from prior years. In 2003, GAO added "Managing Federal Real Property", to the list, citing "long-standing problems, including excess and underutilized property, deteriorating facilities, and reliance on costly leasing." In 2007, "Funding the Nation's Surface Transportation System" was added to the list after GAO concluded that, "many current surface transportation programs are not effective at addressing key challenges, federal goals are numerous and sometimes conflicting, roles are unclear, programs lack links to the performance of the transportation system or of the grantees, and programs in some areas do not use the best tools and approaches to ensure effective investment decisions." GAO removed one issue within the Committee's jurisdiction from the 2009 High-Risk Series – "FAA Air Traffic Control Modernization Program". However, removal does not signify that no concerns remain in the modernization program, only that progress is ongoing. The Committee will continue to monitor the Federal Aviation Administration's air traffic control modernization program.

Consistent with the Rules of the House of Representatives adopted for the 111<sup>th</sup> Congress, the Committee will hold hearings on the programs within the Committee's jurisdiction on the 2009 "high-risk" list. The new rules also require the Committee to hold at least one hearing every 120 days on "waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize." These hearings will focus on "the most egregious instances of waste, fraud, abuse, or mismanagement," as documented by any report that the Committee has received from an Inspector General or GAO. Finally, the Committee will hold hearings if any agency has received disclaimers on its agency financial statements.

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<sup>1</sup> Reference to "the Committee" encompasses all efforts and activities undertaken by Committee members, whether at the Subcommittee or full Committee level.

### State of the Economy and Transportation Industry

The 111<sup>th</sup> Congress will address troubling economic conditions that affect the transportation industry and other sectors within the Committee's jurisdiction. These conditions present unique oversight challenges.

As of January 2009, 11.6 million workers are unemployed in the United States. From the start of the recession in December 2007 through January 2009, the number of unemployed workers has increased by 4.1 million. The construction sector has been particularly hard hit. It has lost 995,000 jobs in the past two years and the unemployment rate in construction is 18.2 percent. Both manufacturing and construction rely heavily on transportation systems to move raw materials, and such systems have suffered in response to softening demand. Businesses and individuals facing difficult economic times also reduce spending on discretionary items such as travel. Domestic revenue passenger enplanements declined 9 percent in September 2008 over September 2007.<sup>2</sup>

In an effort to facilitate economic recovery, Congress is considering legislation that will provide significant funding for projects likely to create new jobs and improve demand in secondary markets for the manufacture and transport of raw materials. When such legislation is enacted, a considerable infusion of cash will be made available for use within a very short time. The Committee will be vigilant in its oversight of projects within its jurisdiction that are funded by the legislation. The Committee will closely monitor the action of States and other grant recipients to ensure that they award contracts in a timely manner and in compliance with Federal contracting statutes and regulations, monitor project schedules and budgets, and ensure that materials and construction meet design specifications. The Committee will also verify whether projects are meeting their stated employment and productivity goals.

Another challenge that the transportation industry faces is widely fluctuating fuel prices. Crude oil prices doubled between July 2007 (\$73) and July 2008 (\$145), then dropped precipitously in the final months of 2008. On January 14, 2009, the per-barrel price of light sweet crude oil was \$36.<sup>3</sup> These price swings significantly affect the costs of moving people and goods, which in turn affect the price consumers pay for transportation services and goods. They also impact revenue associated with various fuel taxes which are used to finance infrastructure improvements. For example, Highway Trust Fund revenues fell below projected levels in 2008, causing a shortfall. Congress authorized \$8 billion in motor vehicle user-fee revenues to be restored to the Trust Fund's Highway Account that were transferred to the General Fund by the 1998 surface transportation reauthorization law<sup>4</sup> to ensure that highway and transit programs would continue to be funded at authorized levels. It is imperative that aggressive oversight be in place to ensure the long term viability of the Highway Trust Fund.

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<sup>2</sup> Bureau of Transportation Statistics, US Department of Transportation. September 2008 is the last month for which data is available.

<sup>3</sup> New York Mercantile Exchange (NYMEX)

<sup>4</sup> Transportation Equity Act for the 21st Century (TEA-21)

## 1. H.R. 1, the “American Recovery and Reinvestment Act of 2009”

On January 28, 2009, the House passed H.R. 1, the “American Recovery and Reinvestment Act of 2009”, to make supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and state and local fiscal stabilization for the fiscal year ending September 30, 2009. The bill aims to create and save three to four million jobs and facilitate economic recovery. The bill proposes \$66 billion of infrastructure investment to enhance the safety, security, and efficiency of our highway, transit, rail, aviation, environmental, inland waterways, public buildings, and maritime transportation infrastructure. With this swift and substantial influx of funds, it is imperative that the Committee exercise aggressive oversight to ensure that funds are obligated quickly and in accordance with Congressional intent. Specifically, the Committee will:

- Require agencies to adhere to timelines and reporting requirements established in Chairman Oberstar’s “Process for Ensuring Transparency and Accountability in Use of Economic Recovery Supplemental Funds” (<http://transportation.house.gov>), a rigorous plan to require agencies to demonstrate progress in achieving the Act’s goals. The reporting deadlines begin 10 days after receipt of allocations and extend through the life of the funds.
- Conduct a series of hearings regarding each agency’s plans and efforts to obligate the funds.
- Require GAO and each of the Inspectors General of agencies within the Committee’s jurisdiction receiving Recovery Act funds to report on potential program risks and oversight challenges in the economic recovery process. Require each entity to report to Congress, and make public, its oversight plans to ensure program integrity and prevent waste, fraud, and abuse.
- Coordinate oversight activities with the newly created Recovery Act Accountability and Transparency Board, and review the Board’s “flash” reports, quarterly reports, and annual reports.

## 2. Infrastructure Needs and Investment

### AVIATION

**Airport Infrastructure Investment.** Review airport infrastructure programs of the Federal Aviation Administration (FAA) and the funding levels necessary to meet airport investment needs. The Airport Improvement Program (AIP) funds projects for new and improved facilities at airports, including runways, taxiways, terminal buildings, land acquisition, and noise abatement. Periodic legislative authorizations of the AIP are needed. Each reauthorization act sets forth the method by which AIP funds are distributed among the various airports in the nation. Airport infrastructure improvements are also accomplished through an airport fee known as the Passenger Facility Charge (PFC). PFC revenue can be added to the passenger’s ticket price, collected by the airlines, and then turned over to the airport imposing the fee. Airport funding issues will be addressed in upcoming FAA reauthorization legislation.



**Federal Aviation Administration Funding.** Examine the FAA's aviation programs, evaluate the financial condition of the Airport and Airway Trust Fund and determine funding requirements for the Next Generation Air Transportation System. The FAA's financing system provides revenue for the Airport and Airway Trust Fund, the authorization for which will expire on March 31, 2009. The Trust Fund was established to fund, in whole or part, the development of a nationwide airport and airway system; FAA investments in air traffic control (ATC) facilities; AIP grants for construction and airport safety projects; Facilities and Equipment (F&E), Research, Engineering, and Development (RE&D); and FAA salaries, expenses, and operations. The Trust Fund has routinely seen less revenue than FAA-forecasted amounts, and recent traffic declines as a result of the deepening economic recession have exacerbated the funding shortfall. These issues will be addressed in upcoming FAA reauthorization legislation.

#### HIGHWAYS AND TRANSIT

**Investment in the Surface Transportation Network.** Evaluate the effectiveness of the level of spending authorized under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) toward meeting the nation's infrastructure needs. Monitor areas where more investment is needed to avoid continued safety and mobility problems, including structurally deficient bridges, freight bottlenecks, and overcrowded transit systems. Assess the effectiveness of Federal policy and the States' Federal-aid project selection in meeting the nation's current and future surface transportation infrastructure needs. Evaluate efforts to improve our national economy through surface transportation infrastructure investments, and track job creation occurring as a result of these investments. Ensure accountability of Department of Transportation agencies and grant recipients in Federally-aided projects.

**Future Surface Transportation Needs.** Examine long-term surface transportation policies and investments needed to strengthen our economy and ensure our quality of life. Determine the expected uses of our surface transportation system in the longer term in regards to both freight and passenger mobility, to support decision-making about infrastructure policies and investment.

**Financing Investments in Surface Transportation.** Monitor the status and solvency of the Highway Trust Fund and its ability to fully fund the programs authorized under SAFETEA-LU. Continue to evaluate all current and potential methods of financing, including the Federal motor fuel excise tax and alternatives to the current gas tax, including vehicle-miles traveled systems, infrastructure banks, and public-private partnerships, to determine any and all appropriate methods of financing to be considered to provide a funding source for infrastructure investment. Explore options to address the declining purchasing power of the current user fee, and the erosion of revenue due to increasing fuel efficiency and alternative fuels usage. Monitor States' use of public-private partnerships to both monetize existing infrastructure and to build new infrastructure, and determine the level of public benefit derived from each of these models and how best to ensure the protection of the public interest.

#### RAILROADS, PIPELINES AND HAZARDOUS MATERIALS

**Passenger and Freight Rail Infrastructure Needs.** Examine the roles of passenger and freight railroads in the United States economy. Monitor the impact of the current economic crisis on the railroad industry and its employees. Analyze the benefits of utilizing passenger and freight rail to move goods and people, including environmental and energy benefits. Explore the investment

needs for freight and passenger rail, including high-speed rail, and any financing opportunities to ensure adequate investment in the mode.

#### WATER RESOURCES AND ENVIRONMENT

**Clean Water Infrastructure Needs.** Examine the nation's wastewater infrastructure needs and the growing infrastructure spending gap between wastewater infrastructure needs and annual Federal, state, and local expenditures. Determine the impact of declining Federal appropriations for the Clean Water State Revolving Fund on Federal and state efforts to improve the quality of the nation's waters and on the overall economic and environmental health of the United States. Evaluate potential short- and long-term financing options to address wastewater infrastructure needs.

**Water Resources Development Projects.** Examine the current construction and operation and maintenance needs of water resources projects carried out by the U.S. Army Corps of Engineers, and the funding levels necessary to address the nation's future needs for navigation, flood damage reduction, and environmental restoration. Estimate the expected uses of existing and future water resources projects in regards to the movement of goods and services, the protection of public health and safety, and the protection of the environment, in order to support decision-making on project development and funding.

### 3. Facilities, Equipment, and Real Property

#### AVIATION

**Air Traffic Control Facility Condition.** Oversee the FAA's efforts to improve management and maintenance of ATC facilities. Terminal radar approach control centers, towers, and en-route ATC facilities are, on average, relatively old, and are in "fair to poor" condition using the General Services Administration (GSA) Facility Condition Index criteria. Numerous buildings have severe maintenance problems; and FAA employee reports of health-related problems due to facility conditions are increasing. FAA managers acknowledge a substantial maintenance backlog of between \$250 and \$350 million for repairs at hundreds of facilities. Yet, the FAA's annual budget for facility maintenance and improvement for FY 2006 and FY 2007 was less than \$60 million in each year. Upcoming FAA reauthorization legislation will address these funding issues. Oversight will focus on the FAA's efforts to utilize this funding to address the backlog of needs.

#### COAST GUARD AND MARITIME TRANSPORTATION

**Coast Guard's Acquisitions Efforts.** Oversee the Coast Guard's organization of a new Acquisitions Directorate, which is planned to manage all of the Service's procurement initiatives and to serve as the lead systems integrator for the \$24 billion Deepwater program. Monitor the Coast Guard's maintenance of its legacy assets and its on-going procurement of non-Deepwater assets, including the National Distress and Response System Modernization (Rescue-21). The acquisition baseline for the Rescue-21 project was \$250 million as adopted on April 16, 1999; at that time, the project was to be completed in fiscal year 2006. The baseline for this project has been revised five times. The acquisition baseline now stands at nearly \$1.1 billion and the projected completion date is fiscal year 2017.

ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

**Capital Investment and Leasing Program.** Ensure that each prospectus of the General Services Administration to repair, alter, construct and lease property for use by Federal agencies, is cost-effective, consistent with existing Federal policies and in the best interests of the United States.

**Real Property Management.** Over the past several years, GSA has become increasingly interested in improving the management of its real property assets across the country through the use of enhanced property management tools. These tools include outleasing, public-private partnerships, and the sale or disposal of under-performing properties. Closely monitor GSA's management of its real property.

**General Services Administration Lease Authority Delegation.** Under Title 40 of the United States Code, the Administrator of General Services may delegate to other Federal agencies the authority to lease space. In recent years, the Committee has limited the Administrator's exercise of that delegation when authorizing lease prospectuses. Review the Administrator's lease delegation practices and, if necessary, consider further steps regarding its use in a GSA reform bill.

**GSA Broker Contracts.** On October 4, 2004, GSA awarded four contracts as a part of its national brokerage program. Under this program, the four contractors perform at least 50 percent of GSA's lease acquisition activities nationwide and on a regional basis. Examine the program's implementation, including how GSA will address some of the systemic weaknesses in the program identified by the Committee, the GSA Inspector General, and the Government Accountability Office, including the use of brokers who also represent owners.

**National Capital Region.** Continue to monitor GSA activities in the National Capital Region, including the redevelopment of the Old Post Office Pavilion, the development of the North of Massachusetts Avenue ("NOMA") corridor, and several other smaller development and construction projects.

**Administrative Office of the Courts (AOC).** Oversee the courthouse construction program as well as the AOC's ongoing efforts to find efficiencies and reduce its projected capital and operating costs. Review the AOC's Design Guide and the five-year courthouse construction plan proposed by the AOC, and analyze the courtroom utilization study.

**Department of Homeland Security Headquarters.** Monitor the General Services Administration's procurement strategy for consolidating the Department of Homeland Security on the St. Elizabeth's Campus.

**Architect of the Capitol.** Oversee projects being undertaken by the Architect of the Capitol, including redevelopment of the O'Neill House Office Building site, new office space, acquisition and construction of a command and control center for the Capitol Police, as well as the development of a Master Plan for the Capitol Complex.

**Smithsonian Institution Facilities Assessment.** Review the acquisition, construction, and use of local and remote museums, research, storage facilities of the Smithsonian Institution and the capital maintenance and repair backlog.

**John F. Kennedy Center for the Performing Arts.** The John F. Kennedy Center for the Performing Arts was reauthorized during the 110<sup>th</sup> Congress for an additional four years. Review the construction, alteration, and modernization activities of the Kennedy Center that are conducted using Federal funds.

#### 4. Safety

##### AVIATION

**Foreign Repair Stations.** Review the FAA's oversight of foreign repair stations and ensure that the FAA has adequate resources to oversee organizations that are conducting outsourced maintenance work. Many commercial air carriers have closed their own maintenance bases and have increased their use of outside maintenance providers to perform critical long-term maintenance, including: airframe repairs, aging aircraft modifications, engine overhauls, and advanced avionics maintenance.

**Runway Safety.** To address runway safety, the FAA has developed a plan to improve runway safety through a mixture of technology deployment, increased markings, and employee training programs. In FY 2008, there were 25 serious runway incursions. Oversight will focus on the FAA's progress in implementing its plan, determine how successful the plan is, and study ways that the plan can be strengthened.

**Fatigue in the Aviation Environment.** Fatigue has become an area of concern due to air traffic controllers working longer days for sustained periods, and pilot and crew scheduling during long range operations. The FAA conducted a Fatigue Symposium in 2008 involving aviation stakeholders to study the issue of fatigue and what all parties can do to mitigate its effects. Oversight will focus on the FAA's work to reduce fatigue of crewmembers in ultra-long range flights and air traffic controllers.

**FAA Regulatory Oversight.** Several Committee investigations in the 110<sup>th</sup> Congress revealed major systemic problems with FAA regulatory oversight, and the development of an overly "cozy" relationship between the FAA and the operators and manufacturers it is charged with regulating. In 2008, the House passed legislation to reform regulatory oversight including: (1) rotating head inspectors every five years, (2) creating post-employment restrictions for inspectors, (3) establishing an independent aviation safety whistleblower investigation office, (4) clarifying that FAA's "customers" are the flying public, not air carriers, and (5) reviewing and auditing FAA safety databases. Similar legislation will be introduced in the 111<sup>th</sup> Congress. Oversight will focus on FAA's efforts to ensure air carrier safety and to restore an appropriate balance in enforcement within the industry.

**National Transportation Safety Board (NTSB).** Monitor all NTSB safety recommendations, and evaluate whether they are being appropriately addressed by the FAA and other agencies. The NTSB investigates many transportation accidents, including all aviation accidents, and major

highway, railroad, pipeline, maritime, and public transit accidents. After investigating an accident, the NTSB determines the probable cause(s) of the accident and issues a formal report. The NTSB is statutorily required to make a “probable cause” determination for all aviation accidents. In addition, the NTSB analyzes incident trends and other metrics and issues safety recommendations as it deems appropriate.

#### COAST GUARD AND MARITIME TRANSPORTATION

**Marine Safety.** Monitor the Coast Guard’s reform of its marine safety and casualty investigations program, as described in the “Marine Safety Performance Plan” for FY 2009-2014 promulgated by the Coast Guard in November 2008. Ensure that Coast Guard personnel in the marine safety program have the expertise and experience necessary to carry out the complex tasks of inspecting United States and foreign vessels and investigating maritime casualties in a manner that provides meaningful information on how to prevent future casualties.

**Recreational Boating Safety.** Monitor the Coast Guard’s oversight of state recreational boating safety programs in the United States to prepare for reauthorization of the Wallop/Breaux Sport Fish Restoration and Boating Trust Fund, which provides funding to the States for boating safety programs. Boating deaths dropped in 2007 to 685, but accidents increased from 4,967 to 5,191, injuries rose from 3,474 to 3,673, and damages rose from \$43,670,424 to \$53,106,496.

**Search and Rescue.** Investigate the performance of the Coast Guard Search and Rescue (SAR) mission, paying particular attention to the impact of the merging of Marine Safety Offices and Groups on SAR mission execution. Several recent SAR cases illustrate continuing communications and command failures that have delayed responses to mariners in distress.

**Coast Guard Equipment Standards and Regulations.** Examine Coast Guard procedures and policies for approving new and innovative emergency rescue devices, with particular attention to the impacts of current policies and practices on the evaluation of innovations developed by individuals and small businesses. Inventors and developers of new emergency rescue equipment frequently encounter bureaucratic roadblocks because the Coast Guard is using safety standards that have not been revised since the 1940s.

**Piracy on the High Seas.** Examine the causes of international piracy and its effects on international shipping, particularly in the Horn of Africa region. Piracy poses an increasing threat to global shipping as it grows in frequency, range, aggression, and severity in the Gulf of Aden and the Indian Ocean. Examine the effectiveness of United States and international efforts to mitigate pirate attacks on chemical and oil tankers, freighters, cruise ships, yachts, and fishing vessels and examine the economic impacts of piracy.

#### HIGHWAYS AND TRANSIT

**Highway Safety.** Determine the effectiveness of the National Highway Traffic Safety Administration’s (NHTSA) programs in reducing the rate and number of traffic fatalities and injuries for all transportation users, including motorcyclists, bicyclists, and pedestrians. Evaluate the impact of NHTSA’s programs in areas including impaired driving, seat belt use, and high visibility enforcement. Examine emerging areas of concern, including older drivers, younger drivers, and distracted driving. Study the efficacy of penalties and incentives in improving States’ highway safety

performance. Assess the effectiveness of the new core highway initiative – the Highway Safety Improvement Program – authorized under SAFETEA-LU in enhancing the safety of our surface transportation infrastructure.

**Motor Carrier Safety.** Ensure that the Federal Motor Carrier Safety Administration (FMCSA) fully implements mandates included in the Motor Carrier Safety Improvement Act of 1999 and SAFETEA-LU. Monitor FMCSA's efforts to improve safety and reduce fatalities from truck and bus crashes on our nation's roads; enforce motor carrier safety regulations; collect accurate, timely, and complete data on motor carriers; verify compliance among high risk carriers with Federal safety regulations; levy fines and penalties against companies who are out of compliance; and deny operating authority to companies that fail to meet Federal registration and insurance requirements. Assess FMCSA's effectiveness in improving motor coach safety and reducing motor coach accidents and fatalities.

**Cross-Border Commercial Vehicle Transportation.** Monitor the status of cross-border trucking and motor coach operations between the United States and Mexico, and assess compliance with safety regulations by Mexico-domiciled motor carriers operating on United States roadways. Oversee legal and safety implications of the Department of Transportation's cross-border trucking pilot program, initiated on September 6, 2007.

#### RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

**Pipeline Safety.** Monitor implementation of the Pipeline Inspection, Protection, Enforcement, and Safety Act of 2006. Conduct oversight of the Pipeline and Hazardous Materials Safety Administration's enforcement and rulemaking activities related to pipeline safety. Review the pipeline safety program and any long-standing pipeline safety concerns in preparation for reauthorization of the pipeline safety program.

**Hazardous Materials Safety.** Review implementation of the Hazardous Materials Transportation Safety and Security Reauthorization Act of 2005 in preparation for reauthorization of the hazardous materials safety program. Conduct oversight of the Pipeline and Hazardous Materials Safety Administration's enforcement and rulemaking activities related to hazardous materials safety.

**Rail Safety.** Monitor implementation of the Rail Safety Improvement Act of 2008, including implementation of the mandate for installation of positive train control. Conduct oversight of the Federal Railroad Administration's rulemaking and enforcement activities. Review new technologies that could enhance rail safety and security.

#### WATER RESOURCES AND ENVIRONMENT

**Levee Safety Commission.** Review and monitor the recommendations of the National Committee on Levee Safety in its report to Congress regarding a National Levee Safety Program. Oversee the ongoing inventory and inspection of Federal and non-Federal levees, the ongoing creation of a national levee database to determine the location and general condition of existing Federal and non-Federal levees, and an estimate of the number of structures and population at risk and protected by each levee that would be impacted if the levee fails or water levels exceed the height of the levee.

## 5. Transportation Policy

### AVIATION

**Financial Condition of the United States Airline Industry.** Monitor the health of the airline industry and the potential impacts of any industry consolidation. United States commercial aviation contributes approximately \$1.2 trillion in United States economic output and approximately 10.8 million United States jobs. Industry operating expenses increased 4.1 percent in 2007—driven primarily by the increase in crude oil and jet fuel prices. Although airlines saw a net profit of almost \$5 billion in 2007, losses for the nine largest carriers in 2008 totaled \$4 billion. Cumulatively from 2001-2008, airlines lost \$31 billion. Financially-driven downsizing, bankruptcies, and/or consolidation can result in negative consumer impacts, including reduced quality and levels of service, and increased costs. Oversight will focus on ensuring that airlines minimize the harms to consumers as a result of financial duress.

**International Aviation Agreements and Foreign Investment.** Oversee international aviation agreements. International aviation relationships are typically governed by bilateral aviation agreements. Since the mid-1990s, United States aviation policy has been to seek “Open-Skies” agreements with aviation partners, which allow airlines of each signatory country the freedom to establish rates, routes, and services between the two (or more) participating countries based on commercial considerations. The United States currently has 94 Open Skies partners. On March 2, 2007, the United States and the European Union (EU) reached agreement on the text of a first-stage comprehensive air transport agreement and related Memorandum of Consultations. The Open Skies agreement, which went into effect in March 2008, grants new rights for United States and EU air carriers. The first round of second-stage United States-EU negotiations on air services liberalization took place in May 2008, and the second round took place on September 22, 2008. Foreign investment remains an outstanding issue for the EU. Any changes in the foreign investment regime applicable to United States airlines would require Congressional action. A third round of negotiations will be held in spring 2009.

**Airline Consumer Protection.** Review competitive practices within the airline industry to ensure that consumers are afforded adequate protection from anticompetitive or harmful business practices. Ensure that airlines are making appropriate disclosures concerning their fares, restrictions, fees, and other policies. Determine whether such disclosures are reasonably informative and provide accurate and comprehensible information to consumers.

### COAST GUARD AND MARITIME TRANSPORTATION

**Federal Maritime Commission and Regulation of International Shipping.** Examine the regulation of international shipping by the Federal Maritime Commission. In particular, review the impact of the elimination of antitrust immunity for ocean carriers by the EU on shipping between Europe and the United States; the ability of carriers to collectively set rates, surcharges, and limit capacity; and the regulation of port activities by the Commission.

### HIGHWAYS AND TRANSIT

**Surface Transportation Policies.** Continue to evaluate and assess the implementation of surface transportation policies enacted in SAFETEA-LU and prior acts. Determine necessary

programmatic and policy changes to be included in the surface transportation authorization legislation that the Committee will consider in the 111<sup>th</sup> Congress. Examine the effectiveness of the programs authorized under SAFETEA-LU in reducing congestion and improving traveler experience, ensuring safety and security, and protecting our environment. Oversee activities of the Department of Transportation to ensure adherence to Congressional intent in the implementation of its programs and activities, in areas including the approval of New Starts projects and the use of discretionary funds for unauthorized programs such as the Urban Partnership initiative.

#### RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

**Amtrak.** Monitor implementation of the Passenger Rail Investment and Improvement Act of 2008. Continue to conduct oversight of Amtrak's performance and operations. Continue to conduct oversight of Amtrak's Board of Directors, which is responsible for ensuring the efficient and effective operation of Amtrak.

### **6. Workforce and Staffing**

#### AVIATION

**Controller Workforce Staffing.** Monitor implementation by the FAA of its Controller Workforce Plan. FAA controllers staff 316 Federally-operated facilities. To address expected air traffic controller retirements, more than 17,000 controllers will need to be hired through FY 2017. Replacing a controller who retires must begin several years in advance. Since the end of FY 2005, the FAA has hired more than 5,000 controllers, and anticipates hiring about 1,900 in 2009. However, hiring new controllers is a complex process. Controllers are highly skilled professionals and it takes several years to train a controller. The failure rate for controller trainees in both the FAA Academy and in the ATC facilities is approximately four percent and 10 percent, respectively. Ensure that the FAA has the necessary programs in place to adequately staff the ATC system, with a particular emphasis on the ability of the agency to replace the growing number of retiring controllers.

#### COAST GUARD AND MARITIME TRANSPORTATION

**Coast Guard Diversity.** Monitor the Coast Guard's progress on implementing initiatives to increase the recruitment, promotion, and retention of minority personnel, including enrollments at the Coast Guard Academy, and accessions from all sources to the Coast Guard's officer corps and enlisted ranks. Assess the effectiveness of the Commandant's Diversity Initiatives and determine whether the necessary legal authorities exist to recruit, retain and promote a diverse workforce.

**Mariner Licensing and Documentation.** Monitor the consolidation of all mariner licensing and documentation at the National Maritime Center in Martinsburg, West Virginia. Since July 2008, the gross processing time for merchant marine licenses has been 83 days, with a median time of 52 days. However, mariners with medical review issues can wait up to 90 days just for the medical review to be completed. Mariners are reporting substantial delays in the issuance of license renewals, which can cause them to lose their jobs at a time when unemployment rates reach unprecedented levels.



HIGHWAYS AND TRANSIT

**Surface Transportation Workforce and Worker Development.** Determine the effectiveness of programs authorized under SAFETEA-LU to develop and train the surface transportation workforce. Review the success of the University Transportation Centers program in training and developing the next generation of the surface transportation workforce. Continue to monitor the issue of unemployment in the construction industry and efforts to put people back to work through the economic recovery legislation.

**Surface Transportation Workforce Diversity.** Assess the extent to which socially and economically disadvantaged groups are given opportunities to train for and enter the surface transportation workforce. Evaluate the success of programs authorized under SAFETEA-LU designed to increase participation in Federally-funded projects by socially and economically disadvantaged individuals or businesses. Oversee States' compliance with targets for minority and women participation in Federally-funded surface transportation projects.

**Improving Commercial Driver Safety.** Monitor Federal and state efforts to ensure that commercial driver's license (CDL) holders are medically fit, physically qualified, and in compliance with Department of Transportation (DOT) drug and alcohol testing procedures and other safety standards. Ensure that the Federal Motor Carrier Safety Administration fully implements mandates related to medical qualifications and licensing requirements for commercial drivers included in the Motor Carrier Safety Improvement Act of 1999 and SAFETEA-LU. Monitor States' efforts to upgrade data systems to facilitate sharing of commercial driver records among States. Continue oversight of revised DOT hours-of-service rules and their implications for driver fatigue and safety.

**7. Research and Development**HIGHWAYS AND TRANSIT

**Surface Transportation Research and Development.** Oversee the progress of the Research and Innovative Technology Administration (RITA) in meeting its mission to coordinate, facilitate, and review the research programs conducted by the Department of Transportation (DOT). Assess the highway and transit research, development, and deployment programs authorized under SAFETEA-LU and their effectiveness and necessity in meeting national surface transportation needs, including reducing congestion, improving safety, and mitigating the negative impacts of the surface transportation system on the environment. Assess the extent to which Federally-aided research is being adequately disseminated and made available to practitioners.

WATER RESOURCES AND ENVIRONMENT

**Energy and Water-efficient Improvements to Wastewater Treatment Technology.** Examine advancements in wastewater treatment technologies and management approaches that can provide public health and environmental benefits similar to, or greater than, traditional wastewater infrastructure projects, in a more-cost effective, sustainable, and environmentally-sensitive manner. Evaluate technologies, such as on-site source controls that capture stormwater, pervious pavement, green roofs, stream buffers, and other technologies and management approaches that promote water reuse and efficiency and protect water quality. Determine the extent to which such technologies and

approaches can provide the same, or greater, public health and water quality benefits at reduced cost, including capital investment and long-term operation and maintenance. Explore the potential for implementation of energy-efficient technologies at publicly owned wastewater treatment facilities to determine whether such technologies can provide the same or improved treatment of the nation's wastewater in a more cost-effective, and environmentally-sensitive manner.

## 8. Environment

### AVIATION

**Emissions Trading.** Monitor international developments in emissions trading and determine the impact on United States air carriers and the industry. In 2008, the European Union (EU) Council of Ministers adopted a directive to cover civil aviation under the EU Emissions Trading Scheme (ETS), which is intended to reduce carbon dioxide (CO<sub>2</sub>) and other greenhouse gases. The directive unilaterally includes United States and other non-EU airlines and sidesteps the normal process for dealing with aircraft emissions through the International Civil Aviation Organization. Under the directive, emissions will be capped at 97 percent of the 2004-2006 level starting in 2012. Additionally, each airline would have to surrender emissions allowances for the entire duration of its trip, and would be required to pay the EU carbon allowances. The EU ETS offers no protection from additional taxes and fees put in place by EU Member States. The United States has led international opposition to the EU scheme, stating that it is unworkable, violates international aviation law, offers no protection from multiple charges, diverts revenue to subsidize EU industry and governments, and unilaterally mandates a single solution rather than a negotiated, performance-based approach that recognizes each country's sovereignty to implement appropriate measures.

### COAST GUARD AND MARITIME TRANSPORTATION

**Anti-Fouling System Control Act.** Examine potential legislation to bring the United States into compliance with an international convention on hull-fouling systems such as organotin anti-fouling paint that is used to prevent the growth of aquatic organisms, including algae and barnacles, on ships' hulls. Determine whether and to what extent anti-fouling paints on hulls can have the unintended consequence of causing harm to the environment and human health.

**Amendments to the Ocean Dumping Act.** Determine the extent to which the United States is in compliance with the "1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and other Matter" from ships into the ocean. The review will include considering amendments to Subchapter I of the Marine Protection, Research and Sanctuaries Act of 1972 that are necessary to implement the Protocol.

**Ship Disposal.** Oversee the Maritime Administration's (MARAD) efforts to meet past-due statutory deadlines regarding disposal of "non-retention" vessels, which are Federally-owned vessels that are no longer operational due to severe deterioration. MARAD currently maintains more than 140 non-retention vessels that are in need of disposal at three locations: the James River Reserve Fleet in Virginia; the Beaumont Reserve Fleet in Texas; and the Suisun Bay Reserve Fleet in California. These vessels contain hazardous substances such as lead paint, asbestos, and solid and liquid polychlorinated biphenyls (PCBs). MARAD has failed to arrange for and fund the disposal of these ships in recent years. The Administration has not met the September 30, 2006 statutory

deadline for the disposal of all National Defense Reserve Fleet (NDRF) vessels not assigned to the Ready Reserve Force (RRF).

#### HIGHWAYS AND TRANSIT

**Environmental Impacts of Surface Transportation.** Monitor the effect that surface transportation infrastructure has on the environment, including its impact on global climate change. Examine the extent to which surface transportation policies, decision-making, and technologies are contributing to saving energy, reducing pollution, and minimizing greenhouse gas emissions. Review the extent to which surface transportation policies may be discouraging or hindering the use of environmentally-friendly modes of transportation, including public transit, walking, and biking. Assess the relationship between land use, development, infrastructure, and the environment, and examine the potential positive environmental impacts of planning methods such as transit-oriented development.

#### WATER RESOURCES AND ENVIRONMENT

**Clean Water Act Jurisdiction.** Monitor the impact of recent Supreme Court decisions and agency actions under the Clean Water Act, and how the decisions and actions affect progress toward meeting the Act's objective to restore and maintain the chemical, physical, and biological integrity of the nation's waters. Oversee the activities of the Environmental Protection Agency (EPA), the Army Corps of Engineers (Corps), and the individual States to ensure that their responsibilities under the Clean Water Act are being implemented in an effective and comprehensive manner consistent with the intent of the Act. Evaluate the capability of the Corps, EPA, and the States to meet the intent of the Act under the current statute.

**Introduction of Aquatic Invasive Species.** Monitor the implementation and enforcement of Federal and state efforts to control the introduction and spread of aquatic invasive species through ballast water and other vectors, and protect water quality and the aquatic environment. Monitor international attempts to require ballast water management under the International Convention for the Control and Management of Ships' Ballast Water and Sediments. Examine existing statutes related to the introduction of invasive species via ballast water and legislative options that would improve ballast water management. Investigate the Coast Guard's Shipboard Technology Evaluation Program (STEP) to demonstrate and evaluate emerging ballast water treatment technologies aboard vessels.

**Oil Pollution Act of 1990.** Oversee Federal efforts to prevent and respond to oil spills under the Oil Pollution Act of 1990 and the Clean Water Act, including a review of enforcement activities under oil spill prevention and response laws.

**Environmental Protection Agency - Clean Water Act and Water Infrastructure Programs.** Review wastewater treatment and water pollution control funding issues, including levels and sources of funding, management of grant and loan programs, and wastewater infrastructure and security needs. Oversee regulatory and non-regulatory approaches to water pollution control, including approaches to regulatory controls that are based on watersheds, markets, and performance; issues involving water quality standards; the establishment and implementation of total maximum daily loads; the development and application of new and revised effluent limitations; and compliance with the permitting programs of the Clean Water Act under section 402 (National

Pollutant Discharge Elimination System) and section 404 (the discharge of dredged or fill material). Oversee water quality monitoring and data collection and analysis, as well as efforts to eliminate or reduce combined and sanitary sewer overflows, urban and agricultural sources of stormwater, and nonpoint sources of pollution.

**Ocean and Coastal Programs and Policies.** Review dredged material management and disposal activities under the Ocean Dumping Act, various Water Resources Development Acts, and the Clean Water Act. Oversee various ocean and coastal water quality and shoreline protection issues under the Clean Water Act, the Coastal Zone Management Act, the Coastal Zone Act Reauthorization Amendments, and several Water Resources Development Acts.

**Regional Water and Ecosystem Restoration Issues.** Review regional and local projects, issues, and controversies involving water quality; water supply; water resources conservation, development, management, and policy; environmental protection; and flood damage reduction within the programs of the Corps of Engineers, Environmental Protection Agency, and other Federal water resource agencies.

**Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)/Superfund and Brownfields.** Review efforts to improve the efficiency and effectiveness of the contaminated site cleanup process, and the process of assessing natural resources damages. Oversight may include a review of the pace of contaminated site cleanup, as well as the liability, financing, funding levels, settlement mechanisms, and procedures of the current Superfund program. Examine the role of the States in conducting and financing cleanups; review the relationships among the States, EPA, and other Federal entities in implementing the Superfund program; and review ongoing Federal, state, and local efforts to revitalize brownfields, including implementation of the Brownfields Revitalization and Environmental Restoration Act.

## 9. Agency Operations and Mission

### AVIATION

**Modernizing Air Traffic Systems and Facilities.** Evaluate the Facilities and Equipment (F&E) program of the FAA, including modernization of the ATC system; determine the program's needs for equipment; and continue to monitor the FAA's oversight of its contract to operate and modernize flight service stations. Oversee the FAA's progress in implementing Next Generation Air Transportation System (NextGen) goals and airlines' installation of NextGen technology. NextGen is a major redesign of the air transportation system that will involve precision satellite navigation; digital, networked communications; an integrated weather system; and other features. Its goals are to improve the level of safety, security, efficiency, environmental performance, quality, and affordability of national airspace and aviation services. The FAA's modernization effort will be addressed in the upcoming FAA reauthorization legislation.

### COAST GUARD AND MARITIME TRANSPORTATION

**The Coast Guard's Traditional Missions.** Oversee the Coast Guard's continuing effort to balance its traditional missions – such as search and rescue and marine safety – with the expanded homeland security missions it assumed after September 11, 2001. The Coast Guard is a unique

government entity that is both a uniformed military service and a Federal agency with regulatory and enforcement responsibilities. After the terrorist attacks of September 11<sup>th</sup>, the Coast Guard was identified as the lead Federal agency with responsibilities over maritime homeland security. The Coast Guard has incorporated these increased responsibilities with the many traditional missions that the service continues to carry out each day but the service now spends more than half of its mission hours performing homeland security functions. Continue to oversee the Coast Guard's mission performance to determine if the service has the resources necessary to both protect homeland security and carry out its important traditional missions in United States waters.

**Marine Law Enforcement.** Examine the Coast Guard's marine law enforcement missions including drug and migrant interdiction. Assess the service's response to the increasing use of submersible and semi-submersible vessels to smuggle drugs into the United States and assess the service's preparedness to respond to other emerging trends in drug smuggling. Assess the service's ability to adequately patrol the Caribbean region following the removal of eight patrol boats from service due to concerns about the vessels' safety.

**Maritime Domain Awareness.** Monitor the Coast Guard's interagency effort to enhance awareness of activities that occur within the maritime domain. Maritime domain awareness has been defined as the effective knowledge of all activities associated with the global maritime environment that could impact the security, safety, economy, or environment of the United States. The Security and Accountability for Every Port Act of 2006 ("SAFE Port Act") requires the Secretary of Homeland Security to establish interagency operational centers for port security at all high-priority ports not later than three years after the date of the enactment of the Act. The Maritime Transportation Security Act of 2002 and the Coast Guard and Maritime Transportation Act of 2004 require the Coast Guard to develop vessel tracking systems to enhance vessel identification and tracking capabilities in coastal waters and on the high seas. Oversee the development and expansion of these systems as well as other measures to improve overall maritime domain awareness.

#### ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

**Federal Emergency Management Agency (FEMA) Performance.** Review and assess the nation's ability to prepare for, mitigate, respond to, and recover from all hazards and the activities of FEMA to advance this effort. Oversight hearings held by the Committee in the 110<sup>th</sup> Congress showed a deterioration of FEMA's effectiveness since the agency was subsumed into the Department of Homeland Security (DHS). Under DHS, FEMA's mission has shifted toward terrorism at the expense of natural disasters and other types of emergencies. The 109<sup>th</sup> Congress enacted legislation to elevate the agency's role within the Department of Homeland Security but did not restore FEMA as an independent agency. Oversight in the 111<sup>th</sup> Congress will focus on what steps are necessary to restore FEMA's role as a robust, effective emergency management agency at the Federal level.

**Response to and Recovery from Disasters.** Evaluate the response to and recovery from hurricanes and other disasters which struck the United States in 2008. In addition, assess the long-term recovery of the Gulf Coast from Hurricanes Katrina and Rita in 2005, including housing issues and community redevelopment. Review the Federal Government's response to disasters, including how assistance is provided and to whom, and how Federal, state, and local governments are preparing and coordinating their all-hazards efforts in advance of emergencies.

**Economic Development Administration (EDA).** The EDA's economic development assistance programs were authorized through fiscal year 2008. EDA is currently funded under a Continuing Resolution through March 6, 2009. Oversight will include a review of how EDA is meeting its mission; how it is using its authorities, including how funding decisions are made; and how recent budgetary changes are impacting the efficiency of the agency, in particular, the impact on personnel levels and the ability of the agency to deliver services to its users.

**Regional Economic Development Commissions.** Examine how the Appalachian Regional Commission (ARC) is meeting the needs of economically distressed counties and communities, how it uses new and innovative ways to promote economic development, and its track record of success. Closely examine the activities of the Delta Regional Authority, the Denali Commission, and the Northern Great Plains Regional Authority, and the economic development authorities newly established by 110<sup>th</sup> Congress – the Southeast Crescent Regional Commission, the Southwest Border Regional Commission, and the Northern Border Regional Commission.

#### HIGHWAYS AND TRANSIT

**Role and Mission of the Surface Transportation Agencies.** Oversee the work of the surface transportation of the Department of Transportation (DOT) agencies, including the Federal Highway Administration, National Highway Traffic Safety Administration, Federal Transit Administration, Federal Motor Carrier Safety Administration, and Research and Innovative Technology Administration, to ensure that their programs and projects follow Congressional intent and improve safety and mobility for all users. Examine the work of NHTSA and FMCSA to determine the extent to which their programs and projects enhance safety, which is cited in statute as both agencies' highest priority. Evaluate the current role and activities of RITA, and determine whether it is able to effectively fulfill its role as an intermodal coordinator of research within the Department of Transportation.

#### RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

**Surface Transportation Board.** Continue to conduct oversight of Surface Transportation Board activities and functions. Evaluate laws, regulations, and Board policies governing rail rates, service, and operations in general in preparation for reauthorization of the Board.

**Railroad Retirement Board.** Continue to conduct oversight of the activities and functions of the Railroad Retirement Board, the laws governing railroad retirement and unemployment, and the National Railroad Retirement Investment Trust.

#### WATER RESOURCES AND ENVIRONMENT

**Army Corps of Engineers Water Resources Program.** Review efforts to improve the efficiency and effectiveness of the organization and the management and mission of the civil works program of the Army Corps of Engineers (Corps). Examine the Corps' progress in implementing the projects and programs contained in the Water Resources Development Act of 2007 (P.L. 110-114), including section 2031, Water Resources Principles and Guidelines, section 2034, Independent Peer Review, and section 2036, Mitigation for Fish and Wildlife and Wetlands Losses. Evaluate the selection, planning, and implementation of water resources projects as well as the financing of harbor and inland waterways infrastructure. Examine the Corps' implementation of several large

scale environmental restoration activities, including the Florida Everglades, the Upper Mississippi River basin, and the Louisiana coastal area. In light of guidance released as a result of recent Supreme Court decisions, review the agency's regulatory programs, especially those pertaining to the permitting of activities affecting the waters of the United States.

**Tennessee Valley Authority.** Evaluate Tennessee Valley Authority (TVA) programs, including its energy program and its operations. Review the environmental performance and compliance record of TVA facilities, including TVA storage of coal combustion waste. Determine TVA's commitment to environmental stewardship, energy efficiency, reducing risks to human safety and the environment, and the adoption of renewable energy technologies, especially in relation to other power-generating entities across the nation.

**Saint Lawrence Seaway Development Corporation.** Evaluate the efficiency and effectiveness of the current operations and physical infrastructure of the Saint Lawrence Seaway Development Corporation (SLSDC), and identify any necessary improvements in the operation and capital assets of the Saint Lawrence Seaway. Review issues related to national security and the economy, the Seaway modernization efforts authorized in the Water Resources Development Act of 2007, and the relation of the SLSDC to its Canadian counterpart, the Saint Lawrence Seaway Management Corporation.

**Natural Resources Conservation Service (NRCS) Small Watershed Program.** Review the Small Watershed Program, authorized under P.L. 83-566, and conducted by the United States Department of Agriculture's Natural Resources Conservation Service, including the relationship between these programs and other conservation, environmental restoration, and flood control efforts.

## 10. Security

### AVIATION

**Aviation Security Programs.** Oversee programs administered by the Department of Homeland Security and the Transportation Security Administration (TSA) on matters that directly affect the civil aviation system, including the implementation of explosive detection systems by the TSA. Oversee the implementation of provisions enacted in the Intelligence Reform and Terrorism Prevention Act of 2004 (P.L. 108-458) and the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110-53) including strategic planning, pilot licensing, biometrics technology for airport access control, screening technology at airport passenger checkpoints and checked baggage systems, and missile defense systems for civil aircraft.

### ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS, AND EMERGENCY MANAGEMENT

**Federal Protective Service.** As a part of the Homeland Security Act of 2002, the Federal Protective Service (FPS) was transferred from the Public Buildings Service of the General Services Administration to DHS; however, responsibility for the protection of Federal buildings generally remains with GSA. Determine whether FPS's placement in the Immigration and Customs Enforcement (ICE) division within DHS is fully utilizing FPS's strengths and capabilities.

Determine to what extent placing FPS, which is funded by a fee-for-service account, within ICE's appropriated account has contributed to financial confusion and potential mismanagement. Continue to review and make recommendations about FPS management; continue to review the policies, procedures, and requirements for security at Federal buildings, including a review of the implementation of these policies, procedures, and requirements by FPS.

#### HIGHWAYS AND TRANSIT

**Surface Transportation Security.** Monitor the state of preparedness to meet security needs in the transit, rail, and over-the-road bus industries. Ensure that Federal programs and activities help meet the security needs and funding priorities for mitigation of security threats against the nation's transportation infrastructure. Monitor implementation of the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110-53), including the grant distribution mechanisms established by DHS to ensure that DHS is in compliance with the law.

#### RAILROADS, PIPELINES, AND HAZARDOUS MATERIALS

**Rail Security.** Continue to monitor implementation of the Implementing Recommendations of the 9/11 Commission Act of 2007. Conduct oversight of rail security in the United States, as well as the needs of railroads to ensure an appropriate level of security.



DEMOCRATS  
BOB FILNER, CALIFORNIA, CHAIRMAN  
MALCOM A. SHORTER  
STAFF DIRECTOR

REPUBLICANS  
STEVE BUYER, INDIANA, RANKING  
MEMBER  
KINGSTON E. SMITH  
REPUBLICAN STAFF DIRECTOR  
AND CHIEF COUNSEL

**U.S. House of Representatives**

COMMITTEE ON VETERANS' AFFAIRS  
ONE HUNDRED ELEVENTH CONGRESS  
335 CANNON HOUSE OFFICE BUILDING  
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January 22, 2009

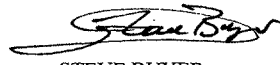
Honorable Edolphus Towns  
Chairman  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Room 2157, Rayburn Building  
Washington, DC 20515

Dear Chairman Towns:

The Committee on Veterans' Affairs approved its Oversight Plan for the 111<sup>th</sup> Congress on January 22, 2009. Pursuant to clause 2(d)(1) of Rule X of the Rules of the House of Representatives, we herewith transmit a copy of the plan to the Committee on Oversight and Government Reform.

Sincerely,

  
BOB FILNER  
Chairman

  
STEVE BUYER  
Ranking Republican Member

Enclosure

MS/ds

## U.S. House of Representatives Committee on Veterans' Affairs

### Oversight Plan for the 111<sup>th</sup> Congress

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Clause 2(d)(1) of Rule X of the Rules of the House of Representatives for the 111<sup>th</sup> Congress requires each standing committee, not later than February 15 of the first session, to adopt an oversight plan for the 111<sup>th</sup> Congress. The oversight plan must be submitted simultaneously to the Committee on Oversight and Government Reform and the Committee on House Administration.

The following agenda constitutes the oversight plan of the Committee on Veterans' Affairs for the 111<sup>th</sup> Congress. It includes areas in which the Committee and its subcommittees expect to conduct oversight during this Congress, but does not preclude oversight or investigation of additional matters or programs as they arise. Because the Committee generally conducts oversight through its subcommittees, the plan is organized by subcommittee. The full Committee may, at the discretion of the Chairman, after consultation with the Ranking Republican Member, conduct any of the oversight activities planned by the subcommittees.

#### Subcommittee on Disability Assistance and Memorial Affairs

1. **Modernizing the Department of Veterans Affairs' (VA) Disability Benefits Claims Processing System** – The Subcommittee plans to continue its oversight activities centered on modernizing and revising the VA disability benefits claims process, as well as the implementation of P.L. 110-389.
2. **Benefits** – The Subcommittee will examine veterans' benefits programs, such as special monthly compensation, home, auto, and clothing allowances, and burial benefits, to ensure effective operation and sufficient benefit levels.
3. **Examination of the Nonservice-Connected Pension Programs** – The Subcommittee plans to examine whether pension programs are benefiting those who need it most. In addition, this Subcommittee will explore the need to expand the pension program to include certain veterans or survivors who may have been previously omitted and the pay-go costs associated with any expansion.
4. **Outreach** – The Subcommittee plans to look at the outreach efforts conducted by the VA to ensure that eligible veterans, survivors and other beneficiaries are aware of benefits to which they may be entitled, paying special attention to geographic limitations and considerations.
5. **Appeals** – The Subcommittee will further explore the compensation and pension claims appeal process at the Board of Veterans Appeals (BVA), the Appeals Management Center (AMC) and the Court of Appeals for Veterans Claims (CAVC). The Subcommittee plans to

focus on exploring avenues to simplify the current appeal process, increase accountability and reduce avoidable remands.

6. **National and Overseas Cemeteries** – The Subcommittee will examine the immediate and long-term needs of the VA National Cemetery Administration (NCA) and the American Battle Monuments Commission (ABMC) to provide burial or commemoration to America's fallen heroes. The Subcommittee will review the need for additional VA national cemeteries or grants to state cemeteries, standards used to establish national cemeteries and the condition of existing cemeteries to determine if their condition befits their status as national shrines to our nation's veterans. Additionally, the Subcommittee will review the adequacy of benefits for the provision and placement of headstones and markers provided by VA and the expansion of the ABMC's interpretative program.

7. **Information Technology** – The Subcommittee will continue to review current information technology systems and software applications being used by the VBA with a focus on VETSNET and Virtual VA. The Subcommittee will explore the potential for web-based claim application capabilities and benefits management portals. It will also explore the applicability of rules-based and other expert systems to automate the adjudication of disability claims.

8. **Insurance Matters** – The Subcommittee will examine the insurance programs under the jurisdiction of VA to ensure the provision of the proper level of indemnification and appropriate categories of coverage. Additionally, the Subcommittee will review the overall operation of these insurance programs.

9. **Presumptions** – The Subcommittee will continue to examine the process for establishing presumptions of service-connection for the purpose of providing disability benefits compensation, focusing on veterans from both current and past conflicts.

10. **Seamless Transition** – The Subcommittee will continue to examine and support efforts to ensure that wounded warriors and other transitioning servicemembers are able to receive benefits in an accurate and timely manner, including the Transition Assistance Program (TAP), Disabled Transition Assistance Program (DTAP), Benefits Delivery at Discharge (BDD) program and implementation of a single VA/DoD disability exam process.

#### Subcommittee on Economic Opportunities

1. **Employment and Self-Employment Opportunities for Veterans** – The Subcommittee plans to review the efforts of the Department of Labor and the VA in providing employment opportunities to veterans, with a focus on recently separated service members returning from Iraq and Afghanistan, including demobilizing Reserve and National Guard personnel. The Subcommittee also plans to review federal contracting efforts to ensure veterans' employment.

2. **Department of Labor Workforce and Transition Services** – The Subcommittee plans to monitor the progress and effectiveness of the Veterans Employment, Training and Employer.

Outreach Advisory Committee within the Department of Labor, including the progress of the Credentialing Work Group.

3. ***Veterans' Employment and Training Service (VETS)*** – VETS oversees several programs for the Department of Labor that directly impacts veterans' benefits and employment. VETS is currently provided funding for the State Grants for Local Veterans' Employment Representatives (LVERs) and Disabled Veterans' Program (DVOPs) Specialists, the National Veterans Training Institute (NVTI), the Homeless Veterans' Reintegration Program (HVRP), the Veterans' Workforce Investment Program (VWIP), and program administration.

4. ***Vocational Rehabilitation and Employment*** – VA's Vocational Rehabilitation and Employment (VR&E) program provides services and assistance to enable veterans with service-connected disabilities to obtain and maintain suitable employment, and to enable certain other disabled veterans to achieve independence in daily living. The Subcommittee will examine VR&E's recent efforts to implement its 5-track program throughout the 57 regional offices. In addition the Subcommittee will likely focus on areas such as suitable employment including self employment assistance to the most seriously disabled veterans, contracted services, claims processing, and employer outreach.

5. ***Transition Assistance to Demobilizing Reserve and National Guard Personnel*** – Due to the increased utilization of the Selected Reserve since September 11, 2001, many more citizen soldiers are being activated and serving on active duty. Consequently, as the Reserve and National Guard forces demobilize after their activation period, they like active duty troops require period of readjustment and transition services. The Subcommittee will continue to examine and focus its efforts to ensure that Selected Reserve personnel receive the assistance and benefits they may need to successfully transition into civilian workforce and lifestyle. The Subcommittee is also interested in reviewing the demobilization process and the recommendations from the Task Force on Returning Global War on Terror Heroes Report.

6. ***Veterans Preference in Federal Hiring/Categorical Ranking Systems*** – Veterans have complained that the Federal Veterans Preference program is ineffective. The Office of Personnel Management has implemented an alternative personnel system to enlarge applicant selection pools. The Subcommittee will be reviewing the current personnel system.

7. ***Veterans' Priority of Hiring and Federal Contractors*** – Title 38 requires Federal contractors to provide hiring priority to certain qualified veterans and to report job openings to state and local employment services. The Subcommittee will review the effectiveness of current law with a view towards enforcement.

8. ***Uniformed Services Employment and Reemployment Rights Act*** – The Uniformed Services Employment and Reemployment Rights Act (USERRA) provides a broad range of employment rights and responsibilities for veterans and employers. The Subcommittee will assess the effectiveness of USERRA with special emphasis on employers' willingness to hire National Guard and Reserve members and employment-related issues related to returning to the workforce following activation as well as issues related enforcement.

9. ***Servicemembers Civil Relief Act (SCRA)*** – As more Reservists and National Guard members are activated there is an increasing reliance on the protections offered under SCRA. The Subcommittee will continue to provide oversight over the SCRA.

10. ***GI Bill*** – The Subcommittee plans to closely monitor the VA's efforts to implement the Post-9/11 Veterans Educational Assistance Act of 2008, with a focus on ensuring that the VA will be ready to meet its August 2009 deadline for implementation. The Subcommittee will also examine ways in which to improve veterans' educational benefits and ensure that these benefits are available to veterans when they need them.

11. ***State Approving Agencies*** – The Subcommittee will examine how State Approving Agencies can be streamlined, reduce areas of responsibility, become more accountable for expenditures and reduce multiple agency overlap in services to better improve education benefits for veterans.

12. ***Small Business Contracting Goals for Veteran and Service Connected Disabled Business Owners*** – The Federal government has poor results in assuring that small business contracting goals with service-connected disabled veteran small business owners are being met. The Subcommittee will explore the root cause for this underachievement.

13. ***VA Federal Procurement, Contract Bundling, and Non-Competitive Contracts*** – The VA has the second largest Federal procurement budget after DoD. We should monitor how VA does business and how its procurement policies affect the VA and veterans seeking to do business with the VA. There is a concern that large corporations who secure large contracts with the VA and the Federal government at large generally fail to comply with their small business contract submission that incorporates veterans as subcontractors. To date the VA has imposed no penalty on any company for failing to execute their small business plan. We need to see what the Defense Acquisition University is doing to ensure that all contractors are in compliance with the small business goals.

14. ***VA Office of Small and Disadvantaged Business/Center for Veterans Enterprise*** – Public Law 109-461 required the VA to set and meet certain procurement goals with respect to veteran and service-disabled veteran owned small businesses. The Subcommittee will examine VA's efforts to implement P.L. 109-461 which required the VA to set and meet certain procurement goals with respect to veteran and service-disabled veteran owned small businesses. The Subcommittee will examine the effectiveness of the Center for Veterans Enterprise and the Veterans Business Development Corporation.

15. ***VA Loan Guaranty Program***. The Subcommittee will review existing veterans' loan programs to determine the effect of the current downturn in real estate on veteran home owners. The Subcommittee will include the views of the mortgage industry and other real estate experts to see if improvements can be made to the existing system including additional protections for mortgagors. The Subcommittee will also review VA operations in the secondary market.

16. *Paralympics* – The Subcommittee plans to monitor the progress of the VA’s Paralympics grant program.

17. *Information Technology* – VBA currently uses several information technology applications to assist administration of its education and vocational rehabilitation and employment programs. Despite this basic level of automation, significant backlogs persist. The Subcommittee will assess opportunities to increase the ability of rules-based systems to improve administration and decrease the backlogs.

#### **Subcommittee on Health**

1. *Provision of VA Health Care* – The Subcommittee will examine the VA’s health care delivery structure to determine whether it is the most effective and efficient means of delivering the best care to our veterans. Among the issues the Subcommittee will explore include the adequacy of the existing VISN structure; the role of technology such as telehealth/ telemedicine in improving care to rural and under-served veterans; and quality of care and access issues. The Subcommittee also plans on providing oversight of VA’s Project HERO (“Healthcare Effectiveness through Resource Optimization”) initiative, as well as VA’s current contract care practices.

2. *Health Care Personnel* – The Subcommittee plans on evaluating VA’s current efforts as well as explore innovative solutions to recruit and retain nurses, physicians, dentists, and other health and mental health care professionals.

3. *Women Veterans’ Programs* – With the rapid and steady increase in the number of women veterans, the Subcommittee will examine VA’s provision of health care services to women and identify service gaps where improvements can be made. A special effort will be made to ensure that VA is equipped to care for victims of military sexual trauma.

4. *Homelessness* – The Subcommittee plans to review VA’s current efforts to alleviate homelessness amongst veterans, and examine ways to improve services to homeless veterans including women veterans with children.

5. *Reintegration* – The Subcommittee will assess means of improving health care services and reintegration efforts for returning servicemembers.

6. *VA Medical and Prosthetic Research* – The Subcommittee plans on examining the effectiveness of the VA’s current research endeavors and the degree to which the research translates into clinical applications, The Subcommittee also plans on looking at such issues as the role of intellectual property, the function, and effectiveness of VA’s research corporations, and the effect of data security measures on research efforts.

7. *Prosthetics and Specialized Services* – The Subcommittee plans to examine VA’s specialized services, such as blind rehabilitation, spinal cord injury, and prosthetics. Specifically, the Subcommittee will explore ways to improve these services and ways the VA can meet Congress’ intent.

8. **Long-Term Care** – The Subcommittee plans to examine the current state of VA’s long-term care programs, and explore ways to improve and augment the VA’s efforts in this area including state veterans homes and contract community homes. The Subcommittee will assess the VA’s efforts to provide more home and community-based care options to better provide long-term care services to veterans.
9. **CARES, VA Construction, and Facilities Management** – The Subcommittee plans to monitor the VA’s health-related capital asset program, including looking at innovative ways the VA can provide health care services in the future. The Subcommittee plans on reviewing the current state of the VA’s construction programs, including major and minor construction, facilities management efforts, and capital asset plans. The Subcommittee plans to assess VA’s historic preservation, and enhanced use lease efforts to better utilize existing VA capital assets.
10. **VA Funding** – The Subcommittee plans to examine the adequacy of VA funding, and assess whether a new budget projection model and a different appropriations measure can offer more efficient use of resources. Specifically, the Subcommittee will examine the VA’s budget to determine whether it accurately funds services for returning servicemembers and whether it accounts for the long-term costs of these new veterans. In addition, the Subcommittee will examine the Medical Care Collections Fund (MCCF) and VA’s forecast and planning efforts to ensure that the VA is taking steps to meet health care demand.
11. **PTSD and Mental Health Issues** – The Subcommittee plans to continue its oversight of the VA’s current efforts in the area of mental health and post-traumatic stress disorder (PTSD) as they relate to returning servicemembers and veterans of previous conflicts.
12. **Traumatic Brain Injury and VA Polytrauma Centers** – The Subcommittee plans on examining the VA’s efforts in diagnosing and treating Traumatic Brain Injury (TBI), as well as the operation of the VA’s Polytrauma Centers. The Subcommittee seeks to learn whether the VA is meeting the needs of veterans returning from Iraq and Afghanistan who have shown a marked increase in TBI.
13. **VA/DOD Cooperation** – The Subcommittee plans to examine how the VA and DOD health care systems can best work together to provide health care services to veterans. The Subcommittee plans to look at the progress the two agencies have made in ensuring that health information is shared, including electronic medical records, and other ways that VA and DOD can improve services to returning servicemembers and veterans.
14. **Outreach and Education** – The Subcommittee plans on exploring VA’s current outreach and education efforts and examine ways in which the VA can better provide information and guidance on veterans’ health issues to veterans, the public, and other governmental and private entities.
15. **VA’s Fourth Mission** – The VA has an important role to play outside of the direct provision of health care to veterans. The Subcommittee plans to examine the VA’s readiness to accomplish its fourth mission – to serve as backup to the Department of Defense health care

system in times of war or other emergencies and to support communities following domestic terrorist incidents and natural disasters. The Subcommittee seeks to be assured that the VA has devoted adequate resources for its fourth mission contingencies and that the VA's fourth mission duties do not detract from its first mission of caring for veterans.

16. *VA Pharmaceutical Care* – The Subcommittee plans to monitor VA's efforts to offer affordable, safe, and diverse pharmaceutical services. The Subcommittee will explore whether the VA's process for updating the formulary is adequate; the accessibility of non-formulary drugs that are medically necessary; and VA's efforts in the area of medication management.

#### **Subcommittee on Oversight and Investigations**

1. *VA Inspector General* – The Subcommittee plans to review how the VA implements the recommendations of the VA Inspector General (IG) to increase VA efficiency and effectiveness. The Subcommittee will work to ensure that the IG has the resources it needs to accomplish its mission and assist in restoring veterans' confidence in the system.

2. *VA Management* – The Subcommittee plans to monitor and address the effectiveness of VA management in delivering veterans' benefits.

3. *Human Subjects Protection* – Previous problems in VA Research involving human subjects led the committee to initiate several inquiries into protecting human subjects in VA studies, while ensuring affiliates respect and conform to the same level of protection. The Subcommittee will review this matter to assure the protections have been succinctly addressed and are working according to the Federal Policy for the Protection of Human Subjects.

4. *Seamless Transition* – The Subcommittee will continue to monitor VA and Department of Defense (DoD) efforts to assure that the transition between the two departments is seamless and responsive to the needs of veterans. The Subcommittee plans on examining issues such as the progress of the Yellow Ribbon Reintegration Program and DoD's referral of discharged Guard and Reserve personnel to VA's dental program for their follow-up dental care.

5. *Fully Interoperable Electronic Personal Health Information between VA & DoD* – Congress has mandated VA-DOD development of interoperable health records or systems. The Subcommittee will evaluate timelines and progress in this effort.

6. *Credentialing, Privileging, and Screening of VA Employees* – The Subcommittee will review the portfolio of background checks and reviews that involve current and potential VA employees with the goal of assuring that veterans and coworkers are safe.

7. *VA's Fourth Mission* – The Subcommittee plans to examine the VA's role in responding to natural or man-made disasters and as a backup to the Department of Defense health care system. The Subcommittee will explore whether the VA can meet its "fourth mission" responsibilities under the National Response Framework and provide for its continuity of operations.



8. **Financial and Logistics Integrated Technology Enterprise (FLITE)** – After the failure of the CoreFLS financial and logistics system, VA has embarked on a new effort called FLITE. VA intends to follow a multiple-year, phased approach that will integrate and standardize financial and asset management processes across all VA offices by 2014 at an estimated cost of \$570 million. The Subcommittee intends to maintain close oversight of this multi year project.

9. **VA Information Security Management Program** – The loss of computer hardware containing the personal information of millions of veterans enhanced awareness of ongoing problems with VA's informational security program. The Subcommittee has an ongoing interest in the effectiveness of the program.

10. **Small Business Contracting Goals for Service Connected Disabled Business Owners** – The Federal government has a poor result in assuring that small business contracting goals with service-connected disabled veteran small business owners are being met. The Subcommittee will explore the root cause for the underachievement.

11. **Chemical, Radiological, Biological and other Test Veterans Issues** – The Subcommittee will continue to explore issues surrounding chemical, radiological, and biological testing of veterans, as well as issues related to Agent Orange and Gulf War exposures.

12. **VA's Procurement and Acquisition Activities** – VA spends over \$6 billion annually for medical and surgical supplies, prosthetics, information technology, construction and other materials and services. The Subcommittee will examine contracting, logistics, and development of control systems at VA to ensure that Veterans' needs are met and the taxpayers' interests are protected.

13. **Medical Care Collections Fund** – The Subcommittee will conduct oversight on VA collection efforts.

14. **EEO Complaint Resolution System** – Following significant problems in VA's EEO process, Congress mandated the creation of an independent office to provide mediation and other dispute resolution services. The Subcommittee will examine how effective this office has been and whether it has adequate resources to function as Congress intended.

15. **Laboratory and Clinical Select Agent Security** – VA Level 3 Laboratories and all VA Medical Centers are host to various chemical, biological and radiological agents. The Subcommittee will examine VA compliance with law and regulations governing use and storage of such materials.

16. **Electronic Claims Processing** – The Veterans Benefits Administration must move to electronic processing of benefits claims if it is to address the claims backlog. O&I will conduct oversight of the cooperative efforts of VBA and the Office of Information and Technology to address this critical need.

**COMMITTEE ON WAYS AND MEANS**

U.S. HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515

February 9, 2009

The Honorable Edolphus Towns  
Chairman  
Committee on Oversight & Government Reform  
2157 Rayburn House Office Bldg.  
U.S. House of Representatives  
Washington, DC 20515

The Honorable Robert A. Brady  
Chairman  
Committee on House Administration  
1309 Longworth House Office Bldg.  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Towns and Chairman Brady:

In accordance with the requirements of clause 2 of rule X of the Rules of the House of Representatives, the following is a list of hearings and oversight-related activities that the Committee on Ways and Means and its Subcommittees plan to conduct during the 111<sup>th</sup> Congress.

**Full Committee:**

**Economic Security and Federal Budget—**

- **Economic and Budget Outlook.** Oversight hearings with various Administration officials to discuss current economic and budget conditions, including the long-term outlook, the state of the economy, prospects for recovery and long-term growth, our economic competitiveness, and job creation.
- **Priorities of the Office of Management and Budget.** Oversight hearings with the Office of Management and Budget Director to discuss the overall state of the federal budget and the Administration's priorities for the 111<sup>th</sup> Congress, and consider budgetary proposals affecting the various programs under the Committee's jurisdiction, including tax, health, income security, Social Security, pensions, and trade-related matters.

**Tax Issues—**

- **Priorities of the Department of the Treasury.** Oversight hearings with the Treasury Secretary to discuss priorities for the 111<sup>th</sup> Congress. Specifically, discuss and consider legislative and administrative proposals of the President for 2009 and 2010.

The Honorable Edolphus Towns  
 The Honorable Robert A. Brady  
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- **Tax Relief for Individuals and Families.** Oversight hearings on tax relief for individual taxpayers and families, including alternative minimum tax relief and child-related tax benefits.
- **Tax Reform.** Oversight hearings on simplifying and reforming the tax code.
- **Climate Change.** Oversight hearings on government efforts to address climate change.
- **Energy.** Oversight hearings on energy tax issues, including incentives for alternative fuel production, energy conservation, and increasing U.S. energy independence.
- **Housing.** Oversight hearings on tax incentives for moderately-priced housing, focusing on options for increasing the supply of middle-income rental housing and home ownership.
- **Education.** Oversight hearings on options to simplify the current complex structure of education incentives and tax benefits for higher education.
- **Retirement Savings and Secured Retirement.** Oversight hearings on increased decline in retirement savings, low pension coverage in employer-sponsored plans, enhanced disclosure of fees charged against pension plans, investment advice for participating workers, and efforts to increase retirement security for all American workers.

**Health and Human Services Issues—**

- **Priorities of the Department of Health and Human Services.** Oversight hearing with the Health and Human Services Secretary to discuss priorities for the 111<sup>th</sup> Congress and concerns related to the delivery of health services and reimbursement under Medicare. Specifically, discuss and consider health and human services-related legislative proposals of the President for 2009 and 2010. Discuss the reauthorization of the Temporary Assistance for Needy Families (“TANF”) program.

**Trade—**

- **Priorities of the Office of the United States Trade Representative.** Oversight hearing with the United States Trade Representative to discuss priorities for the 111<sup>th</sup> Congress and concerns related to international trade. Specifically, discuss and consider trade proposals of the President for 2009 and 2010, including whether the USTR has adequate resources to carry out its mandate with respect to enforcing U.S. trade agreements.

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The full Committee intends to conduct additional oversight over the next two years, as becomes necessary to fulfill its oversight responsibilities to the Congress and the American people. The following is a list of further oversight hearings and activities that the six subcommittees of the Committee on Ways and Means (Oversight, Health, Income Security and Family Support, Social Security, Trade, and Select Revenue Measures) anticipate developing during the course of the 111<sup>th</sup> Congress.

**Subcommittee on Oversight:**

- **Programs within the Committee's Jurisdiction.** Oversight investigations and joint subcommittee hearings on issues requiring periodic or timely oversight review, including waste, fraud, and abuse identified by the U.S. Government Accountability Office ("GAO") and Inspector General reports for Federal agencies administering programs within the Committee's jurisdiction.
- **Internal Revenue Service Operations/Administration of Tax Laws.** Oversight of the major Internal Revenue Service ("IRS") programs, including enforcement, collection (including private debt collection), taxpayer services, returns processing, and information systems. Consider analyses and reports provided to the Congress by the IRS National Taxpayer Advocate, Treasury Inspector General for Tax Administration, and the GAO. Oversight of IRS funding and staffing levels needed to provide taxpayer assistance and enforce the tax laws fairly, effectively, and efficiently. Evaluate tax return filing seasons, including use of paid tax preparers, electronic filing, IRS and volunteer taxpayer assistance programs, and the Free File Program. Discuss proposed funding and staffing levels for the IRS and legislative proposals of the President for 2009 and 2010. Review IRS realignment and closure of service centers and other facilities.
- **Financially Distressed Taxpayers.** Oversight of IRS programs to assist taxpayers experiencing economic difficulties.
- **Delivery of Tax Refunds.** Explore options to maximize and expedite the delivery of Federal tax refunds, including the use of debit cards, prepaid cards, and other electronic means to assist individuals who do not have access to financial accounts or institutions.
- **Tax-Exempt Organizations.** Oversight of Federal tax laws, regulations, and filing requirements that affect tax-exempt organizations, particularly charities and foundations. Examine how the economic downturn has affected these organizations and explore options to assist charities and foundations. Evaluate overall IRS efforts to monitor tax-exempt organizations, identify areas of non-compliance, prevent abuse, and ensure timely disclosure to the public about tax-exempt organization activities and finances.

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 The Honorable Robert A. Brady  
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- **Tax Code and Tax Form Simplification.** Oversight of tax code and tax form complexity, particularly for individuals, with the goal of simplification. Review areas where taxpayers and professional return preparers have difficulty, including the most errors, and consider solutions. Evaluate simplification of information returns to assist taxpayers in determining taxable income.
- **Tax Gap.** Oversight of the \$345 billion annual tax gap, the difference between taxes paid and taxes owed the federal government. Consider the components of the tax gap, causes of taxpayer non-compliance, and possible solutions.
- **Earned Income Tax Credit (“EITC”).** Oversight of IRS programs designed to provide tax assistance to more than 23 million low-income working taxpayers claiming the EITC. Evaluate the participation rates and outreach needed to increase the number of eligible workers who claim the credit.
- **Tax Scams.** Oversight of the latest tax scams and tax fraud activities with a goal of protecting taxpayers and preventing identity theft.
- **Federal Excise Taxes.** Oversight review of Federal excise taxes, credits, and refunds, including the trust funds financed by these taxes.
- **Pensions and Retirement Security.** Oversight review of the financial condition, operations, and governance of the Pension Benefit Guaranty Corporation (“PBGC”), including financial exposure to the PBGC in the pension insurance programs.

**Subcommittee on Health:**

- **Medicare Part A and Part B (Fee-for-Service Providers).** Oversight of the major Medicare programs to ensure efficient use of resources, quality, and access for Medicare beneficiaries. Specific topics include: adequacy of provider payments, program benefits and cost sharing; the relationship between payment policy and workforce issues (future supply); treatment of specific populations such as people with disabilities and low-income beneficiaries; quality improvement efforts; implementation of recent Medicare legislation; and waste, fraud, and abuse activities.
- **Medicare Part C (Private Plans).** Oversight of private plans, including: enrollment; value and payments; benefit packages and actuarial equivalence determinations; administrative costs; quality; consumer protection; and marketing and implementation of recent statutory changes affecting private plans.

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- **Medicare Part D (Prescription Drug Plans)**. Oversight of the Medicare prescription drug program, including: treatment of dual eligible beneficiaries, low-income subsidy beneficiaries, and nursing home residents; drug pricing; and beneficiary cost sharing, including specialty tiers, bidding process, and premiums.
- **Medicare Entitlement**. Oversight of the effect of program changes on the Medicare Trust Funds, including payments to private plans and Parts B and D premium levels.
- **CMS Administration**. Oversight of CMS, including the adequacy of its budget and staffing, contracting activities, and general agency accountability.
- **Health Insurance Coverage**. Oversight and review of health coverage and the uninsured, including: children, early retirees, and small business employees; adequacy of benefits; COBRA; lack of coverage for various groups; prevalence and use of health savings accounts, the value of accounts, and their influence on broader health care systems and spending; and options to expand and improve coverage and addressing rate of increase in health care costs.

**Subcommittee on Income Security and Family Support:**

- **Vulnerable Populations and Poverty**. Provide oversight on the impact that the current recession is having on vulnerable populations, especially those served by programs within the Subcommittee's jurisdiction. Assess proposals that would improve assistance to those most in need, and monitor interventions enacted to achieve that goal. Evaluate the impact of the recession on increasing poverty and consider possible remedies.
- **Welfare Programs**. Provide oversight of and consider proposals to reauthorize the Temporary Assistance for Needy Families ("TANF") program. Examine barriers to providing financial support and services to low-income families with children. Assess how the TANF program addresses the needs of adult beneficiaries who face barriers to employment. Review the role that related programs, such as child care and child support enforcement, play in facilitating economic opportunity for low-income families. Evaluate how the changes in the overall economy have affected the ability of TANF families to achieve self-sufficiency.
- **Unemployment Compensation**. Provide oversight of the Nation's unemployment compensation system, with a particular focus on providing federally-funded unemployment benefits to long-term unemployed workers, as needed, during the economic downturn. Review potential reforms within the unemployment compensation system that would modernize the program, including reducing the disparities in access to the program for some dislocated workers. Evaluate proposals that would increase

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economic security for dislocated workers and address the new challenges facing American workers with respect to the recession, changing workforce, and globalization.

- **At-Risk Children.** Provide oversight of the Nation's child welfare system, including foster care, adoption assistance, and child and family programs under Title IVB of the Social Security Act. Review State efforts to implement new statutory and regulatory requirements under the Fostering Connections to Success and Increasing Adoptions Act, including providing assistance to relatives who become legal guardians of children for whom they care for as foster parents, permitting federal foster care assistance to continue up to age 21 for eligible youth, improving the oversight of the health and educational needs of foster children, and providing direct federal foster care and adoption assistance to tribal governments for children in their care. Review proposals designed to improve the financing of child welfare programs to ensure better outcomes for at-risk children and families. Evaluate how States are responding to the increased need for child welfare services that has occurred in some areas during the current recession.

**Subcommittee on Social Security:**

- **General Oversight of Social Security.** Oversight of the importance of Social Security for American workers and their families; the essential role it plays in assuring economic security for retirees, disabled workers, and survivors; and how best to manage the challenges and opportunities presented by an aging society, given the central role Social Security plays in income security, and the importance of adopting a balanced approach to address those challenges and opportunities that have the support of the American people.
- **Social Security Administration (“SSA”).** Oversight of the administrative operations of the Social Security Administration and the agency's stewardship of Social Security programs and taxpayer funds. Among the various areas to examine are SSA's plans to upgrade and modernize its information technology infrastructure and systems architecture, and monitoring their implementation.
- **Service Delivery.** Oversight of the quality of SSA's service to the public through its field offices, telephone services, emerging Internet service delivery, and administration of current benefit provisions. Examine the impact of SSA initiatives to increase the percentage of claims filed over the Internet and to increase automation of claims adjudication, including the impact on accuracy, customer service, and program integrity. Examine the growing demand on SSA by other agencies and state governments for non-program-related data matching arrangements, such as registered voter Social Security Number verification and the Department of Homeland Security's “E-Verify” program,

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and the impact of these workloads on SSA's ability to perform its core mission.

- **Disability Claims Processing Backlogs.** Oversight of SSA's processing of disability determinations, including SSA's current backlog of more than 1.3 million unprocessed initial claims and appeals requests for disability benefits, and the agency's substantial backlog of continuing disability reviews. Monitor SSA's progress in addressing the disability backlogs and assess the need for additional administrative resources to reduce the backlogs while keeping up with increases in claims. Examine SSA initiatives to modify the disability determination and appeals processes to determine their impact on claimants and on the quality and efficiency of disability decisions.
- **Ticket to Work Program and Related Work Incentives.** Oversight of the implementation and effectiveness of the Ticket to Work program and related Social Security work incentive programs, policies, and demonstration projects. Examine evaluation results from the initial implementation of the Ticket to Work program and assess the effect of recent regulatory reforms and outreach efforts on program participation and effectiveness.
- **Protection of Social Security Beneficiaries from Abusive Financial Practices.** Oversight of whether and how SSA and other federal agencies are enforcing provisions of the Social Security Act prohibiting benefits from being assigned, transferred, or otherwise diverted from the beneficiary in order to collect a private debt or payment. Examine whether non-financial institutions are marketing abusive, high-fee financial arrangements to vulnerable beneficiaries.
- **Social Security Number Protection.** Oversight of the problem of identity theft and misuse of the Social Security number. Consider the role of the Social Security number, the Social Security card, Social Security benefits, and SSA with respect to immigration policy and enforcement.

**Subcommittee on Trade:**

- **Signed Free Trade Agreements ("FTAs") with Panama, Colombia, and South Korea.** Oversight of the three signed FTAs, with focus on issues that need to be addressed in order for Congressional consideration, including, with respect to the Colombia FTA, issues related to violence against workers and other issues that inhibit the exercise of basic internationally-recognized labor standards, and with respect to the South Korea FTA, issues related to non-tariff market access barriers in the manufacturing and agricultural areas.



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- **Implemented FTAs.** Oversight of implemented FTAs involving Peru, Central America/the Dominican Republic (“CAFTA-DR”), Oman, Bahrain, and earlier FTAs with Singapore, Chile, Australia, Morocco, Jordan, the North American Free Trade Agreement (“NAFTA”), and Israel.
- **Other FTA Negotiations.** Oversight of uncompleted FTA negotiations, including with Thailand, Malaysia, United Arab Emirates, the South African Customs Union (“SACU”), Ecuador, and proposed negotiations with the “P-4” countries (Brunei, Chile, New Zealand, and Singapore).
- **Preference Programs.** Oversight of major U.S. trade preference programs such as the Generalized System of Preferences (“GSP”), African Growth and Opportunity Act (“AGOA”), Caribbean Basin Initiative (“CBI”), Andean Trade Preference Act (“ATPA”), and Haitian Hemispheric Opportunity Through Partnership Encouragement Act (“HOPE I” and “HOPE II”). Evaluate efficacy of programs and options for long-term renewal and reform.
- **Haiti.** Oversight of U.S. preference programs for Haiti (“HOPE I” and “HOPE II”). Evaluation of proposals to assist Haiti’s economic recovery.
- **World Trade Organization (“WTO”) Negotiations.** Oversight of U.S. goals in the areas of agriculture, manufacturing, services, and trade remedy laws. Evaluation of reasons for current impasse in WTO negotiations, and consideration of proposals to break impasse and achieve meaningful outcome in all areas.
- **WTO Dispute Settlement.** Oversight of the WTO dispute settlement system, including oversight of WTO decisions involving U.S. trade remedy laws.
- **Enforcement.** Oversight of U.S. enforcement of WTO rights and rights under FTAs and other agreements. Evaluation of proposals to strengthen U.S. trade remedy laws and improve U.S. tools as leverage to open foreign markets and other areas. Evaluation of proposals to strengthen border enforcement related to counterfeit imports and import safety. Oversight of administration by the Department of Commerce and U.S. International Trade Commission of U.S. trade remedy laws and USTR’s role in enforcement.
- **China.** Oversight of systemic problems in U.S.-China trade relations, including issues related to China’s continued violation of U.S. intellectual property rights and use of industrial subsidies, and China’s alleged manipulation of its currency, as well as other areas.

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- **Europe.** Oversight of the third largest bilateral trade deficit of more than \$100 billion in 2005, as well as sectoral issues, such as Airbus subsidies, discriminatory regulations in high technology transfer and sectors, attempts at technology transfer, discriminatory barriers to U.S. farm exports, European Union (“EU”) practices in the WTO negotiations, and EU practices concerning regional trade agreements.
- **Trade and Developing Countries.** Oversight of U.S. trade relations with developing countries, role of developing countries in the WTO and world trading system, extent to which developing countries have benefitted from the trading system over the past 20 years and, in regard particularly with respect to the least developed countries, why many of these countries have lost ground over the last 20 years and what can be done in the area of trade and aid to reverse this trend.
- **Globalization Adjustment Assistance.** Examine options to improve education, on-the-job training, trade adjustment, and portable health care/pensions, including reform and expansion of the Trade Adjustment Assistance programs for Workers, Firms, and Farmers.
- **Climate Change.** Evaluation of impact of mandatory proposals to reduce U.S. greenhouse gas emissions, including with respect to addressing carbon leakage, domestic and export competitiveness concerns of carbon-intensive industries, and issues related to consistency with international trade rules.
- **Priorities of U.S. Customs and Border Protection.** Oversight hearing with the Customs Commissioner to discuss priorities of the 111<sup>th</sup> Congress and concerns related to customs revenue functions and trade facilitation, including enforcement of U.S. customs laws and regulations. Specifically, discuss and consider proposals of the President for 2009 and 2010 and other proposals related to CBP’s capacity and resources, including personnel resources, to carry out its mandate.
- **Miscellaneous Tariff Bill (“MTB”).** Continue work to complete in the 111<sup>th</sup> Congress the review of introduced bills and preparation of an omnibus bill, begun in the 110<sup>th</sup> Congress, in accordance with Committee guidelines and House Rules.
- **Priorities of the United States International Trade Commission.** Oversight hearing to receive information from the Commission concerning overall priorities and operations. Specifically, discuss and consider trade proposals of the President for 2009 and 2010 and inquire as to whether the Commission has adequate resources and technical expertise to carry out its mandate.

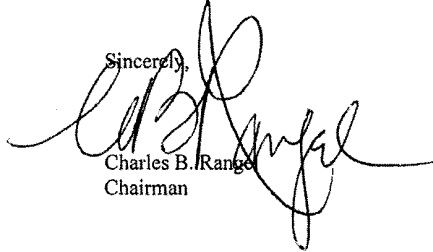
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**Subcommittee on Select Revenue Measures:**

- **Various tax matters.** Oversight of a variety of tax issues and tax legislation, as directed by the Committee Chairman.

This list is not intended to be exclusive. The Committee anticipates that additional oversight hearings and activities will be scheduled as issues arise and as time permits. Also, the Committee's oversight priorities and particular concerns may change as the 111<sup>th</sup> Congress progresses over the coming two years.

Sincerely,



Charles B. Rangel  
Chairman

cc: The Honorable Dave Camp  
Ranking Member