

Union Calendar No. 23

112th Congress, 1st Session - - - - - House Report 112-48

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, 2011.—Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

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WASHINGTON : 2011

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, DC, March 31, 2011.

Hon. JOHN A. BOEHNER,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. 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.

DARRELL E. ISSA, *Chairman.*

Union Calendar No. 23

112TH CONGRESS }
1st Session } HOUSE OF REPRESENTATIVES { REPORT
112-48

OVERSIGHT PLANS FOR ALL HOUSE COMMITTEES WITH ACCOMPANYING RECOMMENDATIONS

—————
MARCH 31, 2011.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

—————
Mr. DARRELL E. ISSA, from the Committee on Oversight and
Government Reform submitted the following

REPORT

OVERSIGHT IN THE 112TH CONGRESS

[The oversight plans of all House committees follow:]

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

TO: The Honorable Darrell Issa, Chairman
 House Committee on Oversight and Government Reform
 The Honorable Daniel E. Lungren, Chairman
 Committee on House Administration

FROM: The Honorable Frank D. Lucas, Chairman *Frank Lucas*
 House Committee on Agriculture

DATE: February 10, 2011

SUBJECT: Oversight Plan for the House Committee on
 Agriculture for the 112th Congress

Pursuant to Rule X, clause 2(d)(1) of the Rules of the U.S. House of Representatives for the 112th 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 112th 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
112TH 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);
- Conduct an audit or inventory of every farm bill program under the committee's jurisdiction;
- Review programs that may be inefficient, duplicative, outdated or more appropriately administered by State or local governments for possible cuts or elimination;
- Review programs for waste, fraud and abuse;
- 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 use of Ad Hoc Disaster Assistance;
- Review the state of credit conditions and availability in rural America;
- 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;
- Review USDA's implementation of the U.S. Grain Standards Act;
- Review USDA's implementation of the Fair and Equitable Tobacco Reform Act of 2004;
- Review the Farm Service Agency's (FSA) management controls for Finality Rule and equitable relief decisions;
- Review how Administrative Pay-Go is affecting Department actions; and
- Review discretionary actions by USDA that are not directly authorized by legislation.

ENERGY

- Assess implementation of energy programs authorized by FCEA;
- Review administration of the Biomass Crop Assistance Program (BCAP);
- 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 RUS electric loan program;
- Review electricity reliability in rural America;
- Review current provisions in existing law that support agriculture-based energy production and use;
- Review the implementation of the Renewable Fuels Standard (RFA);
- Review programs that may be inefficient, duplicative, outdated or more appropriately administered by State or local governments for possible cuts or elimination;
- Review renewable fuel programs and their impact on agriculture; and
- Review USDA's energy infrastructure initiative.

CONSERVATION AND THE ENVIRONMENT:

- Review the impact of regulatory activities by the EPA and its effect on agriculture productivity;
- 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 NRCS;
- Review implementation of all of USDA's conservation programs;
- Review conservation streamlining initiatives to eliminate duplicative and overlapping programs;
- Review programs that may be inefficient, duplicative, outdated or more appropriately administered by State or local governments for possible cuts or elimination;
- Review EPA's jurisdiction under the Clean Water Act (CWA) and its impact 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;
- 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; and
- 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 (SURE);
- 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 programs that may be inefficient, duplicative, outdated or more appropriately administered by State or local governments for possible cuts or elimination;

- Review USDA's activities designed to find and reduce crop insurance program waste, fraud, and abuse;
- Review USDA's handling of the SRA process;
- 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 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.

IMPLEMENTATION OF TITLE VII OF DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

- Review the process by which the CFTC engages in rulemaking as directed by Title VII of the Dodd-Frank Act to ensure—
 - (1) it is a transparent process;
 - (2) the sequence, timing and comment deadlines of rule proposals allow for meaningful public comment;
 - (3) cost benefit analysis is adequately performed and reflected in rule proposals;
 - (4) the CFTC is well coordinated with other federal financial regulators responsible for implementing Title VII;
 - (5) regulations do not impose undue or excessive burdens on financial markets and the economy;
 - (6) regulations are consistent with the intent and statutory language of the Dodd-Frank Act.
- Examine the CFTC, SEC and Federal Reserve rules as they relate to the exemption for commercial end-users, including the application of margin and capital to end-user OTC transactions;
- Examine the feasibility of timetables established by Dodd-Frank in building the data, technology and connectivity necessary to meet regulatory objectives;
- Review the impact of Title VII on market structure;
- Review the impact of proposed transparency mechanisms on trade pricing and liquidity;
- Review the impact of Title VII on the global competitiveness of US firms;

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 as well as 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's 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 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;
- Assess the USFS strategy for timber harvesting on federal lands; and
- Review USFS efforts to promote utilization of federal forests for renewable energy purposes.

DAIRY:

- Review options to improve the efficiency and effectiveness of dairy programs; and
- Review efficiency of federal market order system.

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 USDA process for evaluating discrimination claims under the Pigford settlement;
- 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;
- Review USDA's plan to modernize its Information Technology (IT) systems; 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 its safety and soundness;
- Review of Farmer Mac activities and programs;
- Review of FSA's direct and guaranteed loan programs and graduation efforts;
- 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;
- Review programs that may be inefficient, duplicative, outdated or more appropriately administered by State or local governments for possible cuts or elimination;
- Conduct oversight of the USDA's Rural Broadband Access Loan and Loan Guarantee Program;
- Conduct oversight of new Rural Microentrepreneur Assistance Program;
- Conduct 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 participation by states in SNAP and examine state options for expanding SNAP participation;

- Review buying patterns of SNAP recipients and methods for encouraging balanced lifestyles;
- Review programs that may be inefficient, duplicative, outdated or more appropriately administered by State or local governments for possible cuts or elimination;
- Review efforts by state SNAP administrators to modernize and streamline their programs;
- Review the Community Food Project Program to ensure cooperative grants are working;
- Review of the SNAP retailer approval process; and
- Review of the implementation of changes made to the SNAP Nutrition Education Program.

FOOD SAFETY:

- Review implementation of the FDA Food Safety Modernization Act;
- Review implementation of the recent FDA Egg Safety Rule;
- 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 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;
- Assess USDA's Animal Disease Traceability Plan; and
- Review implementation of Sec. 10201 - Plant pest and disease management and disaster prevention.

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; and
- 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 the implementation and impact of The American Recovery and Reinvestment Act of 2009 (ARRA) on USDA programs;
- 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 pilot program.

CONSULTATION WITH OTHER COMMITTEES TO REDUCE DUPLICATION:

- With Natural Resources Committee on forestry issues, ESA issues and other public land issues;
- With Science Committee on Research;
- With Ways and Means and Education and the Workforce on nutrition programs;
- With Ways and Means on trade issues;
- With Homeland Security on importation of animal and plant material and on research related to agroterrorism;
- With Judiciary on immigrant agricultural labor;
- With Energy and Commerce on food safety and biomass energy programs both existing and new;
- With Transportation and Infrastructure on CWA compliance issues;
- With Financial Services Committee on Dodd-Frank Act issues; and
- With any other committee as appropriate.

112TH CONGRESS }
1st Session

HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES

R E P O R T

OF

OVERSIGHT PLANS
ONE HUNDRED TWELFTH CONGRESS

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



APPROVED FEBRUARY 8, 2011

COMMITTEE ON APPROPRIATIONS

HOUSE OF REPRESENTATIVES

112th Congress

HAROLD ROGERS, Kentucky, *Chairman*

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¹ Chairman EmeritusWILLIAM B. INGLEE, *Clerk and Staff Director*

LETTER OF TRANSMITTAL

FEBRUARY 8, 2011

Hon. Darrell E. Issa,
Chairman, Committee on Oversight and Government Reform,
House of Representatives,
Washington, DC.

Hon. Daniel E. Lungren,
Chairman, Committee on House Administration,
House of Representatives,
Washington, DC.

DEAR CHAIRMAN ISSA and CHAIRMAN LUNGREN: On behalf of the Committee on Appropriations, I hereby transmit the Committee's plan for Oversight activities for the 112th 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,

HAROLD ROGERS, *Chairman*

112TH CONGRESS }
1st Session } HOUSE OF REPRESENTATIVES

REPORT OF OVERSIGHT PLANS OF THE HOUSE
 COMMITTEE ON APPROPRIATIONS

APPROVED FEBRUARY 8, 2011

Mr. ROGERS of Kentucky, 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.

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 is strongly committed to strident and comprehensive oversight of federal discretionary spending to ensure that taxpayer dollars are being invested wisely and prudently on behalf of the American people. Oversight should not be a partisan exercise, but a serious evaluation and accounting of how taxpayer dollars are being utilized by Government agencies and programs.

Because of the historic nature of the Nation’s financial crisis, Congress must go further in exercising oversight than ever before. This Congress must get into the weeds, root out waste, abuse and duplicative spending in federal programs, and reject “more money” solutions to our budgetary challenges.

As part of this focus, the Appropriations Committee must maintain continual pressure on federal agency officials and department heads in order to promote accountability and responsibly by the agencies regarding the investment of American tax dollars. In addition, the Committee will utilize, where appropriate, information and testimony from non-government entities to further scrutinize federal spending and the effectiveness and necessity of government programs.

To accomplish these goal for in the 112th Congress, the Committee on Appropriations intends to engage in the following oversight actions:

(1) *Subcommittee Hearings*. The Appropriations Committee holds itself to the highest standards for analyses of the President’s budget and supplemental funding requests. During the previous Republican majority, the Appropriations Committee held 304 hearings, heard testimony from 2,463 witnesses and published 165 volumes of hearings totaling 155,056 pages.

These subcommittee hearings will include testimony from federal agency officials with responsibility over the spending of taxpayer dollars, as well as non-government individuals and entities with relevant budgetary information and analysis.

(2) *Investigations.* In addition to open oversight hearings, the Committee will also engage in in-depth, comprehensive studies and investigations into agency activities when it is deemed necessary. Specifically, these investigations may include examination of the use of discretionary funding for the American Reinvestment and Recovery Act (ARRA), and for the Health Care Reform legislation, as well as others. Many of these investigations will be conducted by the Committee's Surveys and Investigations staff, who are highly qualified and experienced in the detailed examination of federal budgets. In addition, the Committee will continue to utilize the investigative expertise of the Government Accountability Office and the Inspectors General of the various Federal agencies. Under previous Republican control of the House in the 109th Congress, the Surveys and Investigations staff produced 43 studies and received 211 investigative reports from the Government Accountability Office.

(3) *Appropriations Bills.* The "Power of the Purse" is the Committee's primary responsibility, as outlined in Article I, Section 9, and Clause 7 of the U.S. Constitution which states that "no money shall be drawn from the Treasury but in Consequence of Appropriations made by Law." The manner in which the Committee chooses to provide or withhold federal funding will be undertaken with the utmost level of care and concern over the prudent and responsible use of taxpayer funds, based on its in-depth review of each agencies programs and budget through its informed analyses. The Committee will strictly adhere to its responsibilities under the Congressional Budget Act by ensuring its strict conformance with the total discretionary spending levels established in the Budget Resolution. The Committee will fulfill its responsibility to allocate those funds among the subcommittees based on the prioritization of limited spending based on its analyses and reviews.

UNITED STATES HOUSE OF REPRESENTATIVES

COMMITTEE ON ARMED SERVICES

112th 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 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 wars in the Islamic Republic of Afghanistan and the Republic of Iraq, as well as contingency operations related to the global war on terrorism, 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.
16. Cemeteries administered by the Department of 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(b) 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 2012 and fiscal year 2013 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, with the Subcommittee on Oversight and Investigations pursuing coordinated and constructive oversight that will identify best practices, areas of potential savings, as well as those areas in need of correction and reform within the Department of Defense.

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 112th 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 place renewed emphasis on examining 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 believes that a qualifier is once again necessary with regard to the ability to plan comprehensively and predict all oversight activities. Much of the committee's most demanding oversight will be, by definition, event-driven and not subject to prior planning. Such events significantly complicate the ability to prescribe with great accuracy or specificity the committee's entire oversight agenda. 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 of the war in 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 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). More recently, in the 110th 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, the Clean Contracting Act of 2008 as included in the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417). In the 111th Congress, the committee played a lead role in the passage of the Weapon System Acquisition Reform Act of 2009 (Public Law 111-23) and H.R. 5013, Implementing Management for Performance and Related Reforms to Obtain Value in Every Acquisition Act of 2010 (IMPROVE Acquisition Act of 2010), as included in the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383), and will continue to oversee these legislative provisions in the 112th 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 112th 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 21st century. This will involve closely reviewing how the Department of Defense (DOD) postures itself to meet the demands of the wars in the Islamic Republic of Afghanistan and the Republic of Iraq, while also ensuring that the Department invests in modernization and remains capable of addressing new conventional and unconventional challenges. 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 monitor the implementation of the recommendations delineated in the 2010 Quadrennial Defense Review (QDR). In addition, the committee will continue to consider the findings and recommendations in the final report of the QDR Independent Panel published in 2010.

Through its constitutional responsibility arising from article I, section 8, 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. The committee will continue to monitor strategic risk and take action to mitigate it when necessary.

The War in Afghanistan

Although the war in the Islamic Republic of Afghanistan has evolved since the inauguration of Operation Enduring Freedom in 2001, it remains a vital U.S. national interest, preventing Afghanistan from once again becoming a launching pad for terrorist attacks against the United States and its allies. While the surge in coalition military and civilian resources has improved security in Afghanistan, these security gains remain fragile and reversible. Our forces must receive the resources necessary to conduct the counterinsurgency campaign, build Afghan security forces, and increase Afghan governance capacity. Given President Obama's plan to begin transition to Afghan security forces in early 2011 and to begin a conditions-based U.S. troop reduction in July 2011, working towards a complete transition to Afghan responsibility for security by 2014, the next two years will be critical to ensuring U.S. security for years to come. Consequently, the committee will expand its related oversight activities during the 112th Congress on North Atlantic Treaty Organization International Security Assistance Force (NATO-ISAF) and Operation Enduring Freedom missions. This will once again put the committee on a war footing commensurate with the "surge" in U.S. troops to Afghanistan.

The committee will examine the progress made in the execution of NATO-ISAF's counterinsurgency strategy, as articulated by President Obama in December 2009 and December 2010. The committee will track the performance metrics for measuring operational and strategic success, and will focus its oversight on whether U.S. force levels provide sufficient critical unit-level and theater-wide combat enablers to our commanders. Given the importance of enablers such as intelligence, surveillance, and reconnaissance assets and platforms that counter improvised explosive devices to our operational success and the protection of our forces, the committee will conduct rigorous oversight to ensure that these requirements are not negatively affected by the President's planned troop drawdowns starting in July 2011. The safety and security of U.S. and allied forces will remain paramount in the committee's deliberations, and it will seek to provide commanders with the resources to provide the necessary force protection.

Additionally, the committee will also monitor efforts to deny sanctuary in the border area between Afghanistan and the Islamic Republic of Pakistan, as well as provide oversight to other critical efforts in Afghanistan such as the development and sustainment of effective Afghan National Security Forces, assessing their tactical, operational, and sustainment capabilities as they prepare to assume full responsibility for security in 2014. 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.

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 112th 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 is a base for terrorists and their supporters, who are operating on both sides of the border and pose a threat to U.S. and other International Security Assistance Forces, as well as to Afghan and

Pakistani stability. 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 and other forms of security assistance (such as the Pakistan Counterinsurgency Capabilities Fund) designed to enhance the Pakistan Frontier Corps and the Pakistani Army's ability to conduct counterinsurgency operations against the Taliban and other extremist groups operating along Pakistan's western border that threaten both U.S. and Pakistani security.

The War in Iraq

The committee will continue its strong record of oversight of the war in the Republic of Iraq. Although U.S. forces have been drawn down to 50,000 troops, primarily serving in an advisory and support capacity to Iraqi forces, 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, and from the U.S. military to the Department of State and other agencies. The committee will work to oversee execution of Iraqi Security Forces Funding, which supports a stable Iraq and builds an effective strategic partnership between the U.S. and 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 formation of the new government, in order to gauge their effect on the security situation and both the requirements for U.S. forces and how they are employed.

With the U.S.-Iraq security agreement's mandate to withdraw all U.S. forces from Iraq 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 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. Consequently, the committee will work to determine what capabilities gaps are likely to remain within the ISF at the end of 2011, and therefore what, if any, residual U.S. forces should remain in Iraq as trainers, advisors, logisticians, and other advanced military specialties to ensure the hard fought strategic gains are preserved as we face the Iraqi endgame.

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 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.

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 Islamic Republic of Afghanistan and the Republic of Iraq. The

committee will seek to expedite the promulgation of policies and the fielding of technology and equipment that prevents and/or reduces 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 Afghanistan and Iraq, focus areas will include but are not limited to: 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 fire; adequate, effective, and properly resourced quantities of body and vehicle armor; effective requirements generation and test and evaluation procedures; mine-resistant, ambush-protected vehicle production and fielding; and personal equipment that mitigates traumatic brain injury. 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.

Global War on Terrorism and Emerging Threats

Terrorism, insurgency, and weapons of mass destruction proliferation are some of the emerging threats that challenge global peace and stability. These threats directly impact the National Military Strategy and require the Department of Defense to work effectively and efficiently with other Federal agencies, and the security forces of other nations. The committee will conduct critical oversight of numerous cross-cutting Department activities central to addressing these emerging and unforeseen threats, including counterinsurgency, counterterrorism, security force assistance, and building partnership capacity (BPC), all of which received renewed emphasis in the 2010 Quadrennial Defense Review. And as the U.S. strengthens and builds partnership capacity with key allies around the globe, the committee will concomitantly remain focused on aggressively fighting the Global War on Terror and countering radicalism in places of concern such as, the Islamic Republic of Pakistan, the Republic of Yemen, and the Horn of Africa. Ensuring security and stability in volatile regions that cannot adequately govern themselves or secure their own territory will remain a top priority for the committee.

The committee will focus attention on how the Department addresses these broad threats in its strategic planning processes, how resources are arrayed to meet these threats, and how existing authorities are consistent with operational requirements. 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" 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. 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.

The full committee, as well as the Subcommittee on Emerging Threats and Capabilities (given the key role special operations forces play in this area), will continue their oversight of the full range of emerging threats to national security and U.S. military forces, and the capabilities needed to respond.

Detainee Policy, Military Commissions, and Related Matters

The Department of Defense continues to be the custodian of hundreds of detainees who are being held in the Islamic Republic of Afghanistan, the Republic of Iraq, and United States Naval Station (GTMO), Guantanamo Bay, Cuba.

With regard to detainee operations in Afghanistan, the committee primarily will focus on: implementation of the Detainee Review Board process, as well as the transfer and release of detainees held in the Bagram detention facility; cases of recidivism; and the planned transfer of all detainees into Afghan custody.

In Iraq, the Department's detainee operations will be largely governed by article 22 of the U.S.-Iraq Status of Forces Agreement (SOFA). As the SOFA nears expiration at the end of 2011, the committee will closely monitor how the Department plans to handle irreconcilable detainees who seek to attack the United States.

With respect to detention operations at United States Naval Station Guantanamo Bay, Cuba, the committee will investigate the impact of Executive Orders 13491, 13492, and 13493 signed on January 22, 2009, concerning GTMO; investigate the transfer and release policies and practices that have led to recidivism among former GTMO detainees; and continue to monitor the use of the Military Commissions Act (Public Law 109-366; Public Law 111-84) 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.

The committee will also focus on issues relating to detainee interrogations, including whether detainees are Mirandized, the quality of intelligence resulting from interrogations, whether currently authorized interrogation techniques are adequate, and the Department's role in the newly-formed High Value Interrogation Group. The committee will also take other necessary actions and conduct related oversight.

Iran

The development of nuclear weapons by the Islamic Republic of Iran threatens vital U.S. interests in the Middle East, including, but not limited to, the free flow of energy resources through the Persian Gulf, preventing the rise of extremist Islamic organizations seeking to commit attacks against the United States and its allies. In the 112th Congress, the committee will work to publicize the threat posed by a nuclear Iran through public hearings and working off legislation requiring the Secretary of Defense to report to Congress on Iran's strategic, conventional, and irregular military capabilities, the annual Iran military Power Report. The committee will work to strengthen the economic sanctions designed to make Iran's rulers choose between nuclear weapons and a functioning economy. Additionally, the committee will conduct

oversight of the full range of possible military activities and operations to counter threats posed by Iran.

FISCAL RESPONSIBILITY AND EFFICIENCY

The committee is responsible not only for ensuring that the United States military has the capabilities required to preserve our national security, but also to ensure that the Department of Defense is operated efficiently and with fiscal discipline in order to maximize the return on the taxpayers' investments. To that end, the committee will conduct oversight of the organization and management of the Department of Defense, its business operations, and the means by which the Department acquires goods and services. Acquisition programs that no longer represent the best value for the taxpayer, due to a changing security environment, mismanagement, or the time required to deliver a useful capability to the warfighter, will be re-evaluated by the committee as part of the annual defense authorization process. In particular, pursuant to clause 2(d)(1)(F) of rule X of the Rules of the House of Representatives, the committee will consider recommendations made by the Secretary of Defense to cancel the Expeditionary Fighting Vehicle, the Non-Line of Sight Launch System, the Surfaced-Launched Advanced Medium Range Air-to-Air Missile, adjust procurement quantities for the Excalibur 155mm Precision Guided Munition, and closely monitor the progress of the delayed short take-off and vertical landing variant of the Joint Strike Fighter.

Additional plans for oversight in this area during the 112th Congress follow below.

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 21st 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 the Administration implements efficiencies 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, as well as ensure that Department's enterprise operates efficiently cutting out organizational waste and redundancy. 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 of Defense and creating the position of 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).

Financial Management

The Comptroller General of the United States has consistently identified the Department of Defense'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.

Separate measures to reform defense acquisition or to find efficiencies within the Department lack credibility if the Department is unable to produce auditable financial statements. Without these objective tools, neither the Department nor Congress can verify that greater value is being created.

The committee will continue to review the Department's efforts to implement the Financial Improvement and Audit Readiness (FIAR) plan to correct the weaknesses in its financial statements and monitor closely the interdependencies between FIAR and the hundreds of millions of dollars being spent on business systems modernization programs that the Department has proposed to address its financial management problems.

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 requirements for major defense acquisition programs; reforming contingency contracting; improving the acquisition workforce; protecting strategic materials; and establishing greater standards and transparency for services contracting.

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." Likewise, the committee will continue monitor the implementation of 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. 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.

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.

While the committee has done a significant amount of work to improve the ability of the workforce to contract in a contingency environment, the committee will seek to ensure that contingency contracting can be used as an effective tool of counter-insurgency operations, especially when coupled with rapid acquisition authorities, which are discussed below.

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.

Rapid Acquisition Authority and Joint Urgent Operational Needs Process

The conflicts in the Republic of Iraq and the 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 enemy to adapt enemy within 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.

Information Technology

Due to the growing complexity of software and integration challenges of linking disparate systems, the committee will focus on improving the management and acquisition of the Department of Defense information technology programs, especially through the implementation of section 804 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), to ensure the Department realizes efficiencies resulting in cost savings, shorter development timelines, quicker acquisition, and improved capability.

OTHER POLICY ISSUES

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. Additionally, the committee will monitor the Department's security practices, audit capabilities, and information-sharing policies following recent extensive unauthorized disclosures of classified information. All of the committee's efforts will be focused on ensuring the highest possible quality of intelligence support to the warfighter.

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, 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. In the 112th Congress, the committee will continue its review of the CNGR recommendations. In addition, the committee will continue its oversight responsibilities of the Reserve Component programs and policies that are necessary to support recruitment, retention, and transition of its members back to their civilian communities, including implementation of the Beyond Yellow Ribbon program. In addition, the committee will oversee National Guard and Reserve Component equipment readiness. 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).

READINESS

Force Readiness

The committee will hold force readiness as one of its highest priorities and will continue rigorous oversight in this area, focusing not only on the readiness of deployed personnel supporting the wars in the Republic of Iraq and the Islamic Republic of Afghanistan, but on the ability of the services to conduct full-spectrum combat missions should the need arise. Shortfalls in full-spectrum readiness have developed over time due to the challenges of increased operational tempo, insufficient equipment and personnel availability, and inadequate dwell time to allow for full-spectrum training. In this vein, the committee will continue its oversight of the Department of Defense's efforts to remedy these shortfalls and restore full-spectrum combat capability. The committee will continue to monitor the services' reset strategies to repair, recapitalize, and replace equipment used in ongoing operations and will also closely monitor progress toward complete reconstitution of prepositioned stocks.

Life-Cycle Sustainment

Without appropriate and timely input from the logistics community, decisions made during system design can create unnecessary sustainment problems that drive millions of dollars in depot-level maintenance once the system is fielded. The committee will focus on reducing the total-ownership costs of weapons systems and equipment by ensuring the Department of Defense is developing, procuring and modernizing 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 monitor the implementation of section 805 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), which requires that each major weapons system be supported by a product support manager. Furthermore, the committee will continue its oversight of the Department's corrosion control

efforts and will monitor resourcing of corrosion prediction and prevention efforts with a focus on increasing the service life of weapons systems while reducing long-term sustainment costs.

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. 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. Furthermore, 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.

Civilian Personnel

The Department of Defense has long relied on the federal civilian workforce to support its missions around the world, often requiring civilians to serve in active combat zones; and it is clear that the federal civilian workforce of the Department of Defense plays a critical role in the readiness of our military forces. In its oversight in the 112th Congress, the committee will assess the implementation of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84), which requires the Secretary of Defense to develop a strategic workforce plan in order to shape and improve the civilian workforce of the Department of Defense. The committee will also examine the effectiveness and efficiency of the Department's processes for recruiting, selecting and hiring of qualified individuals, and will continue to monitor progress toward developing a responsive, reliable security clearance system. The committee will continue its oversight of the Department's transition from the National Security Personnel System (NSPS), with specific focus on the reclassification of NSPS positions and the overarching plan for transitioning employees and positions from NSPS. The committee will also consider the future direction of the Department's statutory pay and personnel systems.

ENERGY AND ENVIRONMENT

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 also continue its oversight of the Department of Defense and military services' environmental restoration program and will monitor Department of Defense funding and adherence to federal, state, and local requirements for cleanup, compliance, and pollution prevention.

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. The committee will continue to review all significant domestic and overseas basing proposals.

Military Construction Programming

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 nearly \$60.0 billion. The committee is concerned that infrastructure inefficiencies result in duplicative operations and uncoordinated investment decisions, and will seek to apply best practices across the Department in order to efficiently maintain the services' taxpayer funded infrastructure.

Military Infrastructure Privatization

The committee will continue its review of 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**Manpower Sufficient in Quantity and Quality to Meet Global Commitments**

Some argue that military personnel have become or are becoming too expensive. The committee rejects that assertion because this budget oriented focus misses the fundamental question that the committee will assess: What does the nation need in terms of manpower and the quality of that manpower to meet its current and future global military commitments? In this context, the recent announcement by the Secretary of Defense to reduce Army and Marine Corps manpower levels beginning in 2015 in the name of efficiency deeply troubles the committee. Under this proposal, the Army's permanent active duty end strength would decrease by 27,000, resulting in Army strength some 46,000 below the fiscal year 2010 actual levels and 5,000 below fiscal year 2008 permanent levels. The Marine Corps permanent strength would shrink by 15,000 to 20,000 below fiscal year 2010 levels. The announcement of such cuts as a cost-savings measure appear to be premature when both military services are heavily engaged in two wars; when neither the Army nor the Marine Corps have achieved their dwell time goals so

necessary to sustain a military force whose personnel are under severe stress; when such reductions portend increased use of the Reserve Components who also have yet to achieve dwell time objectives; when the Army struggles to ensure full manning of forces deploying to combat theaters; and there is no evidence available to the committee that a smaller Army and Marine Corps would be adequate to meet future contingencies or the war fighting requirements of the combatant commanders. For these reasons, the committee will closely scrutinize proposed manpower reductions, and will also continue oversight to ensure that the Armed Services - Active Guard and Reserve - can sustain themselves while minimizing the negative effects of fighting two wars simultaneously and be adequately manned to fight future contingencies. Within this focus, the committee will examine closely trends in force structure requirements, end strength, recruiting, retention and compensation.

Sustaining Cost Efficient Operation of Morale, Welfare and Recreation (MWR) Programs, Military Resale Programs and Department of Defense School System

Several analysts have targeted various programs directly related to military quality of life as being extraneous, unnecessary, and too costly to maintain. The committee rejects such assertions and believes cost efficient sustainment of the military resale system, including the post exchange and commissaries, the Department of Defense School System, and the MWR programs of the military services, is required. Committee oversight efforts will be directed toward that end.

Mental Health Services for Members of the Armed Forces

A continued principal focus of the committee during the 112th Congress will be to assess the adequacy and effectiveness of mental health services provided to members of the Armed Forces and their families. Particular attention will be given, but not limited to, the suicide prevention efforts undertaken by each military service and the interim results of the longitudinal study by the National Institutes of Mental Health and the Army on suicidality and mental health in the United States Army.

Sexual Assault in the Military

The committee will continue its efforts to address sexual assaults in the military and ensure victims are provided the appropriate care and support. The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383) requires the Department of Defense to make significant improvements to their programs and policies to prevent and address sexual assaults involving members of the Armed Forces. Implementation of these program and policy improvements will require close oversight by the committee. Finally, the committee remains interested in how the military justice system is functioning with regard to the issue of sexual assault and will continue working with the Department of Defense on methods to optimize prosecution efforts.

Military Health Care System

The committee is committed to a robust military health system which provides quality health care for service members, retirees, and their families. The cost of providing health care to military beneficiaries will be a particular focus for the committee during the 112th Congress. The committee will continue to explore strategies to improve the health status of beneficiaries and control cost growth within the military health care system with particular emphasis the role of preventive care. Additionally, to ensure that the military health system is efficient and effective, the committee will conduct oversight activities on how the military health system should be organized, programmed, and resourced. Particular attention will be focused on health information technology systems and the acquisition process for military health related procurement. The committee will continue to closely monitor progress towards completing the Base Realignment and Closure requirements, along with additional congressional mandates, for military treatment facilities in the National Capital Region. Finally, 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.

Wounded Warrior Care (Wounded and Disabled Service Members and Their Families)

The committee will continue its efforts to assess the adequacy of the Department of Defense policies and programs for wounded and disabled service members and their families. The committee will also evaluate the Department of Defense's ability to integrate and coordinate the multitude of services and resources available to assist the wounded and disabled, not only from other federal agencies, but also from the private sector. The congressionally mandated Department of Defense centers of excellence will be reviewed for opportunities to expand capabilities and make improvements. In addition, the committee will continue to closely monitor translational research and treatment advances in traumatic brain injury. Particular attention will be focused on improvements to the disability evaluation system including the on-going Disability Evaluation System pilot with a view to ensuring the fairness, effectiveness, and efficiency of the program and to simplify the process for service members.

Military Voting

Recognizing that operational requirements and the mobility of military personnel were preventing military voters from receiving state-provided absentee ballots by mail in time for an election, Congress enacted legislation to improve the opportunity for our troops and their families to participate in the voting process and have their votes count. During the 112th Congress, the committee will continue to closely monitor Department of Defense compliance with the Military and Overseas Voter Empowerment (MOVE) Act included in the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84). The committee will review military overseas voter participation in the 2010 election cycle and explore possibilities to further enhance the voting process to ensure that military voters are not disenfranchised in future elections.

Military Family Readiness

We are a nation at war, fighting on two fronts and the strains of those wars translate directly and immediately to the families of the members of the Armed Forces. The committee will continue to focus on the needs of military families and to identify the programs and policies that can be developed or modified to improve their lives. In particular, the committee will review and assess the adequacy and efficacy of current Department of Defense and military service family support programs to ensure these programs are reaching military families and meeting their needs.

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

Over the past several years, the committee has maintained active oversight of the Department of Defense's POW/MIA activities, as the committee of jurisdiction. That oversight led to the requirement that the Department of Defense reform the POW-MIA accounting effort and achieve significantly higher levels of identification by 2015. The committee will remain committed to diligent oversight and investigation into the challenges facing the Department in reaching the new accounting objectives, particularly with respect to the recovery, identification, and return of remains that have been found.

MODERNIZATION AND INVESTMENT ISSUES

The committee will conduct oversight of the full range of modernization and investment issues facing the Department of Defense. In particular, the Committee will seek to ensure the military services have the appropriate authorities, capabilities, and force structure to defend against any potential challenges posed by the advanced anti-access capabilities of countries, such as China and Iran, consistent with the report of the 2010 Department of Defense Quadrennial Defense Review which found that, "Anti-access strategies seek to deny outside countries the ability to project power into a region, thereby allowing aggression or other destabilizing actions to be conducted by the anti-access power. Without dominant capabilities to project power, the integrity of U.S. alliances and security partnerships could be called into question, reducing U.S. security and influence and increasing the possibility of conflict."

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.

Ground Combat Vehicle Program

Based on long-standing committee concerns stemming from the Future Combat Systems program's requirements, cost increases, and schedule delays, the committee will continue aggressive efforts to oversee and shape the evolving Ground Combat Vehicle (GCV) program. In the 112th Congress, these oversight efforts will focus on understanding the basis of GCV requirements as they pertain to the Analysis of Alternatives, containing program costs, and ensuring appropriate and thorough testing. The committee will also continue to work closely with the Government Accountability Office and the Congressional Budget Office to conduct continuous oversight and evaluation of the GCV program.

Army Aviation Programs

While major reductions may occur in rotorcraft force levels in the Republic of Iraq over the period of the 112th 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, the initiation of modernization programs such as 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.

With regard to the JFTL program, while the committee has supported research efforts to develop next-generation rotorcraft capabilities, it is concerned that senior leadership of the services and the Office of the Secretary of Defense 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 the size and composition of the tactical aircraft force structure. Continued delays in the initial operational capability of the F-35 aircraft have the potential to result in future tactical aircraft force structure shortfalls if service life extensions for legacy aircraft cannot be accomplished.

With an operational requirement of 1,056 strike fighters, the Department of the Navy projects it can manage a peak strike fighter shortfall of 100 aircraft in 2018. 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 2,000 aircraft, and, under current procurement and retirement plans, the Air Force does not project a strike fighter shortfall. However, delays in deliveries of the F-35A aircraft will affect the Air Force fighter aircraft inventory. In the 112th Congress, the committee will continue its oversight of: aircraft retirement plans; the F-22 and F-35 aircraft programs; and life extension and modernization programs for the F-15, F-16, and A-10 aircraft.

F-35/Joint Strike Fighter

During the 112th Congress, the committee will continue oversight of the F-35/Joint Strike Fighter (JSF) Program, particularly issues related to the propulsion system. The committee will also continue to exercise oversight of program cost, schedule, and performance of the program.

With the JSF approximately two-thirds through a 14-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 112th Congress, the committee will continue to receive JSF annual reports and receive testimony and briefings from both the Department of Defense and the Government Accountability Office.

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, and also has plans to modernize and upgrade the B-52, B-2, and B-1 bomber aircraft platforms. While the Department of Defense has committed significant time and resources to the study of the required capability for Long Range Strike (LRS), the initial acquisition strategy calling for fielding of a capability by 2018 was suspended in 2009 to execute yet another LRS study, causing program uncertainty and instability, as well as inefficient use of considerable resources.

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 9 years because of failures internal to the Department of Defense'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.

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; 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 Block IV.

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 a rapidly growing component of the overall Department of Defense force structure. The committee will focus on the budget, cost, schedule, and performance outcomes of major unmanned aerial systems programs and examine the ISR enterprise for balance in collection and analysis capabilities. Also, 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. 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.

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 112th Congress, the committee will more closely examine organizing concepts provided by the Office of Secretary of Defense as demonstration projects become viable programs and the respective service acquisition plans in support of fielding directed energy capabilities.

Nuclear Deterrence

The committee oversees the atomic energy defense activities of the Department of Energy (DOE) and nuclear policies and programs of the Department of Defense (DOD) to ensure the safety, security, reliability, and credibility of the U.S. nuclear deterrent. Particular emphasis will be placed on oversight of Departments of Energy and the Department of Defense nuclear modernization plans, including but not limited to: infrastructure investments; warhead life extension programs; stockpile stewardship and management plans; delivery system modernization; nuclear command and control; and security. The committee will closely watch the Administration's funding of the nuclear enterprise to ensure sufficient resources are provided and allocated effectively across DOE and DOD requirements.

The committee will also provide oversight of the Administration's nuclear policy and posture, extended deterrence policy, arms control activities, nuclear nonproliferation activities, and force structure requirements. The committee will also review Departments of Energy and Department of Defense organization and management of the nuclear enterprise, including 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), laboratory and production site management and operations, workforce sustainment, and management of defense nuclear waste.

Missile Defense

The committee oversees the Department of Defense's efforts to develop, test and field layered missile defense capabilities to protect the United States, its deployed forces, and its friends and allies against the full range of ballistic missile threats. Particular emphasis will be placed on: U.S. homeland missile defense capabilities; European Phased Adaptive Approach implementation and ensuring an adequate hedging strategy for the protection of the U.S. homeland; developmental and operational testing; force structure and inventory requirements; sensor-to-shooter integration; and science and technology investments in areas such as directed energy. The committee will be closely watching the Administration's funding of the missile defense program, seeking the cost-effective application of resources, and looking for opportunities to bring greater stability to the industrial base.

The committee will continue to monitor foreign ballistic missile threats and identify opportunities to strengthen international missile defense cooperation with allies and partners such as the State of Israel, Japan, and North Atlantic Treaty Organization member states. Department of Defense oversight and management of missile defense activities, including the roles and responsibilities of the Missile Defense Agency and military services will also be reviewed. The committee will also provide oversight of the Administration's missile defense policy and posture, including close examination of any Administration efforts that may limit missile defenses as part of any treaty or agreement.

National Security Space

The committee oversees the national security space programs of the Department of Defense, including space intelligence programs that are funded by the Military Intelligence Program. Particular attention will be placed on: space acquisition strategies that reduce technical risk and promote greater stability and predictability in the industrial base; mitigating risks that could create gaps in space capabilities; affordability and increasing government buying power; science and technology investments and improving the transition of technologies to baseline programs; and improving the synchronization between satellite and terminal acquisition programs.

The committee will continue to monitor foreign space threats and assess the Department's space situational awareness, space protection, and operationally responsive space activities. The committee will also provide oversight of the Administration's space policy and posture, review efforts to improve governance and management across the national security space enterprise, seek opportunities for space integration (where they make sense), and promote efforts that sustain the technical workforce.

EMERGING THREATS AND CAPABILITIES

Investment in Future Capabilities Science and Technology

The Department of Defense faces difficult choices as it balances the competing needs of capabilities needed for current operations and those projected for future conflicts. In order to address the latter, investments must be made in the Department's Science and Technology (S&T) programs, and aligned appropriately with continued development and procurement programs to

position the Department to meet those future challenges. Preparing for the challenges of the future, the Department must create a portfolio of technological options that can address the perceived threats identified in the defense planning process, as well as the emergence of unanticipated events or strategic competitors. Overcoming the bureaucratic inertia of existing acquisition roadmaps should be more properly balanced with capabilities to institutionalize adaptability. With the emergence of nontraditional adversaries pursuing “complex irregular warfare,” the Department of Defense recognized that true transformation required investment in additional capability areas. The committee will continue to encourage the Department to plan for and execute a balanced S&T program that ensures the U.S. military can retain superiority for future generations.

Cybersecurity Information Technology

Cyber operations have taken on an increasingly important role in military operations as well as national security. Accordingly, the committee will continue to closely scrutinize the Department’s cyber operations, organization, manning and funding to ensure the military has the freedom of maneuver required to conduct the range of missions required to provide for the nation’s defense. An important oversight role for Congress regarding the conduct of defensive and offensive cyber operations will be to ensure proper legal and policy framework is in place and is followed. The committee is particularly interested in examining the effects of globalization on the assured integrity of microelectronics and software.

Strategic Communication and Information Operations

Engagement with foreign audiences is pivotal in countering violent extremists and interrupting the radicalization process. As such, strategic engagement is a key element to success on the battlefield and an important tool to prevent or deter conflict before escalation. The committee will pay particular attention to the Department of Defense’s strategic communication strategy and the interplay of strategic communications and information operations, a broader set of tools to address operations beyond strategic communications. These activities are key enablers to military operations as well as military support to diplomacy.

**OVERSIGHT PLAN OF THE
COMMITTEE ON THE BUDGET
FOR THE 112TH CONGRESS**

Resolved: That the Committee on the Budget, pursuant to clause 2(d) of House Rule X, adopts as the Oversight Plan of the Committee on the Budget for the 112th 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 Oversight and 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 its 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.

Although the subject matter of the budget is inherently broad, the Committee's formal oversight responsibility focuses on law 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, Statutory Pay-As-You-Go Act of 2010, and the Balanced Budget and Emergency 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 clause 3(c) of House Rule X to study the effect of budget outlays of existing and proposed legislation and to request and evaluate continuing studies of tax expenditures.

OVERSIGHT PLAN FOR 112TH 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, State and local officials, and expert witnesses to review the budget and economic outlook, the President's budget submissions and other budget proposals.

The Committee will 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, and explore ways of reducing waste, fraud, and abuse in government agencies.

The Committee will draw on the authorizing Committee's 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 its oversight activities with other Committees.

The Committee will continue to review the budgetary treatment of assistance to, and ongoing operations of, Federal National Mortgage Association (Fannie Mae) and Federal Home Loan Mortgage Corporation (Freddie Mac).

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 1921, the Congressional Budget Act of 1974, the Budget Enforcement Act of 1990, and the Balanced Budget and Emergency Deficit Control Act of 1985, the Statutory Pay-As-You-Go Act of 2010, and other applicable laws.

The Committee will assess the extent to which both the President's budget submissions and the budget resolutions for fiscal years 2012 and 2013 comply with applicable budget laws. The Committee will also work to ensure compliance of the budget-related provisions of H. Res. 5.¹

As part of these responsibilities, the chair may provide authoritative guidance concerning the impact of a legislative proposition on the levels of new budget authority, outlays, direct spending, new entitlement authority and revenues.²

The Committee will enforce spending limitations and improve accountability pursuant to H. Res. 5, prohibiting a bill, joint resolution, amendment or conference report if the provisions of such measure have the net effect of increasing mandatory outlays.³

In addition, the Committee will monitor reclassifications of budget accounts, reestimates of the subsidies of credit programs, consistency in cost estimates for direct spending and tax bills, compliance with the Balanced Budget and Emergency Deficit Control Act of 1985 and other relevant laws, in the development of budget projections, and changes in spend-out rates for discretionary programs, and implementation of performance plans.

The Committee will work with the Appropriations Committee and the authorizing Committees to ensure that spending and tax legislation does not breach the appropriate levels in the budget

¹ H. Res. 5 (Adopting Rules for the One Hundred Twelfth Congress) Rule #XXIX, Clause 4.

² H. Res. 5 (Adopting Rules for the One Hundred Twelfth Congress) Rule #XXIX, Clause 4.

³ H. Res. 5 (Adopting Rules for the One Hundred Twelfth Congress) Rule #XXI, Clause 10.

resolution, as required under sections 302(f) and 311(a) of the Congressional Budget Act of 1974 or violate the budget provisions of H.Res. 5.

Direct Spending and Tax Expenditures

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

Economic Policy

The Committee will study how economic policies affect the Federal budget. The Committee will also study monetary policy and its effects on the Federal budget. One of the first hearings held by the Budget Committee will feature the Chairman of the Federal Reserve, Ben Bernanke to review economic conditions, fiscal conditions, and monetary policy.

OVERSIGHT SCHEDULE

The following are the Committee's initial plans for hearings and other oversight activities.

First Session (2011)

Winter 2011—Hearing on the fiscal impact of health care programs and policies.

Winter 2011—Hearing on the economy —Chairman of the Federal Reserve Board.

Winter 2011—Hearing on CBO's Economic and Budget Outlook—Director of CBO.

Winter 2011—Hearing on the President's Fiscal Year 2012 Budget—Director of OMB.

Winter 2011—Hearing on the President's Fiscal Year 2012 Budget—Treasury Secretary.

Winter 2011—Possible hearing on the outlook for the Federal Debt.

Winter 2011—Hearing on the President's Fiscal Year 2012 Budget—Members of Congress.

Winter 2011—Possible additional hearings on the President's budget and the budget outlook.

Winter 2011—Receive Views and Estimates from other Committees to coordinate development of the annual concurrent budget resolution.

Winter 2011—Possible hearing on Federal entitlement spending and the long-term budget outlook,

Winter-Spring 2011—Possible field hearings.

Possible additional hearings to review federal spending, taxes, deficits, debt, and the economy.

Second Session (2012)

Winter 2012—Hearing on the economy

Winter 2012—Hearing on the President's Fiscal Year 2013 Budget—Treasury Secretary.

Winter 2012—Hearing on CBO's Economic and Budget Outlook—Director of CBO.

Winter 2012—Hearing on the President's Fiscal Year 2013 Budget—Director of OMB.

Winter 2012—Hearing on the President's Fiscal Year 2013 Budget—Members of Congress.

Winter 2012—Receive Views and Estimates from other Committees to coordinate in developing the annual concurrent budget resolution.

Fall 2012—Hearing on the budget year-end review and preview of coming budget year—Directors of OMB and CBO.

Possible additional hearings may include reviewing federal spending, taxes, deficits, debt, and the economy.

The Committee will also conduct research, examine programs, and prepare analyses of fiscal and economic issues with an emphasis on providing for a more effective and accountable Federal government.

[Committee Print]

**112th CONGRESS
OVERSIGHT AND INVESTIGATION PLAN
OF THE
COMMITTEE ON EDUCATION AND THE WORKFORCE**

1. Adoption of an Oversight Plan

Each standing committee of the House is required to formally adopt 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 the Workforce

Rule X of the Rules of the House of Representatives vests in the Committee on Education and the Workforce (the “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.

Clause 2 of Rule XI of the Rules of the House of Representatives provides:

(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 so doing, the 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 in Washington, D.C. and in regional field hearings to ensure all relevant voices are heard and made part of the official record. Among other investigative techniques, the Committee will visit relevant sites, correspond with affected parties, and review audits and investigations by, among others, the Congressional Research Service, Government Accountability Office, United States Attorney General, and Offices of the Inspectors General of the Departments of Labor, Education, and Health and Human Services.

The Committee has identified several particular areas for oversight and investigation in the 112th Congress. These areas are discussed below:

Protecting the Financial Interests of Students and Taxpayers. The Committee seeks to ensure the financial interests of students, their families, and taxpayers are protected. The Committee will conduct a comprehensive review of programs and projects at the U.S. Department of Education to ensure they are limited to the appropriate federal role; operating in an effective and efficient manner; and following Congressional intent in their scope, activities, and operations. In particular, the Committee will monitor the implementation of the many new programs and projects created over the last two years that resulted in an almost doubling of the Department's budget, including the Education Jobs Fund, the State Fiscal Stabilization Fund, the Race to the Top program, and other funding initiatives included in the American Recovery and Reinvestment Act (ARRA). The Committee will monitor the implementation of recent laws enacted to reauthorize the Child Nutrition Act, Corporation for National and Community Service, and Child Abuse Prevention and Treatment Act. The Committee will also monitor the transition of all institutions of higher education to the Direct Lending program, including examining the growth of the size of the Department of Education as a result of this policy.

Protecting Access to Educational Options for Students. The Committee will seek to protect educational options for students from elementary school to higher education. To do this, the Committee will investigate federal policies that inhibit or prevent students' access to a high-quality elementary and secondary education or postsecondary education that best meets their individual needs. The Committee will examine the actions of the Department of Education to review the policies, regulations, and guidance being offered so elementary and secondary students are able to attend the school of their choice as allowed by law, parents are able to access

programs that provide additional academic support to students, and students are able to attend programs to start or further their careers.

Department of Labor. The Committee will continue its oversight of the various programs and statutes administered and enforced by the U.S. Department of Labor, including all of the workplace laws within its jurisdiction. The Committee will closely monitor and review implementation of the Department of Labor's regulatory initiatives; in particular, those relating to regulations under the Fair Labor Standards Act, regulations implementing recent legislative changes to the Family and Medical Leave Act, and those impacting temporary worker programs.

Workplace Safety. The Committee recognizes that safe workplaces are vital to the well-being of our nation's workers and the strength of our economy. Accordingly, the Committee will continue its efforts to ensure federal workplace safety laws, including both the Occupational Safety and Health Act and the Mine Safety and Health Act, adequately protect American workers. The Committee will also take steps to ensure the agencies responsible for administering and enforcing these statutes do so fairly, effectively, and efficiently.

Union Democracy. The Committee will conduct investigations, as appropriate, to ensure that protections afforded to both employees and employers under the National Labor Relations Act are applied consistently and without bias. The Committee will also closely monitor the Department of Labor's administration and enforcement of the Labor-Management Reporting and Disclosure Act. If employees choose to be represented by a union, the Committee will work to ensure all union members are free to fully participate in their union. Additionally, the Committee will work to ensure union officers and employees are accountable to their members and hold union assets solely for the benefit of the union and its members.

Health Care. The Committee will perform oversight of the new health care law, the Patient Protection and Affordable Care Act, and its impact on the economy, employers, workers, and their families. Rising health care costs continue to place significant strains on large and small businesses and Americans' family budgets, making it more difficult to access quality, affordable health insurance coverage. The new law expands the role of the government in the health care system and makes significant changes to the coverage provided by most employer-sponsored health benefit plans, many of which are administered under the Employee Retirement Income Security Act of 1974 (ERISA), which serve as many as 170 million participants. The Committee will examine the effects of the new health care law, and will monitor implementation efforts by executive agencies including the Department of Labor.

Retirement Security. The Committee will continue to monitor the Department of Labor's activities with respect to its efforts to protect the integrity and viability of private pension and welfare plans covered under the Employee Retirement Income Security Act of 1974 (ERISA). The Committee will also continue to oversee developments affecting single and multiemployer defined benefit pension programs. In addition, the Committee will continue its oversight of the Pension Benefit Guaranty Corporation and its efforts to encourage growth of defined benefit pension plans and provide timely and uninterrupted payments of pension benefits to American workers.

In addition, the Committee reserves the right to review and investigate general legislative, administrative, and regulatory issues within the jurisdiction of the Committee.

COMMITTEE ON ENERGY AND COMMERCE OVERSIGHT PLAN**U.S. HOUSE OF REPRESENTATIVES****112TH CONGRESS**

During the 112th Congress the Committee on Energy and Commerce will hold hearings and conduct robust oversight over matters within its jurisdiction. The Committee will conduct thorough oversight, reach conclusions based on an objective review of the facts, and treat witnesses fairly. The Committee will request information in a responsible manner that is calculated to be helpful to the Committee in its oversight responsibilities. The Committee's oversight functions will focus on: 1) cutting government spending through the elimination of waste, fraud and abuse; 2) ensuring laws are being implemented in a manner that protects the public interest without stifling economic growth.

HEALTH AND HEALTHCARE ISSUES**PATIENT PROTECTION AND AFFORDABLE CARE ACT**

In the 112th Congress, the Committee will examine issues related to the Department of Health and Human Services implementation of Public Law 111-148, The Patient Protection and Affordable Care Act (PPACA) and the related Reconciliation Bill, Public Law 111-151. This will include the numerous provisions contained within the law that affect the private insurance market in the United States, the creation of health insurance exchanges, the regulations and requirements imposed on both small and large businesses, and the law's effects on individuals.

The Committee will also evaluate what controls are in place to prevent bias, waste, fraud, and abuse in the management of PPACA and its programs. The Committee will monitor deadlines imposed on HHS by the Patient Protection and Affordable Care Act and examine what procedures HHS has in place for meeting those deadlines and/or complying with missed deadlines. The Committee will examine what programs HHS has in place to improve the availability of reliable, consumer-oriented information on the cost and quality of health care goods, services, and providers. The Committee will investigate the process by which the Executive Branch evaluated claims that PPACA would curb rising health care costs and federal spending. The Committee will also examine the status and future of employer-sponsored health care plans as well as the effects of PPACA's enactment on the states. The Committee will examine the impact of PPACA and its implementing regulations on the economy, consumers, and the health care industry as well as the process by which those regulations are drafted.

CENTERS FOR MEDICARE AND MEDICAID SERVICES

The Committee will review the management, operations, and activity of the Centers for Medicare and Medicaid Services (CMS) and the programs it administers. The Committee will examine and review Medicare and Medicaid management and activity as it relates to ongoing Committee efforts to prevent bias, waste, fraud, and abuse in federal health care programs, particularly in the implementation of PPACA. The Committee will investigate the process by which CMS implements statutory formulas to set prices for Medicare payment, as well as the effectiveness of those formulas. The Committee will evaluate the competitive bidding process for durable medical equipment and examine ways to use similar programs in Medicare and Medicare Advantage plans. The Committee will examine the effects that the Medicaid expansion included in PPACA will have on state budgets, the budgets of individuals and families, the budgets of providers currently providing uncompensated care, and the impact it may have on access to care. The Committee will investigate the processes by which CMS prevents bias, waste, fraud, and abuse in the award of government contracts.

AGENCY FOR HEALTHCARE RESEARCH AND QUALITY

The Committee will examine issues related to the work done by the Agency for Healthcare Research and Quality. This will include, but not be limited to, oversight of the Agency's work in all areas, review of the procedures and processes used by the Agency, and how the Agency's role is expanded by Public Law 111-148, The Patient Protection and Affordable Care Act.

LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM

The Committee will review and oversee action taken by the Department of Health and Human Services (HHS) in response to June 2010 Government Accountability Office (GAO) findings concerning the need for greater fraud prevention controls in the Low-Income Home Energy Assistance Program (LIHEAP). Of particular concern to the Committee is the status of efforts by HHS to strengthen LIHEAP's and state recipients' internal control frameworks, and determining whether HHS is satisfying the GAO recommendation that it provide specific guidance to the states in establishing appropriate systems and procedures to prevent fraud and improper payments.

FOOD AND DRUG ADMINISTRATION AND DRUG SAFETY

The Committee will review whether the Food and Drug Administration (FDA) is ensuring that regulated drugs are safe, effective, and available to American patients in an expeditious fashion. The Committee will also explore the interplay between these policies and drug

innovation, both in the United States and abroad. Further, the Committee will examine FDA's enforcement of current drug safety laws and the issues involved in protecting the nation's supply chains against economically motivated and other forms of adulteration.

FDA REGULATION OF MEDICAL DEVICES

The Committee will examine whether the FDA's evolving regulatory approach has sufficient predictability and transparency, whether FDA's approval processes ensure safety and effectiveness, and the interplay between these policies and innovation, patient care, and employment, both in the United States and abroad.

ENERGY AND ENVIRONMENT ISSUES

NATIONAL ENERGY POLICY

During the 112th Congress, the Committee will examine issues relating to national energy policy, including U.S. policies that relate to production, supply, and consumption of electricity, oil and natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will examine the impact of government policies and programs on the exploration, production, and development of domestic energy resources, including issues relating to the nation's current energy infrastructure. The Committee will also continue to examine safety and security issues relating to energy exploration, production and distribution.

ELECTRICITY MARKETS

The Committee will review electricity transmission policies of the Federal government to ensure that those policies promote competitive wholesale power markets, transmission, and generation infrastructure upgrades, and compliance with relevant statutes. It will examine the activities of the Federal Energy Regulatory Commission (FERC) relating to electric industry restructuring, protection of consumers, and the development of efficient and vigorous wholesale markets for electricity.

MANAGEMENT OF THE DEPARTMENT OF ENERGY AND ITS NATIONAL LABORATORIES

The Committee will oversee management and operations issues at the Department of Energy (DOE), including management and operations of the National Nuclear Security Administration (NNSA) and the national laboratories. The Committee's oversight work will include a review of the implementation of new nuclear security requirements at NNSA and DOE facilities, ongoing safety and security matters, the Office of Environmental Management's cleanup program, high-level waste management efforts, and DOE's implementation of the Nuclear Waste Policy Act.

YUCCA MOUNTAIN

The Committee will examine DOE's decisions to abandon Yucca Mountain as a nuclear waste repository, related financial implications of the decisions, and the potential impact of those decisions on the future of nuclear energy in the United States. The Committee will also examine the actions of the Nuclear Regulatory Commission (NRC) in connection with the shutdown of the Yucca Mountain facility.

THE NUCLEAR REGULATORY COMMISSION

The Committee will review the activities of the Nuclear Regulatory Commission. The Committee will examine NRC's budget requests and conduct oversight of the manner in which the Commission discharges its various responsibilities, including the safety and security of nuclear facilities. In addition, the Committee will closely monitor the process of the licensing and development of new nuclear power facilities.

CLEAN AIR ACT

The Committee will review significant rulemakings under the Clean Air Act and the potential economic and job impacts of those rulemakings on the energy, manufacturing and construction industries and other critical sectors of the U.S. economy, as well as any public health and environmental benefits of the regulations. The Committee's review will include oversight of the Environmental Protection Agency's (EPA) decisions, strategies and actions to meet Clean Air Act standards, and the current role of cost, employment and feasibility considerations in Clean Air Act rulemakings.

CLIMATE CHANGE

The Committee will continue to monitor international negotiations on efforts to control greenhouse gas emissions in connection with concerns about global climate change. In addition, the Committee will examine the EPA's efforts to regulate domestic greenhouse gas emissions under the Clean Air Act based on its endangerment finding. The Committee will also review the activities undertaken in this area by agencies within the Committee's jurisdiction, including the Department of Energy (DOE) and the Department of Health and Human Services (HHS).

EPA MANAGEMENT AND OPERATIONS

The Committee intends to conduct general oversight of the EPA, including review of the agency's funding decisions, resource allocation, grants, research activities, enforcement actions, relations with State and local governments, respect for economic, procedural, public health, and environmental standards in regulatory actions, and program management and implementation.

INVESTMENT IN THE GREEN ENERGY SECTOR

The American Recovery and Reinvestment Act (ARRA, or the stimulus) provided \$84.6 billion in new spending for the green energy sector, as well as \$21.6 billion in tax credits for energy, transport, and climate science. The Committee will review how this money was spent and what types of jobs have been created; the development of new technologies, products, and businesses focused on green energy; and how this spending has impacted the domestic suppliers or manufacturers of alternative energy products.

COMMUNICATIONS AND TECHNOLOGY ISSUES**FEDERAL COMMUNICATIONS COMMISSION**

During the 112th Congress, the Committee will conduct oversight of the Federal Communications Commission (FCC), including the effect of the FCC's decisions on innovation, access to information, and the U.S. economy. Among other things, the Committee will evaluate the impact of FCC actions on voice, video, audio, and data services, and on public safety. The Committee will pay particular attention to whether the FCC conducts cost-benefit and market analyses before imposing regulations. The Committee will also conduct oversight to improve FCC procedures and transparency.

BROADBAND PROVISIONS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT

The Committee will conduct oversight of the \$7 billion dollars allocated by the ARRA to the National Telecommunications and Information Administration (NTIA) and the Rural Utility Service (RUS) for broadband grants and loans. In particular, the Committee will examine what procedures are in place to control waste, fraud, and abuse of broadband stimulus funds, whether the funds were appropriately targeted, and the impact of the funding on jobs and the economy.

NATIONAL BROADBAND PLAN

The Committee will examine the National Broadband Plan developed by the FCC. The committee will evaluate the existing availability of broadband technologies and the deployment of broadband services and facilities. The Committee will also evaluate the impact of the National Broadband Plan on competition, access, prices, and incentives for entities to make investments in broadband networks and new technologies. As the FCC drafts regulations to implement the National Broadband Plan, the Committee will examine whether those regulations reflect the goals of maximizing consumer welfare, innovation, and investment.

UNIVERSAL SERVICE REFORM AND INTERCARRIER COMPENSATION

The Committee will examine the FCC's efforts to reform the universal service fund and inter-carrier compensation regimes to reduce unnecessary consumer fees and carrier subsidies. The Committee will pay particular attention to whether the FCC is stemming growth in the fund, reducing duplicative subsidies, and targeting remaining subsidies to areas that are otherwise not economically feasible for the private sector to serve. The Committee will also examine whether the FCC's internal processes are appropriate to control waste, fraud, and abuse of universal service funds.

SPECTRUM MANAGEMENT

The Committee will conduct oversight of the FCC's and the NTIA's management and allocation of the nation's spectrum for commercial and government use. Spectrum is increasingly being used to provide voice, video, and data services to consumers. The Committee will evaluate spectrum-management policies to ensure that such policies are maximizing the efficient use of the public airwaves for innovative communications services. The Committee will also examine whether plans for allocating spectrum maximizes capacity for broadband deployment and encourages investment.

CORPORATION FOR PUBLIC BROADCASTING

The Committee will investigate the financing of the Corporation for Public Broadcasting (CPB), including National Public Radio (NPR), one of its grantees, to determine whether it is appropriate to continue federal funding. Given NPR's receipt of federal funding in support of its activities, and recent controversies involving NPR, the Committee will also examine certain editorial and employment standards and practices at NPR.

COMMUNICATIONS PRIVACY, INTERNET GOVERNANCE, CYBERSECURITY, AND
PUBLIC SAFETY

The Committee will exercise its jurisdiction over the FCC and the NTIA to provide oversight of communications privacy. The Committee will also conduct oversight of NTIA in relation to Internet governance in general and the Internet Corporation for Assigned Names and Numbers in particular. The Committee will also exercise its jurisdiction over the FCC, the NTIA, and the Office of Emergency Communications to conduct oversight of cybersecurity and public safety.

COMMERCE, MANUFACTURING AND TRADE ISSUES

PRIVACY AND THE INTERNET

In the 112th Congress, the Committee will examine issues relating to the privacy of information and data collected by Internet websites and service providers.

CYBER SECURITY

On May 29, 2009, President Obama issued the 60-Day Cyberspace Policy Review. The goal of this review was to assess U.S. policies after the issuance of the Bush Administration's Comprehensive National Cybersecurity Initiative. In the 112th Congress, the Committee will review efforts by federal agencies to coordinate cyber strategy and policy, and whether these policies have resulted in a secure communications and information infrastructure. The Committee will also review issues related to private-sector cyber security, including the manner in which fraud and other criminal issues affect e-commerce.

TRADE AND GLOBALIZED SUPPLY CHAINS

The Committee will review the issues presented by the globalization of production and manufacturing networks, including the integrity of products and components assembled overseas and the impact on national security, the competitiveness of U.S. companies, and trade relationships.

CONSUMER PRODUCT SAFETY IMPROVEMENT ACT OF 2008

The Committee will examine the intended and unintended consequences of this law and how the Consumer Product Safety Commission is implementing it.

NHTSA MANAGEMENT AND OPERATIONS

The Committee intends to conduct oversight of the National Highway Traffic Safety Administration, including the costs and benefits of its regulations, research activities, investigations, and enforcement actions pertaining to motor vehicle safety.

FEDERAL TRADE COMMISSION MANAGEMENT AND OPERATIONS

The Committee will conduct oversight of the Federal Trade Commission's management and operations, including the impact of its decisions and actions on the general public and the business community.

MISCELLANEOUS**EFFECTIVENESS OF STIMULUS SPENDING**

In the 112th Congress, the Committee will conduct oversight of agency programs in the Committee's jurisdiction, and review the implementation and spending of the American Recovery and Reinvestment Act to evaluate the law's effectiveness and efficiency in speeding both job creation and the growth of the American economy.

ORGANIZED CRIME-TERRORISM NEXUS

The Committee will examine the nexus between organized crime and the financing of international terrorism. Recognition, as well as a better understanding of the link between traditional criminal activity and international terrorism is crucial in crafting both effective legislative tools as well as law enforcement methods capable of responding to the emerging threat. The Committee, with its expansive jurisdiction, is well-positioned to confront a range of domestic criminal enterprises and trade diversion schemes directed by US-based members and sympathizers of Designated Foreign Terrorist Organizations for fundraising purposes, including the manufacture and distribution of counterfeit goods and currencies, identity theft, trafficking in contraband cigarettes, and the electronic transmittal of funds.

CRITICAL INFRASTRUCTURE

In June 2006, the Bush Administration issued a National Infrastructure Protection Plan. This plan created a process by which the Department of Homeland Security (DHS) is to identify critical assets and assess their vulnerabilities and risks due to loss or natural disaster. During the 112th Congress, the Committee will review the Department's activities with respect to identifying high-priority assets and implementing plans to protect these assets in areas within the Committee's jurisdiction.

NUCLEAR SMUGGLING

The Committee will continue to monitor Federal government and private sector efforts at border crossings, seaports, and mail facilities. The Committee's review will analyze and assess Customs' and DOE's efforts and the utility of equipment aimed at detecting and preventing the smuggling of dangerous commerce, particularly nuclear and radiological weapons of mass destruction.

BIOTERRORISM PREPAREDNESS AND RESPONSE

The Committee will review the implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 by HHS, and examine the extent of the coordination between HHS and the Department of Homeland Security with respect to setting priorities and goals for bioterrorism-related research and preparedness activities.

PUBLIC SAFETY COMMUNICATIONS

The Committee will examine whether the communications needs of first responders are being met. The Committee will examine the progress being made to ensure that first responders have interoperable communications capabilities with local, state, and federal public safety officials. The Committee will also consider whether first responders have an adequate amount of spectrum for voice, video, and data transmissions. In addition, the Committee will conduct oversight regarding the implementation of Phase II E911 services, which enable Public Safety Answering Points (PSAPs) to pinpoint the location of wireless subscribers who dial 911.

IMPLEMENTATION OF GOVERNMENT-WIDE CYBER SECURITY PROGRAM

The Homeland Security Act of 2002 included a separate legislative provision entitled the Federal Information Security Management Act, which reauthorized and enhanced a government-wide cyber security program under the direction of the Office of Management and Budget (OMB). During the 112th Congress, the Committee will review efforts to ensure that Federal agencies are complying with the cyber security provisions of the new Homeland Security Act.

JO BONNER, ALABAMA
CHAIRMAN

MICHAEL T. McCAUL, TEXAS
K. MICHAEL CONAWAY, TEXAS
CHARLES W. DENT, PENNSYLVANIA
GREGG HARPER, MISSISSIPPI

KELLE A. STRICKLAND,
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ONE HUNDRED TWELFTH CONGRESS

U.S. House of Representatives

COMMITTEE ON ETHICS

Washington, DC 20515-6328

COMMITTEE ON ETHICS

OVERSIGHT PLAN

112th Congress

February 15, 2011

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The oversight plan of the Committee on Ethics (Committee) for the 112th Congress, adopted pursuant to clause 2(d)(1) of House Rule X, is as follows.

The Committee is in the unusual circumstance that while its legislative jurisdiction is confined to the House Code of Official Conduct (House Rule XXIII),¹ 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.²

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.³

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.

¹ House Rule X, cl. 1(g).

² House Rule XI, cl. 3(a)(1), (2).

³ 2 U.S.C. § 29d(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.

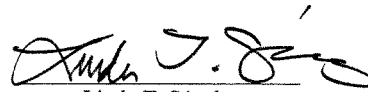
Provisions of the House Rules and Statutory Law that Confer Specific Authorities on the Committee

- 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)).



Jo Bonner
Chairman



Linda T. Sánchez
Ranking Member

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

FEBRUARY 10, 2011. Approved by the Committee on Financial Services

Mr. BACHUS, 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 112th Congress requires each standing committee, not later than February 15 of the first session, to adopt an oversight plan for the 112th 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 112th 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 DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

Enacted in response to the financial crisis of 2008 and the bail-outs of large Wall Street firms at taxpayer expense, the Dodd-Frank Act (P.L. 111-203) represents the most extensive change in the regulation of financial institutions since the Great Depression. The Dodd-Frank Act requires federal regulators to undertake more than 240 rule-makings and to carry out over 60 studies. The implementation of the Dodd-Frank Act will affect not only every financial institution that does business in the United States but also non-financial institutions and consumers as well. The Dodd-Frank Act holds out the promise that it will “promote the financial stability of the United States by improving accountability and transparency in the financial system,” “end ‘too big to fail,’” “protect the American taxpayer by ending bailouts,” and “protect consumers from abusive financial services practices.” One of the primary tasks of the Committee in the 112th Congress will therefore be to oversee the implementation of the Dodd-Frank Act to ensure that these objectives are being met. The Committee will conduct careful oversight and monitoring of the financial regulators charged with implementing the Dodd-Frank Act to ensure that they prudently exercise the new authority conferred upon them under the Act without unduly hampering the ability of consumers and businesses to obtain credit, or the ability of capital market participants to allocate capital to productive uses, mitigate risk, and grow the economy. In particular, the Committee will seek to ensure that regulators carefully and transparently assess the costs and benefits of regulations called for by the Dodd-Frank Act in order to strike an appropriate balance between prudent regulation and economic growth. The Committee will assess the results of the implementation of the Dodd-Frank Act in order to improve those parts of the Act that work well while changing those parts that do not,

and to identify and remedy unintended consequences, such as restrictions of access to credit by consumers and businesses, impediments to investment and job creation, or higher costs of doing business that will be passed on to consumers. The Committee will also examine the international response to the Dodd-Frank Act to determine if the law could place the United States financial services industry at a competitive disadvantage.

SPECIFIC DODD-FRANK OVERSIGHT MATTERS

Financial Stability Oversight Council (FSOC). The Dodd-Frank Act creates an interagency body — the Financial Stability Oversight Council — charged with identifying, monitoring and addressing potential threats to U.S. financial stability. The Dodd-Frank Act requires the FSOC to report annually to Congress, to be followed by testimony by the Secretary of the Treasury in his capacity as FSOC Chairman. The Committee will conduct significant oversight over the FSOC, monitoring among other things the extent to which its designation of “systemically significant” firms may create an expectation among market participants that the government will not permit these firms to fail, as well as the effectiveness of the FSOC in making financial markets more stable and resilient.

Office of Financial Research (OFR). The Dodd-Frank Act creates a new “Office of Financial Research” housed within the Department of the Treasury and grants it broad powers to compel the production of information and data from financial market participants. The OFR is to use this information to conduct research designed to improve the quality of financial regulation, and to monitor and report on systemic risk. Section 153 of the Dodd-Frank Act requires the OFR to report annually to Congress on the state of the U.S. financial system, and requires the Director of the OFR to testify annually before the Committee on the OFR’s activities and its assessment of systemic risk. The Committee will conduct oversight of the OFR to ensure that the OFR’s requests for data are not unduly burdensome or costly and that the confidentiality of the data that it collects is strictly maintained. The Committee will also assess whether the OFR duplicates data collection efforts already being undertaken by other regulatory bodies.

Volcker Rule. On January 22, 2011, the Financial Stability Oversight Council issued recommendations on the implementation of Section 619 of the Dodd-Frank Act — the so-called Volcker Rule — which bars bank holding companies from engaging in proprietary trading and severely limits their ability to sponsor and invest in hedge funds and private equity. The Federal regulators have nine months to promulgate regulations based upon the FSOC’s recommendations. The Committee will oversee the regulators’ implementation of the Volcker Rule to ensure that it does not result in unintended consequences for U.S. economic competitiveness and job creation, or for the liquidity and efficiency of U.S. capital markets.

CAPITAL MARKETS

Oversight and Restructuring of the Securities and Exchange Commission (SEC). The Committee will monitor all significant aspects of the SEC’s operations to ensure that it fulfills its Congressional mandate. The Committee will carefully examine the SEC’s budget requests to ensure that the agency deploys its resources effectively. 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 also consider the impact of separating the SEC’s examination and policy functions and whether such functions should be consolidated. The Committee will review the various reports and studies of the organizational structure and management of the SEC mandated

by the Dodd-Frank Act, including the study being conducted by the Boston Consulting Group, to determine whether legislative reforms are needed to address the SEC's organizational structure and ensure that the SEC efficiently and effectively fulfills its investor protection mission. The Committee will also monitor steps taken by the SEC in response to findings by the Government Accountability Office that the SEC failed to maintain effective internal controls over its financial reporting, due to material weaknesses involving SEC's internal control over information systems and its financial reporting and accounting processes.

Derivatives. The Committee will examine the operations, growth and structure of the over-the-counter (OTC) derivatives market. The Committee will explore how the Dodd-Frank Act fundamentally reforms the use of OTC derivatives and how the SEC, the Commodity Futures Trading Commission (CFTC), the Federal Reserve, and the Department of Treasury are implementing new rules required by the Dodd-Frank Act to govern the OTC marketplace. The Committee will review whether the pace and breadth of rulemaking required by the Dodd-Frank Act may lead to unintended consequences in the area of jobs, the economy, the proper functioning of U.S. capital markets, international competitiveness, and appropriate risk mitigation. The Committee will examine all facets of the derivatives market, including clearing, exchange or swap execution facility trading; the roles of dealers, inter-dealer brokers, data repositories, clearinghouses, and end-users; trade and price reporting; and ownership and governance restrictions. The Committee will examine any requirements that federal regulators impose on "end-users" who use swaps to hedge against or mitigate risks. The Committee will examine transparency and clarity for the derivatives markets. The Committee will closely monitor Dodd-Frank implementation so that the new regulations foster market efficiency, provide market participants with important market information, and provide price transparency through the increased use of swap execution facilities and clearing organizations, when appropriate. The Committee will also examine the Dodd-Frank Act's prohibition of federal assistance to a "swaps entity," which includes swap dealers and major swap participants (and the equivalents in security-based swaps), securities and futures exchanges, swap execution facilities ("SEFs"), and clearing organizations registered with the CFTC, the SEC, or any other federal or state agency. This prohibition will be examined against other provisions of the Dodd-Frank Act which allow for "financial market utilities" to have access to the Federal Reserve discount window in times of crisis.

Credit Rating Agencies. The Committee will examine the continuing role that credit rating agencies, also known as Nationally Recognized Statistical Ratings Organizations (NRSROs), play in the United States financial markets, the SEC's oversight of NRSROs, how NRSROs are compensated, and whether their methodologies accurately reflect the risks associated with different debt instruments. The Committee will examine the impact of the Dodd-Frank Act on competition among current NRSROs, and on new and prospective NRSRO entrants. The Committee will examine the effect of the repeal of Rule 436(g) under the Securities Act of 1933, which resulted in significant disruption in the asset-backed securities marketplace. The Committee will examine the implementation by federal regulators of provisions in the Dodd-Frank Act requiring them to establish new standards for evaluating credit-worthiness that do not include references to ratings issued by NRSROs.

Securitization and Risk Retention. The Committee will monitor the joint risk retention rule-making pursuant to Section 941 of the Dodd-Frank Act to ensure that the development and implementation of the risk retention rules promote sound underwriting practices without constricting the flow of

credit and destabilizing an already fragile housing market, and that those rules appropriately differentiate among multiple asset classes. The Committee will focus particular attention on the joint rulemaking to define a class of “qualified residential mortgages” (QRMs) that will be exempt from risk retention requirements. The Committee will also comprehensively examine the asset backed securities market, the securitization of mortgages and issues related to the assignment and servicing of securitized mortgages.

Regulation and Oversight of Broker-Dealers and Investment Advisers. The Committee will examine the study mandated by Section 913 of the Dodd-Frank Act, which requires the SEC to review the effectiveness of the legal and regulatory standards of care applicable to broker-dealers and investment advisers when providing personalized investment advice to retail customers. The Committee will also examine the study mandated by Section 914 of the Dodd-Frank Act, which requires the SEC to report on the need for enhanced examination and enforcement resources for investment advisers, and on whether self-regulatory organizations or user fees should be used to augment SEC and state oversight of investment advisers.

Advisers to Private Funds. The Committee will examine the functions served by advisers to private funds, including hedge funds, private equity funds, and venture capital funds in the United States financial marketplace. 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 examine the Dodd-Frank Act’s mandate that advisers to private funds with more than \$150 million in assets under management register with the SEC under the Investment Advisers Act of 1940.

Securities Investor Protection Corporation (SIPC). The Committee will review the operations, initiatives, and activities of the Securities Investor Protection Corporation, as well as the application of the Securities Investor Protection Act (SIPA). In light of SIPC’s exposure to the failures of Bernard L. Madoff Investment Securities and Lehman Brothers, the Committee will examine SIPC’s existing reserves, member broker-dealer assessments, access to private and public lines of credit, and coverage levels, as well as proposals to improve SIPC’s operations and management. The Committee will also review the impact of the provisions of the Dodd-Frank Act that amend the Securities Investor Protection Act, and the work and recommendations of the SIPC Modernization Task Force.

Municipal Securities. In light of concerns over potential defaults by state, county, city, and local governments, the Committee will monitor the health of the United States municipal securities markets and consider reforms to increase transparency in that segment of the capital markets. The Committee will also consider the apparent trend in the municipal bond market away from the issuance of general obligation bonds toward revenue bonds, and the implications of that trend on the possibility of defaults. The Committee will also consider the possible consequences of state and municipal budget shortfalls and possible defaults on the municipal debt markets and the U.S. financial system. The Committee will also examine provisions of the Dodd-Frank Act designed to strengthen the oversight of the municipal securities industry and broaden municipal securities market protections to cover unregulated market participants and their financial transactions with municipal entities.

Municipal Securities Rulemaking Board (MSRB). The Committee will review the operations, initiatives and activities of the Municipal Securities Rulemaking Board. The Committee will review the changes imposed by the Dodd-Frank Act, which altered the MSRB's governance to include the protection of state and local government issuers, public pension plans, and others whose credit stands behind municipal bonds, in addition to protecting investors and the public interest. The Committee will also review the MSRB's regulation of municipal advisors.

Capital Formation. The Committee will survey regulatory impediments to capital formation and seek both regulatory and market-based incentives to increase access to capital, particularly for those small companies contemplating an initial public offering. The Committee will also examine the SEC's efforts to fulfill its Congressional mandate of promoting capital formation.

Equity/Option Market Structure. The Committee will review recent developments in the United States equity and option markets and the SEC's response to those developments. The Committee will closely monitor the SEC to ensure that the Commission follows its mandate to promote fair, orderly and efficient markets, and that any new regulations foster market efficiency, competition and innovation, and are based on economic and empirical market data. The Committee will also monitor the work of the Joint CFTC-SEC Advisory Committee on Emerging Regulatory Issues, as it develops regulatory or legislative recommendations that attempt to respond to the extraordinary market movements on May 6, 2010.

Covered Bonds. The Committee will review the potential for covered bonds to increase mortgage and broader asset class financing, improve underwriting standards, and strengthen United States financial institutions by providing a new funding source with greater transparency, thereby fostering increased liquidity in the capital markets. The Committee will also review whether existing regulatory initiatives, including the Department of the Treasury's "Best Practices for Residential Covered Bonds" and the FDIC's covered bond policy statement to "facilitate the prudent and incremental development of the U.S. covered bond market" are sufficient to foster the creation of a covered bond market in the United States, or whether additional regulatory or legislative initiatives are necessary.

Corporate Governance. The Committee will review developments and issues concerning corporate governance at public companies. The Committee will examine how the Dodd-Frank Act will impact the corporate governance practices of all issuers, particularly small public companies. The Committee will also examine the services provided by proxy advisory firms to shareholders and issuers and will consider current SEC proposals that seek to modernize corporate governance practices. The Committee will continue to monitor the effect that the Sarbanes-Oxley Act of 2002 has on the capital markets; the impact of the permanent exemption from Section 404(b) for public companies with less than \$75 million in market capitalization included in Dodd-Frank; and proposals to further modify this exemption.

Employee Compensation. The Committee will monitor the implementation of provisions in the Dodd-Frank Act governing the compensation practices at public companies and financial institutions. Among the issues to be examined are the independent compensation committee requirement; the required disclosure and compilation of data to compare the pay of the CEO with the median pay of all employees of every public company; the clawback of erroneously awarded employee compensation;

and the authority given to federal regulators to prohibit incentive-based compensation structures that encourage “inappropriate risks” at financial institutions with more than \$1 billion in assets.

Securities Litigation. The Committee will examine the effectiveness of the Private Securities Litigation Act of 1995 in protecting issuers from frivolous lawsuits while preserving the ability of investors to pursue legitimate actions.

Securities Arbitration. The Committee will examine developments in securities arbitration, including the impact of the arbitration-related provisions contained in the Dodd-Frank Act, specifically Section 921, which provide the SEC with the authority to restrict mandatory pre-dispute arbitration, and the impact that the exercise of that authority could have on existing arbitration agreements and on issuers and investors generally.

Securities Fraud. The Committee will review the SEC’s compliance, inspections, examinations, and enforcement functions to ensure that adequate mechanisms exist to prevent and detect securities fraud. The Committee will also monitor the SEC’s implementation and adherence to the reforms recommended by the SEC’s Office of Inspector General resulting from the Commission’s failure to detect either the Bernard Madoff or Allen Stanford Ponzi schemes.

Mutual Funds. The Committee will examine the state and operation of the U.S. mutual fund industry. This examination will include reviewing the SEC’s regulation of money market mutual funds, and any proposed changes to the calculation of a money market funds’ “net asset value” (NAV). The Committee will also review any proposals by the Financial Stability Oversight Council to designate non-bank financial institutions such as mutual funds as “Systemically Important Financial Institutions.”

Public Company Accounting Oversight Board (PCAOB). The Committee will review the operations, initiatives and activities of the PCAOB. The Committee will also monitor the PCAOB’s exercise of its new authority to register, inspect and discipline the auditors of broker-dealers, and the impact that this increased oversight may have on the PCAOB’s operations. The Committee will also review the extent to which the PCAOB’s new authority to share information with its foreign counterparts is sufficient to permit PCAOB inspectors to examine non-U.S. auditors. The Committee will also monitor the PCAOB’s oversight of the auditors of financial statements of Chinese companies that register and trade their securities in the United States.

Financial Accounting Standards Board (FASB). The Committee will review the initiatives of the Financial Accounting Standards Board (FASB) and its responsiveness to all segments of the capital markets; the FASB’s relationship with the SEC; and proposals to enhance Congressional oversight of the FASB. The Committee will monitor and review the FASB’s specific projects, including but not limited to fair value accounting for financial instruments, particularly as it affects small community banks; multi-employer pension plans; loss contingencies; and lease accounting, to ensure that any revisions provide useful information to investors without disrupting the capital markets or improperly burdening issuers and preparers.

Government Accounting Standards Board (GASB). The Committee will review the role of the Government Accounting Standards Board (GASB), which formulates accounting standards for the voluntary use of state and local governments that issue securities. The Committee will review the implementation of Section 978 of the Dodd-Frank Act, which directs the SEC to require the

Financial Industry Regulatory Authority (FINRA) to collect fees from its members (broker-dealers and other securities professionals) and to remit such fees to the Financial Accounting Foundation, GASB's parent organization.

Convergence of International Accounting Standards. The Committee will review efforts by the SEC, the FASB, and the International Accounting Standards Board to achieve robust, uniform international accounting standards. The Committee will also monitor the SEC's plans to incorporate those standards as part of United States financial reporting requirements.

Business Continuity Planning. The Committee will continue its oversight of the implementation of disaster preparedness and business continuity measures by the financial services industry in order to minimize the disruptions of critical operations in the United States financial system in the event of natural disasters, terrorist attacks, or pandemics.

GOVERNMENT SPONSORED ENTERPRISES

Charter Restructuring for Government Sponsored Enterprises (GSEs). On September 7, 2008, the Federal Housing Finance Agency (FHFA) placed Fannie Mae and Freddie Mac into conservatorship. To date, Fannie Mae has tapped \$88 billion and Freddie Mac has used nearly \$63 billion in taxpayer funds, making the GSE conservatorship the costliest of all the taxpayer bail-outs carried out over the past three years. The decision to bail out Fannie Mae and Freddie Mac and place them in conservatorship has raised fundamental questions about the viability of their public-private organizational structure. The Committee will examine proposals to modify or terminate Fannie Mae's and Freddie Mac's statutory charters.

GSE Regulatory Reform. The Committee will monitor the activities of the Federal Housing Finance Agency, which was established in 2008 to oversee Fannie Mae, Freddie Mac and the Federal Home Loan Banks, and will consider its effectiveness. The Committee will also consider the appropriate role, if any, for the Federal government in the secondary 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. The Committee will pay particular attention to recent reports that some of the Federal Home Loan Banks may fall below required capital levels.

FHLB Community and Economic Development. The Committee will review 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 the performance of the FHLBs in implementing the community investment cash advance regulation.

Resolution Funding Corporation (REFCorp) Payments. The Committee will monitor the efforts of the housing GSEs to pay the obligations of REFCorp, which was 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.

Legal Fees. The Committee will examine the expenditure of more than \$160 million in federal funds to defend Fannie Mae, Freddie Mac and their top executives in lawsuits since the GSE

conservatorship began in September 2008. The Committee will consider ways to limit further taxpayer exposure.

GSE Contracting with Non-Profits. To ensure that the GSEs are not engaging in risky activities that undermine the conservatorships, the Committee will examine the relationships that Fannie Mae and Freddie Mac maintain with non-profit organizations that provide services, including housing counseling, to potential homeowners. The Committee will also examine whether the payments non-profits receive for services provided to the GSEs are appropriate; whether GSE funds provided to non-profits are used for political activities; and whether adequate procedures are in place to protect the GSEs from fraud.

GSE Foreclosure and Loan Modification Protocols. The Committee will review Fannie Mae's and Freddie Mac's guidance to mortgage servicers and participation in government mortgage modification programs generally to ensure that undue political influence does not result in even greater losses to taxpayers from the GSE conservatorships.

Mortgage Putbacks and Repurchase Agreements. The Committee will monitor Fannie Mae's and Freddie Mac's mortgage putback and repurchase agreements with loan originators to ensure that these agreements are consistent with market practice and the FHFA's conservatorship responsibilities.

FINANCIAL INSTITUTIONS AND CONSUMER CREDIT

Bureau of Consumer Financial Protection (CFPB). The Committee will oversee the establishment, operations, and activities of the new Bureau of Consumer Financial Protection established under title X of the Dodd-Frank Act. Under the Act, the CFPB is to begin operations on or before July 21, 2011, when the consumer protection functions and rule-writing authority of other Federal financial regulators will transfer to the new agency. The Committee will seek to ensure that the CFPB's rules and enforcement initiatives protect consumers against unfair and deceptive practices without stifling economic growth, job creation, or reasonable access to credit. The Committee will examine whether the CFPB's budget is appropriate and will ask whether the CFPB's budget should be subject to Congressional appropriations. The Committee will evaluate the powers of its presidentially-appointed director to write rules, supervise compliance, and enforce consumer protection laws. The Committee will monitor the impact of CFPB rules on small businesses and on financial institutions with fewer than \$10 billion of assets. The Committee will receive the statutorily required semi-annual testimony of the Director, once he or she is nominated and confirmed.

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 authorized by the 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 to ensure that the program adequately protects taxpayer interests and that its operations are transparent and accountable. The Committee will also ensure 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 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 unwinding of TARP facilities and programs to ensure that taxpayer recoveries are maximized and remaining funds are used for deficit reduction, as contemplated by EESA.

“Too Big to Fail.” 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 also consider whether the Dodd-Frank Act and the “orderly resolution authority” set forth in Title II of the Act provide an effective mechanism for imposing market discipline and promoting financial stability. The Committee will ask whether government actions to prop up large, complex financial institutions imply that other institutions are “too small to save,” and if recent interventions 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.” As part of that review, the Committee will study the ways that financial institutions have expanded and the incentives that drove them to grow. Attention will be given to the conversion of investment banks to bank holding companies during the financial crisis and their long-term impact on the U.S. economy and regulatory structure. The Committee will closely evaluate the government agencies and offices which are now responsible for the supervision and potential resolution of “systemically significant” financial institutions. In examining the “too big to fail” issue, the bailout of the American International Group (AIG) will be carefully reviewed to determine whether the disparate treatment of large creditors and small creditors was consistent with the American expectation of equal treatment of all by government agencies.

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 Committee may also ask each financial regulatory agency to review its promulgated rules and identify those which may be unnecessarily burdensome or outdated. Additionally, the Committee’s examination of the regulatory system will encompass the trend toward consolidation in the banking industry, which requires Federal regulators to maintain the expertise and risk evaluation systems necessary to oversee the activities of the increasingly complex institutions under their supervision. As an extension of this examination, the Committee will assess the degree to which the increasing concentration of bank assets in the largest institutions may contribute to a regulatory environment that discriminates against the smaller, but much more numerous community banks. The Committee will review the “Interagency Statement on Meeting the Credit Needs of Creditworthy Small Business Borrowers” issued by the federal financial institutions regulatory agencies and the state supervisors on February 10, 2010, to ensure that the policy is being appropriately implemented by examiners in the field.

Basel III. The Committee will examine new global bank capital and liquidity rules being developed by the Basel Committee on Banking Supervision, paying particular attention to implementation, compliance burdens and global coordination.

Interchange Fees. The Committee will examine general issues involving the setting of interchange fees. In particular, the Committee will evaluate the Federal Reserve’s rulemaking under Section 1075 of the Dodd-Frank Act and its effect on merchants, banks, credit unions, consumers, and the payment processing networks. Section 1075 requires the Federal Reserve to establish, by July 2011,

a price cap for debit card interchange fees, mandating that the fee be “reasonable and proportional” to the cost incurred by the issuing bank.

Financial Crisis Inquiry Commission (FCIC). The Financial Crisis Inquiry Commission was created by Congress in 2009 to “examine the causes, domestic and global, of the current financial and economic crisis in the United States” (P.L. 111-21). The Commission issued its final report on January 27, 2011, accompanied by dissenting views filed by individual Commissioners. The statute creating the FCIC requires that its chairperson appear before the Committee to present its findings not later than 120 days after the issuance of its final report.

Mortgage Servicing. The Committee will continue its review of deficiencies in mortgage servicing practices, including irregularities in the foreclosure documentation process. This review will encompass recent reports that active-duty military families have been overcharged on their mortgages or have faced wrongful foreclosures. The Committee will assess whether comprehensive national servicing standards are necessary and appropriate, and if so, how such standards should be implemented. To the extent the regulatory agencies seek to implement national mortgage servicing standards, the Committee will review those standards to ensure that proper authority exists for such regulations and that deficient practices are adequately addressed without unduly increasing the cost of mortgage financing.

Small Business Lending Fund and the State Small Business Credit Initiative. The Committee will examine the Treasury Department’s implementation of the Small Business Jobs Act of 2010, with a specific focus on the Small Business Lending Fund (SBLF). The Committee will evaluate the program’s effectiveness at encouraging new lending to small business and protecting taxpayers from losses on the government’s injections of capital in banks.

Deposit Insurance. The Committee will monitor the solvency of the Deposit Insurance Fund and changes to the assessments charged by the FDIC as mandated by the Dodd-Frank Act 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.

Bank Failures. The Committee will examine the process the FDIC uses to supervise and, if necessary, resolve community banks and the procedures followed by the FDIC and other bank supervisors in making this determination. Some observers have noted there are inconsistencies in the application of FDIC practices as a bank moves into prompt corrective action and towards a failure. Further, the Committee will study the costs and benefits of loss share agreements to the deposit insurance fund and the American taxpayer. The Committee will also study how the FDIC’s resolution procedures, including but not limited to loss share agreements, affect access to credit for small business customers of a failed bank. The Committee will examine the effectiveness of FDIC guidance and its subsequent application in the FDIC’s supervision of community banks, particularly as it relates to appraisals of real estate assets.

Credit Unions. The Committee will review issues relating to the safety and soundness and regulatory treatment of the credit union industry. In particular, the Committee will examine the failures in the corporate credit union system and evaluate possible reforms to the system and to the National Credit Union Administration (NCUA).

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.

Credit Scores and Credit Reports. The Committee will continue to monitor the accuracy and use of credit reports and credit scores with a specific focus on their impact on the availability of consumer credit.

Internet Gambling. The Committee will continue to oversee the implementation 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, will effectively curtail illegal Internet gambling.

Access to Financial Services. The Committee will continue to explore ways to expand access to mainstream financial services by traditionally underserved segments of the U.S. population, particularly those without any prior banking history (commonly referred to as “the unbanked”).

Credit Card Regulation. The Committee will continue its review of credit card industry practices, particularly those 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. The Committee will also continue to evaluate the impact of the Credit CARD Act of 2009 (Public Law 111-24) on credit availability to consumers and small businesses alike and will study whether the rules have led to higher consumer costs for other financial products.

Community Development Financial Institution Fund. The Committee will continue to oversee the operations of the Community Development Financial Institutions Fund (CDFI Fund) which was created in 1994 to promote economic revitalization and community development. The Committee will examine the CDFI Fund’s contributions to community revitalization and measure its impact on efforts in rural, urban, suburban, and Native American communities. The Committee will also monitor the CDFI 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). The Committee will also explore recommendations for updating or eliminating CRA requirements 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 consumers seeking to address excessive levels of personal indebtedness.

Financial Literacy. The Committee will continue its efforts to promote greater financial literacy and awareness among investors, consumers, and the general 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.

Discrimination in Lending. The Committee will examine the effectiveness of Federal fair lending oversight and enforcement efforts.

Diversity in Financial Services. The Committee will continue to explore the financial services industry's efforts to attract and retain a diverse workforce. The Committee will also review the policies, programs, and initiatives of the Federal financial regulators 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 implement the diversity requirements of the Dodd-Frank Act.

Money Laundering and the Financing of Terrorism. The Committee will review the enforcement of anti-money laundering and counter-terrorist financing 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 examine emerging threats in the financing of terrorist activities and the use of informal methods of transferring value, while keeping in consideration the fact that these services are lifelines for some immigrants' families overseas. 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.

Data Security and Identity Theft. Building on the Committee's long-standing role in developing laws governing the 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 evaluate the need for legislation that better protects the security and confidentiality of such information from any loss, unauthorized access, or misuse. The scope of this review will encompass the data security policies and protocols of the Federal agencies within the Committee's jurisdiction. The Committee will also examine the threats of cyber crime against individuals, businesses and financial institutions to identify best practices that can protect against identify theft and related cyber crimes.

Money Services Businesses' Access to Banking Services. The Committee will examine the availability of account services to Money Services Businesses (MSBs) and assess the effectiveness of the Financial Crimes Enforcement Network (FinCEN) and Internal Revenue Service regulation of MSBs, and of FinCEN regulatory guidance to both MSBs and financial institutions. The Committee will review steps that could be taken to provide MSBs with appropriate access to the banking system.

Appraisals. The Committee will examine reports of appraisal fraud and 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. The Committee 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.

Transaction Account Guarantee Program. Section 343 of the Dodd-Frank Act extends the Transaction Account Guarantee Program (originally set to expire on December 31, 2010), pursuant to which the FDIC guarantees all funds held in qualifying noninterest-bearing accounts at insured depository institutions, for an additional two years. The Committee will monitor the program to ensure that taxpayers are adequately protected from losses.

INSURANCE

National Flood Insurance Program (NFIP). The Committee will review and consider proposed reforms to the National Flood Insurance Program, which is currently authorized through September 30, 2011. Since 2006, the Government Accountability Office has designated the NFIP as a high-risk program because of its potential to incur billions of dollars in losses and because the program faces serious financial, structural, and managerial challenges. Due to extraordinary losses incurred following the hurricanes in 2005, the program carries a debt of \$17.5 billion as of December 31, 2010.

Federal Insurance Office (FIO). The Committee will monitor the establishment of the new Federal Insurance Office created under Title V of the Dodd-Frank Act, paying particular attention to the FIO's limited scope of authority and specific functions. The Committee will work to ensure that the new office is focused on developing expertise on insurance matters and does not impose unwarranted or excessive data collection burdens on the insurance sector or on small insurers in particular. The Committee will also monitor implementation of the FIO's authority to coordinate policy and represent the U.S. on international insurance issues, as well as implementation of new joint authority for Treasury and the U.S. Trade Representative to negotiate international agreements on insurance measures. The Committee will also examine recommendations on improving U.S. insurance regulation made by the director of the Federal Insurance Office, which must be submitted to Congress by January of 2012.

State-Based Insurance Reforms. The Committee will monitor the implementation of provisions included in Title V of the Dodd-Frank Act to streamline the regulation of non-admitted (surplus lines) insurance and reinsurance. In monitoring these and other state-based insurance regulatory reform efforts, the Committee will seek to assess whether they are achieving uniform standards to enhance the efficiency and effectiveness of state insurance and reinsurance regulation.

Impact of Dodd-Frank Act Implementation on the Insurance Sector. The Committee will monitor implementation of various provisions in the Dodd-Frank Act for their potential impact on the insurance sector — including but not limited to the new Financial Stability Oversight Council, the new Orderly Liquidation Authority, the new Office of Financial Research, and the new Consumer Financial Protection Bureau, as well as new restrictions on proprietary trading and investments (Volcker Rule), revised capital standards for bank and thrift holding companies (the Collins Amendment), and new rules for swaps and derivatives that affect end users — to ensure that new regulations do not impose unwarranted or excessive burdens on the insurance sector that might result in higher costs for individuals or businesses that purchase insurance products and services or result in unintended consequences for U.S. economic competitiveness and job creation.

State Insurance Guaranty Funds. The Committee will monitor the capacity and effectiveness of State Insurance Guaranty Funds to enhance stability in the insurance sector and to ensure that the financial interests of insurance policyholders are sufficiently protected in cases where insurance companies become insolvent.

Terrorism Risk Insurance Program. The Committee will review the Terrorism Risk Insurance Program, which expires on December 31, 2014, for its ongoing impact on the private commercial property insurance market and economic stability.

HOUSING

Housing and Urban Development, Rural Housing Service, National Reinvestment Corporation. The Committee will review the Department of Housing and Urban Development (HUD) budget. The Department's budget has increased steadily in recent years, from \$31.92 billion in fiscal year 2005 to \$46.998 billion in fiscal year 2010. The Committee will also review current HUD programs with the goal of identifying program spending cuts or eliminating inefficient and duplicative programs. Given the continued rise in HUD discretionary spending levels, the Committee will review unauthorized programs to determine whether they should continue to receive funding. The Committee will review and hear testimony from the Administration on those budgets under its jurisdiction. Testimony is expected from HUD, the Rural Housing Service, and the National Reinvestment Corporation.

HUD Inspector General Reports. The Committee has received multiple reports from the HUD Inspector General outlining improper implementation, poor oversight, and misuse of funds in several of HUD's programs. The Committee will conduct a hearing with the HUD Inspector General in an effort to better understand the program deficiencies outlined in these reports.

Federal Housing Administration (FHA) – Single Family. Increased delinquencies and foreclosures across the nation have had a detrimental effect on the financial health of the FHA program. The most recent actuarial report for fiscal year 2010, released in November, found that the capital reserve ratio for the Mutual Mortgage Insurance Fund (MMIF) was 0.50 percent, well below the statutorily mandated level of 2 percent. This is particularly troubling at a time when FHA's share of the single family mortgage market continues to increase. The Committee will examine the appropriate role for the FHA program in the mortgage finance system, and the ability of the FHA to manage its mortgage portfolio and mitigate its risk.

Federal Housing Administration (FHA) – Multi-Family. The FHA Multi-family program offers loan guarantees to address specialized mortgage financing needs, such as mortgage insurance for rehabilitating, developing, and refinancing apartment buildings, nursing home facilities, and nonprofit hospitals. The Committee will exercise oversight of the FHA's General Risk and Special Risk Insurance fund to ensure that losses to the fund will not expose taxpayers to loss.

Government Foreclosure Mitigation Programs. The Committee will review the Obama Administration's well-intentioned but unsuccessful foreclosure mitigation initiatives, including the Making Home Affordable Program (HAMP). The Administration predicted that HAMP would keep some 3 to 4 million families at risk of foreclosure in their homes. Nearly two years after the program's inception, it has fallen far short of those goals: last December, the Congressional Oversight Panel estimated that HAMP would ultimately prevent only 700,000 to 800,000 foreclosures. The Administration's foreclosure mitigation initiatives – including those administered by Fannie Mae and Freddie Mac – have been characterized by persistently high rates of redefault, and the hundreds of thousands of homeowners who have failed trial modifications are often left worse off than if they had never participated in the programs. Though the Administration has attempted to fix its foreclosure mitigation initiatives — making hundreds of programmatic changes over the course of the last two years — the Committee will examine the reasons these programs

remain a failure; whether they can ever be successful; and whether there are better ways to spend the public's money. The Committee will also consider possible unintended consequences of foreclosure mitigation programs, including delays in the foreclosure process caused by strategic defaulters who seek mortgage modifications with no intention of complying with the modified terms; losses resulting from such strategic defaults that are borne by neighborhoods, investors, and taxpayers; and the impediments such strategic defaults pose to the stabilization of home prices and housing market recovery.

Section 8 Housing Choice Voucher Program. The Committee will continue its effort to reform HUD's largest rental assistance program. The Committee will review the rising costs of the Section 8 program. Funding for the Section 8 program in fiscal year 2009 was \$16.817 billion and rose to \$18.184 in fiscal year 2010. The Committee will review changes that can be made to the voucher program and assess the needs of the administrators of the voucher program as well as the voucher recipients.

Housing Counseling. Between HUD and NeighborWorks, housing counseling programs have received \$475 million since 2008. This is a substantial commitment of Federal dollars, and many of these counseling programs receive funding with little oversight or accountability. Accordingly, the Committee will conduct a comprehensive review of current housing counseling programs within HUD and NeighborWorks. The review will encompass Federal, State, private and non-profit efforts to use housing counseling funds with the goal of reducing or eliminating funding that is duplicative or ineffective.

Government National Mortgage Association (GNMA). The Committee will conduct a comprehensive review of GNMA to determine whether its mission and/or authority meets contemporary housing needs that promote affordable housing. The Committee has requested that the Government Accountability Office review GNMA, focusing on the agency's solvency and its capacity to handle its increased market share.

HOPE VI. The HOPE VI program provides grants to public housing authorities (PHAs) to demolish severely distressed public housing units and replace them with mixed-income developments. Previous Administrations have proposed eliminating funding for HOPE VI in their budget proposals because of delays and inefficiencies in the program. The Committee will review the effectiveness of HOPE VI, the reasons for the backlog of unspent funds, and whether the program has met its initial objectives.

Public Housing. The Committee will review HUD's public housing programs. The spend-out rate for public housing funds continues to be slow and inefficient, and billions of dollars that have been committed remain unspent.

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.

Loan Originator Compensation. The Committee will examine the implementation of proposed rules issued by the Federal Reserve governing mortgage origination compensation, which are scheduled to become effective April 1, 2011. The Committee is concerned that the rules may have an adverse impact on the ability of small businesses that originate mortgages to remain in business. The

Committee will also review the interaction of existing real estate settlement rules with rules mandated by the Dodd-Frank Act.

Homelessness. Currently, programs at seven different Federal agencies address homelessness, including HUD, the Department of Education (DOE), the Department of Veterans Affairs (VA), the Department of Justice (DOJ), and the Department of Health & Human Services (HHS). The Committee will consider alternatives to this fragmented structure, including improving coordination or consolidating Federal homelessness programs in order to reduce costs and improve oversight and transparency. The Committee will review the effectiveness of HUD programs and services for homeless veterans, children, youth, and families.

Review of the Manufactured Housing Improvement Act. In 2000, the Manufactured Housing Improvement Act was signed into law with the goals of improving the process and standards under which manufactured homes are built; establishing a private sector consensus committee that would make recommendations to the Secretary of the Department of Housing and Urban Development (HUD) at least every two years on ways to keep the HUD code up to date; and clarifying the scope of Federal preemption and providing HUD with additional staff and resources. The Committee will review the implementation of this law to date, and consider complaints that certain aspects of the law have not been fully or properly implemented by HUD.

INTERNATIONAL MONETARY POLICY AND TRADE

Job Creation and U.S. Competitiveness. The Committee will examine United States international monetary and trade policies with an eye toward ensuring that those policies support the ability of U.S. companies to be competitive in the international marketplace, thereby promoting domestic job creation and economic opportunity.

China. The Committee will monitor the implications of China's economic growth and policies on the U.S. and global economy. As China's economy and footprint expands, the degree to which it adopts responsible policies and practices that do not distort global markets or unfairly disadvantage its trading partners will be examined. Principal areas that the Committee will assess are currency exchange rates, China's role in multilateral bodies, and foreign access to China's domestic market.

Export-Import Bank of the United States. The Export-Import Bank (Ex-Im Bank) is chartered by Congress to contribute to the employment of U.S. workers through financing exports of U.S. manufactured goods and services. The charter under which the Ex-Im Bank operates expires on September 30, 2011, and the Committee will therefore consider the Bank's reauthorization. The Ex-Im Bank has been a self-sustaining agency funded by the income it receives through its financing programs. The Committee will examine the Bank's policies and programs to ensure the continued fiscal soundness of the Bank. In addition, as part of the reauthorization process, the Committee plans to review the effectiveness of the Bank's financing programs in supporting the global competitiveness of U.S. companies, small and large, particularly given the liquidity challenges American businesses currently face. The Committee will also consider how the Bank can better compete with foreign credit export agencies to ensure that U.S. firms are not operating at a disadvantage against their foreign counterparts.

International Trade. The Committee recognizes that American jobs are supported by U.S. exports, U.S. companies operating abroad, and foreign firms operating in the United States. The Committee

will oversee existing trade programs, and consider policies within the Committee's jurisdiction to promote U.S. international trade so that American companies are globally competitive. The Committee will oversee the progress of the National Export Initiative and other Administration proposals to increase U.S. exports and create jobs in the United States. The Committee will remain active in the oversight of trade negotiations as they relate to the global competitiveness of the American financial services sector, to ensure such agreements improve access to foreign markets, increase trade opportunities for American businesses, and create jobs domestically. The Committee will consider the impacts of the recently agreed to U.S.–South Korea Free Trade Agreement and the pending U.S. Free Trade Agreements with Panama and Colombia and other agreements.

Market Access. The Committee will assess opportunities to expand market access for U.S. companies and the financial services sector, and to promote policies that can bring about reciprocal market access with developing nations that currently limit or prevent U.S. firms from entering and operating within their national borders. In particular, the Committee will examine market access issues with regard to nations with which the U.S. has entered into free trade agreements.

Extractive Industries and Conflict Materials. The Committee will monitor the implementation of provisions in title XV of the Dodd-Frank Act imposing new disclosure requirements relating to so-called conflict minerals and extractive industries, to ensure that the underlying objectives of the provisions are met but that unnecessary compliance burdens for U.S. firms are minimized.

Annual Report and Testimony by the Secretary of the Treasury on International Monetary Fund Reform and the State of the International Financial System. 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 (1) progress made in reforming the IMF; (2) the status of efforts to reform the international financial system; (3) compliance by borrower countries with the terms and conditions of IMF assistance; and (4) the status of implementation of anti-money laundering and counterterrorism financing standards by the IMF, the multilateral development banks, and other multilateral financial policymaking bodies. The Committee is interested in hearing from the Secretary of the Treasury on international exchange rate policies and practices; the U.S. trade deficit; the implications of the accumulation of U.S. debt instruments in the accounts of its largest trading partners; and how U.S. international monetary policies and programs are promoting U.S. global competitiveness and contributing to the success of American businesses.

Conduct of the International Financial Institutions (IFIs) and Possible U.S. Contributions. The Committee will consider any Administration request that the U.S. contribute to the replenishment of the concessional lending windows at the World Bank, the African Development Bank, and the Asian Development Bank. Concessional windows provide grants and below market-rate financing to the world's poorest nations; because the financing terms are discounted, the lending vehicles are not self-sustaining and require contributions from wealthier member nations. During consideration of any such request, the Committee will assess the effectiveness of these lending facilities in achieving economic development and promoting global economic stability. In addition, the Committee will consider the policies of the IFIs to ensure effective use of resources and appropriate alignment with U.S. interests in promoting economic growth and stability. Additionally, the Administration is expected to request that the Committee authorize funding for the U.S. share of the general capital increase (GCI) for the World Bank (International Bank for Reconstruction and Development), the

Inter-American Development Bank, the Asian development Bank, the African Development Bank, the European Bank for Reconstruction and Development, and the International Finance Corporation. In examining such authorization requests, the Committee will consider the reforms each institution has agreed to make, as well as the missions and comparative strengths of each institution.

Haiti. The Committee will continue to closely monitor the dire economic situation facing the people of Haiti and examine appropriate policy responses to help alleviate one of the worst cases of human misery in the hemisphere. The Committee will also consider the impact of the Inter-American Development Bank's capital increase proposal on Haiti over the next decade.

International Monetary Fund (IMF). The Committee will assess the IMF's actions during and after the financial crisis to determine how best to leverage U.S. resources through this multilateral institution. This examination will center on the IMF's lending policies, its surveillance programs, and its reform efforts related to member-nation representation.

Iran Sanctions. The Committee will monitor the implementation of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195). Particular focus will be placed on whether financial services-related aspects of the law have been executed in accordance with the law's intent, and what the impact of such policies has been.

Eurozone Distress. The Committee will monitor the economic distress in the Eurozone, which stems from unsustainable levels of sovereign debt in several European countries, and its impact on the U.S. and global economy. Further deterioration in the Eurozone's fiscal health may have implications beyond the continent's borders. Consequently, the Committee will examine actions taken by the IMF, the European Union and other nations to address the sovereign debt issues in the Eurozone. The Committee will also explore how best to protect U.S. interests while also ensuring that taxpayer dollars are not used to bail out foreign governments that have followed reckless fiscal paths.

Global Capital Flows. The Committee will monitor the flow of capital globally. The buildup of large currency reserves in surplus nations can lead to imbalances in capital allocations and asset bubbles that threaten global economic stability. The Committee will assess the implications of the investment of these reserves on global financial stability.

DOMESTIC MONETARY POLICY AND TECHNOLOGY

The Economy and Jobs. In light of efforts to stimulate the economy through increased spending and accommodative Federal Reserve policies, the Committee will examine the extent to which changes in the economy, particularly those resulting from the economic crisis, have challenged assumptions about the relationship between monetary policy, government expenditures, deficits, employment, and economic growth. The Committee will examine the effectiveness and consequences of the extraordinary and simultaneous measures undertaken by the Federal Reserve and the executive branch on economic growth and employment. The Committee also will examine the effects of mounting Federal debt and annual Federal budget deficits on economic recovery and long-term economic growth.

Conduct of Monetary Policy by the Board of Governors of the Federal Reserve System. The Committee will thoroughly examine the process by which the Federal Reserve sets and executes its monetary

policy goals, while respecting the independence of the Federal Reserve's decision-making. The Committee will review the recent history of monetary policy decisions and examine the Federal Reserve's plan for removing excess liquidity from the economy after recovery is firmly established to prevent inflation. The Committee will examine the quality of economic data the Federal Reserve uses to make its decisions, the accuracy and utility of the Federal Reserve's econometric models, and the effect of the Federal Reserve's legislative mandates on its decisions. The Committee will pay particular attention to the upcoming Government Accountability Office audit of the Federal Reserve and seek further audits to ensure that the Federal Reserve's monetary policy decisions are based on the best data and models, and that it successfully executes open market operations to reach its goals. Of particular interest to the Committee will be the second round of quantitative easing undertaken by the Federal Reserve. As part of this review, 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 and the state of the economy.

General Oversight of the Federal Reserve System. The Committee will conduct oversight of the operations of the Federal Reserve Board of Governors and the Federal Reserve System, including management structure, organizational changes mandated by the Dodd-Frank Act, and the role of the Federal Reserve in the supervision of systemically significant banks and non-bank financial institutions. As part of this review, the Committee will hold statutorily required semi-annual hearings to receive testimony from the Federal Reserve's Vice Chairman for Supervision, a position created by Section 1108 of the Dodd-Frank Act that the Obama Administration has not yet filled.

Defense Production Act. The Committee will continue to monitor the effectiveness of the Defense Production Act and its individual authorities in promoting national security.

Committee on Foreign Investment in the United States (CFIUS). The Committee will continue to 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 seek to ensure that CFIUS fulfills its statutory mandate to identify and address those foreign investments that pose legitimate threats to national security. 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 proceed.

Activities of the U.S. 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. 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, and will examine the counterfeiting of rare or investment-grade coins, U.S.-made and otherwise. The Committee will examine the difficulties the Bureau of Engraving and Printing has experienced in producing the newest series of \$100 bills, as well as the difficulties the U.S. Mint has experienced in meeting investor and collector demand for bullion coin products. The Committee also will begin an examination of the long-term demand for circulating coins and banknotes, and consider appropriate measures to maintain an adequate supply of each, while controlling costs to the taxpayer.

The Financial Crimes Enforcement Network (FinCEN). The Committee will examine the operations of FinCEN and its ongoing efforts to implement its regulatory mandates pursuant to the Bank Secrecy Act (BSA), to combat money laundering and terrorist financing activities. The Committee will examine means to reduce the burden on financial institutions in complying with BSA regulations, while maintaining the utility of the filings required by the BSA to law enforcement. The Committee will examine the confidentiality of BSA reports and examine the guidance issued by FinCEN to BSA examiners to foster more uniform examination and enforcement practices.

The 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.

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 examine payment system alternatives, including prepaid credit cards, the use of mobile devices to transfer and store value, web-based value-transfer systems, remote check deposit, and informal money transfer systems, businesses or networks, to determine both the efficiencies they can provide to customers, businesses and financial institutions, and their susceptibility to money laundering and terrorism financing, and other financial crimes.

CLAUSE 2(d)(1)(F) of RULE X of the HOUSE ON PROPOSED CUTS

Clause 2(d)(1)(F) of rule X of the Rules of the House of Representatives for the 112th Congress requires each standing committee to include in its oversight plan proposals to cut or eliminate programs, including mandatory spending programs, that are inefficient, duplicative, outdated, or more appropriately administered by State or local governments.

The unsustainable Federal deficit caused by unchecked spending remains the most daunting challenge facing the U.S. economy. The deficit has created uncertainty among families, investors, and small business owners who do not know whether the value of saving and investment undertaken today will be eroded through inflation and higher taxes in the years ahead resulting from ever-increasing Federal deficits. Last month, the Congressional Budget Office issued its ten-year "Budget and Economic Outlook," in which it estimated that the fiscal 2011 federal deficit will reach a record level of \$1.48 trillion. The CBO's analysis confirms that the nation's current fiscal path is unsustainable. Only by making the difficult choices that are necessary to put the nation's fiscal house in order can the 112th Congress lay the groundwork for ensuring America's prosperity for future generations.

The following are Federal programs under the jurisdiction of the Committee on Financial Services that will be reviewed for possible cuts, elimination, or consolidation into other Federal programs.

HOPE VI/Choice Neighborhoods. The Hope VI Program was established to convert public housing developments that were distressed or dangerous into mixed-use, more viable housing. Both the Bush and the Obama Administrations have recommended eliminating HOPE VI funding in their budget proposals. The Obama Administration proposed replacing the HOPE VI program with a new Choice Neighborhoods Initiative. However, rather than eliminating HOPE VI and replacing the program with Choice Neighborhoods, both were funded in the FY 2010 budget. The HOPE VI program received \$200 million in the fiscal year 2010 budget, with \$60 million going to Choice

Neighborhoods. Current unobligated funds for fiscal year 2010 total \$198 million. The Committee recommends that the HOPE VI program be eliminated.

Community Development Block Grants (CDBG). The CDBG program provides federal funds to cities and localities to help them address housing and community development. Rather than building communities, however, the CDBG program operates like a revenue sharing program for the states and localities. CDBG funds are allocated by a formula through which 70 percent of the funds are directed to “entitlement communities” — which are central cities of metropolitan areas, cities with populations of 50,000 or more, and urban counties — and the remaining 30 percent is directed to states for use in small, non-entitlement communities. The fiscal year 2010 budget included \$4.45 billion for the program. The Committee will consider ways to scale back the CDBG program, including but not limited to changes in the current distribution of CDBG formula funds. In addition, the Committee will review the eligible activities and oversight and administration of the program with the aim of ensuring that funds are used in an appropriate manner and with the express purpose of reducing the cost of the program.

Brownfields Economic Development Initiative (BEDI). The BEDI program offers grants to localities for the redevelopment of abandoned, idled and underused industrial and commercial facilities where expansion and redevelopment is burdened by real or potential environmental contamination. BEDI is a competitive grant program whose purposes are served through much larger and more flexible Federal programs. Fiscal year 2010 funding was \$18 million. The BEDI program is duplicative of other programs administered by the Environmental Protection Agency, and the Committee recommends that it be eliminated.

Rural Housing and Economic Development (RHED). The RHED program provides grants to non-profits for capacity building at the state and local level for rural housing and economic development. This program is duplicative of other rural development funding programs administered by the Department of Agriculture. It was zeroed out by both the Bush and Obama Administrations in their budgets. Fiscal year 2010 funding for this program was \$25 million. The Committee recommends that it be eliminated.

Neighborhood Stabilization Program (NSP). Authorized under the American Recovery and Reinvestment Act of 2009, the NSP allocates federal financial assistance to states and local governments with high concentrations of foreclosed homes, subprime mortgage loans, and delinquent home mortgages. Two rounds of NSP funding have already been provided to states and localities, and the Dodd-Frank Act provided for a third round of grants to local governments and states to purchase and rehabilitate vacant and foreclosed properties. As a result, Federal funds continue to be directed to a program whose effectiveness has been questioned. For example, HUD Secretary Shaun Donovan announced in May 2010 that HUD would likely recapture and redistribute approximately \$1 billion in unobligated NSP funds. In light of current budget deficits and the concerns raised regarding the administration and oversight of this program, the Committee recommends that the \$1 billion in unobligated NSP funds be rescinded and that the program be eliminated.

Sustainable Communities. In the 2010 Consolidated Appropriations Act (Public Law 111-117), Congress provided a total of \$150 million to HUD for a Sustainable Communities initiative. The goal of this grant program is to improve regional planning efforts that integrate housing and transportation decisions, and increase state, regional, and local capacity to incorporate livability, sustainability, and social equity values into land use plans and zoning. While the goals of the

program have merit, the nation cannot afford another new program and the Committee believes that these decisions are best left to state and local governments and zoning boards. The Sustainable Communities program has yet to be authorized, and the Committee recommends that it be eliminated.

Public Housing Capital Fund. In fiscal year 2009, Congress approved \$2.45 billion for the Public Housing Capital Fund, which funds large capital projects and modernization projects. However, the spend-out rate for these funds continues to be slow and inefficient. Billions of committed dollars remain unexpended: in fact, HUD has only just recently awarded the \$4 billion in public housing capital funds included in the 2009 Economic Stimulus. The Committee therefore recommends rescinding unobligated capital fund balances after 36 months.

FHA Refinance Program. On March 26, the Administration announced a new FHA Refinance Program for underwater homeowners. Treasury indicated that the program would be funded with \$8 billion in TARP funds that had originally been set aside for HAMP. The program was implemented on September 7, 2010, and will continue until December 31, 2012. According to a December 13, 2010, report by the Congressional Research Service, FHA had received only 35 applications as of the end of October 2010. Rather than funding another ineffective foreclosure mitigation program, the Committee recommends that the \$8 billion in TARP funds that has been set aside for this program be returned to the taxpayer.

Making Home Affordable Programs. On February 18, 2009, President Obama announced a three-part "Making Home Affordable Program" with the stated goal of helping 9 million borrowers at risk of foreclosure or seeking to refinance high-cost mortgages. The plan included (1) a refinancing program for mortgages owned by Fannie Mae or Freddie Mac (known as the *Home Affordable Refinance* plan); (2) a \$75 billion loan modification program (known as the *Home Affordable Modification* plan); and (3) a commitment of \$200 billion to purchase Fannie and Freddie preferred stock. Funding for the modification plan is derived from the Troubled Asset Relief Program (TARP) and the Government Sponsored Enterprises (GSEs), and the GSE preferred stock purchases drew from funds authorized by the Housing and Economic Recovery Act of 2008 (HERA). As described in more detail earlier in this Oversight Plan, HAMP has not met the goals set for it. HAMP's foreclosure mitigation initiatives have failed to help a sufficient number of distressed homeowners to justify the program's cost. Accordingly, the Committee recommends rescinding unspent and unobligated balances currently committed to these programs.

NeighborWorks America. NeighborWorks is a government-chartered, nonprofit corporation with a national network of affiliated organizations that engage in community reinvestment activities, such as generating investment and providing training and technical assistance related to affordable housing. NeighborWorks has received congressional appropriations to provide grants, training, and technical assistance, and last year received \$133 million in its base appropriation and \$65 million through the National Foreclosure Mitigation Counseling Program. However, HUD has multiple counseling programs, and the Dodd-Frank Act established a new Office of Housing Counseling to coordinate housing counseling programs. The Committee recommends that the counseling operations under NeighborWorks be moved to HUD's new Housing Counseling Office. Consolidating counseling programs under HUD in the newly established office will eliminate overlapping and duplicative functions, and allow for better oversight of funds spent on housing counseling. Moreover, many of the tasks that NeighborWorks currently performs are duplicative of existing HUD programs

and can be consolidated, which could eliminate the need for the annual appropriation for NeighborWorks.

Legal Assistance. The Dodd-Frank Act authorized \$35 million for grants to organizations that offer legal assistance to low- and moderate-income homeowners and tenants for home ownership preservation, foreclosure prevention and tenancy-related home foreclosures. The Committee recommends that unexpended and unobligated amounts be reviewed.

Emergency Homeowner Relief Fund. The Dodd-Frank Act established a \$1 billion Emergency Homeowner Relief Fund, which provides loans or credit advances to borrowers who cannot pay their mortgages because of unemployment or reduction in income. Administered by HUD, emergency mortgage relief payments may be provided for up to twelve months and extended once for up to twelve additional months. Because these loans increase the amount of the borrower's indebtedness, the borrower is not likely to pay back either the original amount of principal or the additional loans made under the program. The borrower thus derives no benefit from the program, and the government suffers a loss from the eventual default. The Committee therefore recommends that the unexpended and unobligated amounts be rescinded.

TABLE OF INCREASES IN BUDGET AUTHORITY SINCE 1995

| BUDGET FUNCTION | 1995 | 2009 | DELTA |
|---|------------------|------------------|---------------------|
| 604 Housing assistance | 15,424 | 106,393 | +590 percent |
| 650 Social security | 327,808 | 654,799 | +100 percent |
| 500 Education, training, employment, & social services | 52,026 | 167,555 | +122 percent |
| 150 International affairs | 25,621 | 63,376 | +147 percent |
| 700 Veterans benefits & services | 38,131 | 96,948 | +154 percent |
| 050 National defense | 266,386 | 697,763 | +162 percent |
| 300 Natural resources & environment | 20,930 | 57,393 | +174 percent |
| 350 Agriculture | 8,429 | 24,136 | +186 percent |
| 400 Transportation | 39,300 | 124,995 | +218 percent |
| 550 Health | 116,967 | 373,616 | +219 percent |
| 270 Energy | 5,027 | 42,799 | +751 percent |
| Total budget authority | 1,539,664 | 4,077,492 | +165 percent |

Source: OMB's FY11 Budget Historical Tables: Table 5.1

**Committee on Foreign Affairs
Oversight Plan of the Committee
112th Congress**

Adopted February 9, 2011

1. INTRODUCTION

Pursuant to Rule X, Clause 2(d) 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 112th Congress, which is being submitted to the Committee on Oversight and Government Reform and to the Committee on House Administration not later than February 15, 2011. It describes areas in which the Committee intends to conduct oversight during this Congress, subject to the understanding that new developments will undoubtedly affect the Committee’s priorities and may change the oversight work of the Committee in the months ahead.

In the course of the Committee’s work regarding United States relations with foreign nations, the Committee’s oversight activities will emphasize: the elimination of waste, fraud, and abuse; institutional reform, efficiency, and fiscal discipline; effective implementation of U.S. law (particularly provisions relating to international terrorism and nonproliferation); and the promotion of core U.S. interests and values abroad, including the empowering and strengthening of our allies. These activities will include effective use and review of reports by the Government Accountability Office and by statutory Inspectors General, as well as Congressional Notifications submitted by executive branch agencies. Pursuant to House Rule X(2)(b)(2), the Committee is expanding its commitment to regular oversight by its subcommittees, both by changes to Committee Rule 14 (establishing a Subcommittee on Oversight and Investigations) and by additions to Committee Rule 15 (requiring its regional Subcommittees to hold hearings on priority topics, including program oversight, at least twice a year). These changes will help the Committee to more than fulfill the triannual oversight hearing requirements of House Rule XI(n)(1).

Cognizant of the recently expanded requirements of House Rule X(2)(d)(1), the Committee has developed the plan detailed below as part of its commitment to:

- Consult with other committees that have jurisdiction over the same or related laws, programs, or agencies, in order to maximize coordination and cooperation;
- Review problematic and burdensome Federal rules, regulations, and laws;
- Prioritize the review of agencies and programs operating under permanent statutory authority;
- Work to ensure that all significant laws, programs, and agencies within its jurisdiction are subject to regular review; and
- Eliminate programs and expenditures that are inefficient, duplicative, or outdated.

Topics listed below may be the subject of any of the full range of Committee oversight activities, including Member or staff-level meetings, briefings, investigations, correspondence, fact-finding travel, hearings, markups, and legislation.

2. PRIORITY OVERSIGHT MATTERS

- a. **Afghanistan** - The Committee will address all aspects of U.S. policy toward Afghanistan, including but not exclusive to: the development and implementation of US policies and programs; the effectiveness of U.S. assistance programs and their authorization; the political-military strategy; the influence of malignant political activities and corruption—particularly corruption within the Afghanistan Government—on US efforts in Afghanistan; actors contributing to the capabilities of the Taliban and al-Qaeda; the effectiveness of the broader counter-narcotics and counter-threat finance strategy; the effectiveness of international reconstruction projects; the development, preparedness, training and equipping of the Afghan national security forces; the role of NATO Member States and their troop contributions, security and reconstruction contribution, and restrictive caveats in security and reconstruction matters; the impact of Pakistan’s policy on Afghanistan; the impact of Iranian activities in and around Afghanistan; progress on judicial reform and rule-of-law; human rights, including the status of women and children; U.S.-Afghan trade development and promotion; and whether State Department and other U.S. Government assets and personnel are optimally and cost-effectively employed.
- b. **Pakistan** – The Committee will review all elements of U.S. policy toward Pakistan, including efforts to eliminate safe havens for violent extremists and the importance of a stable, democratic Pakistan to regional stability in South Asia. This review will encompass all aspects of U.S. aid to Pakistan, both civilian and security assistance, in order to assess the extent to which such programs effectively advance U.S. national interests. Particular emphasis will be placed on reviewing civil-military plans to address violent militancy, including in the Federally Administered Tribal Areas and adjacent regions, efforts to assist Pakistan to address extremism and unrest in other regions, challenges to governance, social and economic development, as well as efforts to promote democratic institutions and respect for human rights. The Committee will also conduct ongoing oversight of matters relating to Pakistan’s nuclear program, including issues relating to nonproliferation (such as the AQ Khan network) and security controls.
- c. **Iran** – The Committee will continue to closely review U.S. policy to address the comprehensive threat posed by Iran to the United States and to U.S. interests and allies, including, but not exclusive to: Iran's ongoing efforts to develop and acquire nuclear capabilities to include a nuclear weapon; its unconventional weapons and ballistic missile development; and its state sponsorship of terrorism. The Committee will also review and investigate the status of U.S. efforts to fully implement all sanctions with respect to 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 diplomatic, economic and military activities, and its strategic objectives, including the extent of its influence on key parties and events in Iraq, Afghanistan, Lebanon, Yemen, the Gulf, and the West Bank and Gaza. Additionally, the Committee will also closely review Iranian activities worldwide, including in Europe, Asia, and particularly 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 and international organizations toward Iran and its proxies, particularly their efforts to prevent or seriously impede Iran's acquisition of a nuclear weapons capability, as well as its pursuit of other destabilizing quantities and types of conventional weapons, non-conventional weapons and medium- and long-range ballistic missiles and its support for international terrorism. The Committee will also review Iran's violations of the human rights of its own people, as well as U.S. and international efforts to highlight and hold Iran accountable for such abuses.

- d. **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 and other threats to its citizens and its existence. 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 and its Iranian and Syrian state sponsors, both in Lebanon and the region. The Committee will also closely monitor and review US policy and programs toward Yemen, including but not limited to security assistance and governance. The Committee will also closely review U.S. policy toward Syria, as well as the role played by the Government of Syria in sponsoring terrorism, pursuing unconventional weapons and missile capabilities, and attempting to undermine its neighbors. 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.
- e. **North Korea** – The Committee will review the nuclear and missile threat posed by North Korea, its proliferation activities and weapon sales involving rogue regimes and designated terrorist organizations, its continuing human rights violations, and U.S. efforts to assist North Korean refugees. The Committee will review ongoing diplomatic efforts, including the inter-Korean dialogue, the implementation of the nuclear dismantlement and disarmament agreement, the succession issue, and will examine next steps in U.S. policy to address the North Korean threat.
- f. **Foreign Assistance Reform and Program Implementation** – The Committee will review the underlying authorities for, and the planning, budgeting, programming of,

U.S. foreign assistance. It will also review issues related to the subsequent implementation of U.S. foreign assistance programs and projects, including the role of U.S. missions and embassies. The Committee will review as well issues related to coordination between the U.S. Agency for International Development (USAID) and other U.S. Government agencies and departments that are involved in carrying out U.S. foreign assistance. In addition, the Committee will review the changing role of USAID in developing foreign assistance policy, implementation issues facing the Millennium Challenge Corporation (MCC), the effectiveness and sustainability of development assistance programs implemented by the Peace Corps, the implementation of food aid programs and the trade title of the Food, Conservation, and Energy Act of 2008 (the “Farm Bill”), and other issues.

Among a broad range of issues, the Committee will review U.S. foreign assistance funding, initiatives and programs aimed at addressing global health challenges in a cost-effective manner, including monitoring the implementation of the Lantos-Hyde United States Global Leadership against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008. Reviews will also be conducted regarding the potential for cost-effective innovation in U.S. assistance programs targeted at the expansion of access to basic education, clean water and sanitation, renewable energy and other efforts to support the most impoverished in recipient countries.

The Committee will consider the continued relevance of the provisions of the Foreign Assistance Act of 1961 and other foreign assistance authorities, including the Support for East European Democracy Act and the FREEDOM Support Act. In addition, the Committee will review the underlying justifications and effectiveness of U.S. assistance programs, including, but not limited to, examining: the concept of aid-assisted, planned development that has underpinned U.S. assistance programs since the enactment of the Foreign Assistance Act; the potential role of public-private partnerships and market-based mechanisms in improving the efficiency and sustainability of development efforts; and the use of small-scale, recipient-driven initiatives (such as micro-enterprise financing, small-scale health, education and benefit vouchers, and community-run, self-financing cooperatives) instead of larger organizations with greater overhead and bureaucracy.

In this period of increased, global extremism, the Committee also considers it important to review the concepts underlying the utilization of development assistance programs in support of counter-insurgency and counter-terrorism efforts and the record of success of such programs in supporting the objectives of those efforts. The appropriate “vetting” of U.S. assistance programs, in order to ensure that aid funds are prevented from going to prohibited recipients, will also be a focus of the Committee’s reviews.

- g. **Security Assistance and Arms Transfer Policy** – The Committee will assess the design, implementation and effectiveness of U.S. security assistance programs in advancing U.S. foreign policy goals and security interests, including Foreign Military

Sales and Foreign Military Financing (FMS and FMF), the Pakistan Counterinsurgency Capabilities Fund (PCCF), Peacekeeping Operations (PKO), Economic Support Funds (ESF), International Military Education and Training (IMET), International Narcotics and Law Enforcement, draw downs, Excess Defense Article transfers, antiterrorism, nonproliferation and export control assistance (including for new or aspiring NATO member states and countries with illicit transshipment concerns). In addition, the Committee will review those security assistance programs funded by the Department of Defense but which require concurrence by the Secretary of State, or otherwise give rise to this Committee's jurisdiction. The Committee also will review U.S. arms transfer policy, particularly to ensure that such transfers appropriately advance U.S. foreign policy and national security interests. The Committee will seek to ensure that such sales are consistent with criteria in the U.S. Conventional Arms Transfer policy, including interoperability with the host nation and the impact on the U.S. defense industrial base. The Committee will also assess end-use monitoring programs administered by the Departments of State and Defense. Additional emphasis will also be placed on transfer policy with respect to unmanned aerial vehicles, the extent to which arms sale policy toward Taiwan is consistent with U.S. obligations under the Taiwan Relations Act, and implementation of defense trade treaties with the United Kingdom and Australia.

- h. **State Department and Related Agencies Oversight, Authorization, and Reform** – The Committee will monitor and examine the operations, budget, programs, planning, personnel, building, and security policies of the Department of State, with an eye toward authorization and reform legislation for Fiscal Years 2012 and 2013 that promotes U.S. national interests in a cost-effective and accountable manner. In addition to hearings with the Secretary of State and other Administration officials regarding their budget proposals for the upcoming year, such efforts may include: examination and reform of the Office of the Inspector General for the Department of State and the Broadcasting Board of Governors; review of Foreign Service pay, incentive, and promotion policies; consideration of reforms to Executive Branch reporting requirements; active review of U.S. public diplomacy programs; and an examination of consular processes, including passport and visa security issues. The Committee also will actively monitor and review the operations and organization of the Broadcasting Board of Governors and the full range of U.S. government-supported, civilian international broadcasting. The Committee also will examine the operations, budget, programs, planning, and long-term staffing needs of the Peace Corps in carrying out its responsibilities to further U.S. national interests. The Committee also will review the adequacy of Peace Corps administrative procedures to provide for the safety and security of Volunteers serving in often remote corners of the globe.
- i. **Assessing a Rising China** - The Committee will review the degree to which China has failed to become a responsible stakeholder in the international system of states in dealing with situations such as in Iran, North Korea, Burma, and Sudan. It will also

review China's continued military buildup, growing role in Africa and the Western Hemisphere, and China's growing role in the world economy, including trade and currency issues which adversely affect the American workforce. The Committee will also review human rights, including suppression of the Tibetans, Uyghurs, Falun Gong, North Korean refugees and political, religious and internet dissidents, corruption, environmental damage and social unrest in China. Assess U.S. policy in reducing the role of China in the proliferation of WMD and missiles, especially with regard to Iran and North Korea.

- j. **U.S.-Russia Relations** – The Committee will review U.S. strategic interests and objectives with regard to Russia, including President Obama's policy of a "reset" of the U.S.-Russia relationship and the implications of that policy. The Committee will also review various aspects of Russia's foreign policy under the leadership of Russian President Medvedev and Russian Prime Minister Putin, including: the Russian invasion of Georgia in 2008 and its continued occupation of parts of that country; intimidating statements aimed at neighboring countries by Russian officials; the continued basing of Russian troops in a separatist region in Moldova; Russia's continuing efforts to utilize its economic ties and its vast energy resources as a means of affecting the politics and foreign policies of neighboring states and the member-states of the European Union; Russia's continuing willingness to sell arms to China, Venezuela, Syria, and certain other countries and the question as to whether such sales are intended to promote regional instability; all aspects of Russian-Iranian relations; Russia's interest to bind or halt U.S. efforts to develop and deploy strategic missile defenses; and so on. The Committee will assess U.S. policy with regard to support for Russia's entry into the World Trade Organization, in light of the content and impact of Russia's foreign policy.

The Committee also will review the worsening situation in Russia with regard to respect for human rights, democratic governance and the proper rule of law, including specifically the restrictions, both direct and indirect, that have been imposed on the mass media in Russia over the past decade. It will review the increasingly corrupt business and economic environment in Russia, and the projected demographic decline in that country and the growing threat to it on the part of Islamic extremist movements.

- k. **Sudan** - The Committee will review U.S. policy toward and assistance for Sudan, particularly as the interim period mandated under the Comprehensive Peace Agreement for Sudan concludes in July 2011, and peace efforts in Darfur continue. The anticipated partition of the country between North and South and the ongoing conflict in Darfur will require a critical review of current authorities and sanctions in force pursuant to the Sudan Peace Act, the Comprehensive Peace in Sudan Act of 2004, the Darfur Peace and Accountability Act of 2006, and related Acts. The Committee also will review Sudan's status as a State Sponsor of Terrorism and the future status of United Nations Peacekeeping Missions in Southern Sudan and Darfur.

- l. International Terrorism and Espionage** – The Committee will 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. 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. 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. 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. Dangers posed by other Middle East-based terrorist groups. The threat of extremist ideology and terrorist organizations in Latin America and Africa, and the U.S. policies to address those threats including but not limited to those implemented through the Trans-Sahara Counterterrorism Partnership, the East Africa Regional Security Initiative, Section 1206 of the National Defense Authorization Act, and the Combined Joint Task Force-Horn of Africa (CJTF-HOA). Explore the activities of Southeast Asian terrorist groups. The Committee will review: border security programs; the security of U.S. Government facilities abroad; the expenditure of post security funds, to include a review of personnel increases and asset management to minimize cost of property acquisition; and the Federal Government's effort to coordinate international counterterrorism programs through the State Department.
- m. U.S. Security, Economic, and Foreign Policy Interests in the Western Hemisphere** – The Committee will conduct oversight regarding the manner in which U.S. funds are allocated, implemented, and monitored to carry out large-scale assistance programs, such as the Merida Initiative in Mexico and recovery efforts in Haiti. The Committee will assess the impact of regimes, including Venezuela, Nicaragua, Bolivia, and Cuba, on U.S. and regional interests and in this context, will examine actions by the Executive Branch to uphold and advance U.S. interests in the region. The Committee will also investigate the growing nexus between narcotrafficking, organized crime, terrorist organizations (including regional and Islamist groups), and examine the increasing influence of Iran in the hemisphere and its implications for U.S. national security.
- n. Human Rights and Democracy** – In both hearings and staff-level oversight activities, the Committee will examine the content and efficacy of annual, statutory human rights reporting, including the "Country Reports on Human Rights Practices," the "Annual Report on International Religious Freedom," and the "Trafficking in Persons Report." The Committee will review implementation, compliance, and reporting, and – where necessary – will reauthorize and revise key human rights statutes, including the Trafficking Victims Protection Act of 2000, the International Religious Freedom Act of 1998, the North Korean Human Rights Act of 2004, and

other statutes, as appropriate. The Committee will assess U.S. refugee and asylum policy generally, and specific refugee-protection efforts as events and circumstances dictate. The Committee will review U.S. activities to promote democracy and human rights protections around the world, and critically assess U.S. involvement with multilateral human rights mechanisms, to ensure that U.S. diplomacy serves to promote fundamental human rights and freedoms. Pursuant to a new Committee rule, the Committee will require each of its regional subcommittees to hold hearings on regional human rights issues at least twice a year.

- o. **U.S. Nonproliferation Policy** – The Committee will exercise oversight over U.S. nonproliferation policies, especially those involving the Department of State, and evaluate the extent to which they are achieving their stated objectives. The Committee will evaluate the adequacy of existing resources in accomplishing those objectives. The Committee will monitor and evaluate the global expansion of civil nuclear power and its consequences for the spread of technology, equipment and material useful in the development of nuclear weapons capabilities and also evaluate the need for modifications of relevant U.S. policies. The Committee will review and exercise its jurisdiction regarding proposed and existing bilateral nuclear cooperation agreements between the United States and other countries and address the need for reform of the Atomic Energy Act. The Committee will review and evaluate the performance of the Proliferation Security Initiative and consider measures to improve its effectiveness. The Committee will evaluate the record of the International Atomic Energy Agency (IAEA) in meeting its responsibilities regarding nonproliferation and in the effective use of its resources. In particular, it will examine the IAEA's Technical Cooperation Program and address the need to prevent further assistance being provided to countries such as Iran which are in violation of their IAEA safeguards. The Committee will also examine developments affecting the Nuclear Suppliers Group (NSG) and consider policies to strengthen its ability to prevent nuclear proliferation.

- p. **United Nations and International Organizations Oversight and Reform** – The Committee will closely review all aspects of U.S. funding of and participation in international organizations, particularly with respect to whether U.S. funding and participation is advancing U.S. interests and values, protecting the integrity of U.S. taxpayer dollars, and leading to increased transparency, accountability, and reform of those organizations. The Committee will also assess the extent to those organizations, including the United Nations, fulfill their mandates and realize their founding objectives. Professional, ethical, transparent, and accountable management of UN programs is essential to the ability of international organizations to fulfill their mandates and realize their founding objectives and, therefore, the Committee will conduct thorough, ongoing oversight of the management and operations of international organizations. In addition, the Committee will examine UN reform legislation and the implementation of past such 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. The

Committee will also explore existing and new alternatives to advance U.S. interests and uphold U.S. values in international organizations. The Committee will closely monitor the work of the United Nations Department of Peacekeeping Operations and Department of Field Support, particularly efforts to improve performance, enhance accountability, and combat waste, fraud and abuse in United Nations Peacekeeping Missions. The Committee will also closely review the activities of the International Atomic Energy Agency (IAEA), including, but not exclusive to, the Technical Cooperation Program. The Committee will closely examine bias against the U.S. and democratic U.S. allies at international organizations, particularly the Jewish, democratic State of Israel. The Committee also will examine the allocation and efficacy of U.S. assessed and voluntary contributions to the Organization of American States.

- q. **Central Asia – The Committee will assess U.S. policy interests with** regard to Central Asia and review the programs and steps that have been undertaken over the past two decades in support of U.S. efforts to assist in the consolidation of the sovereignty of the states of the region, the promotion of human rights, democratic governance and proper rule of law in those states, and the diversification of export markets for energy supplies from the region. It will review the growing threat radical Islam poses to the Central Asian countries. The Committee will also review U.S. security cooperation with the Central Asian countries, including their role in supporting stabilization efforts in nearby Afghanistan.
- r. **Georgia** – The Committee will review possible policy steps by the U.S. in support of the restoration of Georgia’s territorial integrity in the wake of Russia’s 2008 invasion and continued occupation of parts of Georgia, including any steps taken by the U.S. to help deter future Russian aggression against Georgia.
- s. **U.S.-European Relations** — The Committee will review bilateral U.S. relationships with European nations and the U.S. relationship with the European Union, including the issue of the shared commitment to adequate defense spending by the NATO allies in Europe and the E.U. and the actual degree of sharing of the defense budget burden among the NATO allies. The Committee will also review proposals and actions taken by European NATO allies and E.U. member-states to sell arms and military technology to Russia and China, both of which are currently ruled by authoritarian regimes that have little respect for the democratic governance and human rights, and, in the case of Russia, have engaged in aggressive military action toward a neighboring, sovereign state. The Committee will assess the state of Islamic extremism in Europe and the impact that may have on U.S. security as well as the status of coordination between the European states, the European Union and the U.S. in the area of counter-terrorism and the tracking of terrorist financing. The Committee will also assess the issue of the willingness of the NATO allies and the E.U. to undertake leading roles in military and security operations supporting peace and stability around the world. An assessment will also be conducted by the Committee

regarding the willingness of European states and the E.U. to work with the U.S. in support of democracy and human rights, both in their memberships in multilateral institutions such as the United Nations and in their relations with authoritarian countries such as China, Venezuela and Cuba and others.

- t. **Iraq** – U.S. involvement in Iraq remains one of the most critical issues for U.S. foreign policy. The Committee will carefully review all aspects of U.S. policy, including, but not exclusive to: the 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. assistance programs; U.S. security assistance, security cooperation and arms sales; the quantitative and qualitative development of the Iraqi security forces; regional and international diplomatic efforts to help stabilize Iraq and re-integrate Iraq into various regional and international organizations and forums; displaced Iraqis; the role of external financial and material support—particularly from Iran—for insurgents, militias and terrorist groups in Iraq; and the full range of policies and programs related to the transition to a State Department lead, including policies, programs and budgeting processes.
- u. **Taiwan** – The Committee will monitor China’s continuing military buildup, including missiles, directed at Taiwan, the needs of Taiwan for defensive weapons systems as provided for in the Taiwan Relations Act, the détente in cross-Strait relations, including implementation of the Economic Cooperation Framework Agreement (ECFA), U.S.-Taiwan trade relations, the feasibility of inclusion of Taiwan in the visa waiver program, current developments in Taiwan’s democracy and Taiwan’s efforts to expand its international space by obtaining observer status in the International Civil Aviation Organization (ICAO).
- v. **Burma** – The Committee will monitor the lack of democratic progress following the 2010 highly flawed election, the continued egregious human rights violations of the Burmese junta, the continued flow of refugees from Burma, the regime’s treatment of Aung San Suu Kyi and of political prisoners, and the implementation of sanctions as mandated in the Block Burmese JADE Act and previous legislation, and the engagement policy of the Administration.
- w. **Export Control Reform** – The Committee will conduct ongoing oversight over proposed Executive Branch changes to U.S. strategic export controls. In particular, the review will include an assessment of the extent to which proposed changes to the current export control system effectively safeguard critical technologies and U.S. national security while promoting U.S. commercial interests. It also will involve scrutiny of administrative efforts to restructure the U.S. Munitions List (USML) and Commerce Control List (CCL), including by creating “tiered” control criteria based on “positive lists” of controlled items, proposed removal of items from the Munitions List, as well as related initiatives to simplify licensing processes and better coordinate

export control enforcement. The Committee will consider any legislative proposals on these and related matters as may be necessary and appropriate.

- x. **Egypt** – The Committee will review U.S. policy toward Egypt, including efforts to encourage sustainable political and economic reforms, as well as transition toward greater freedom, democracy, prosperity, and respect for human rights. The Committee will also monitor security cooperation with Egypt and the Egyptian military's role with respect to the stability and security of that nation in support of the welfare of the Egyptian people. The Committee will review Egypt's behavior with respect to preservation of peace and security with its neighbors, as well as Egypt's adherence to its international obligations, including its peace treaty with Israel. The Committee will monitor efforts by some foreign governments and by extremist non-state actors to exploit any political and security vacuums in that country. Within these contacts, the Committee will also assess U.S. economic and security assistance to Egypt. Finally, the Committee will monitor and assess instability and transformation within the Middle East arising from public expressions of opposition to authoritarian regimes.

3. GENERAL REVIEW OF U.S. FOREIGN POLICY

The Committee intends to exercise its oversight jurisdiction concerning the relations of the United States with foreign nations to the fullest extent allowed by House Rule X(1)(h). This means taking cognizance of events and circumstances in every region of the world outside of U.S. national borders, as well as U.S. foreign policy responses thereto, as developments warrant.

According to Committee Rules those responsibilities will be divided among the Full Committee, its five regional subcommittees, and its two functional subcommittees as follows:

- a. Full Committee** — The full Committee will be responsible for oversight and legislation relating to: foreign assistance (including development assistance, Millennium Challenge Corporation, the Millennium Challenge Account, HIV/AIDS in foreign countries, security assistance, and Public Law 480 programs abroad); the Peace Corps; national security developments affecting foreign policy; strategic planning and agreements; war powers, treaties, executive agreements, and the deployment and use of United States Armed Forces; peacekeeping, peace enforcement, and enforcement of United Nations or other international sanctions; arms control, nonproliferation and disarmament issues; the United States Agency for International Development; activities and policies of the State, Commerce and Defense Departments and other agencies related to the Arms Export Control Act, and the Foreign Assistance Act including export and licensing policy for munitions items and technology and dual-use equipment and technology; international law; promotion of democracy; international law enforcement issues, including narcotics control programs and activities; Broadcasting Board of Governors; embassy security; international broadcasting; public diplomacy, including

international communication, information policy, international education, and cultural programs; and all other matters not specifically assigned to a subcommittee. The Full Committee will have jurisdiction over legislation with respect to the administration of the Export Administration Act, including the export and licensing of dual-use equipment and technology and other matters related to international economic policy and trade not otherwise assigned to a subcommittee and with respect to the United Nations, its affiliated agencies and other international organizations, including assessed and voluntary contributions to such organizations. The Full Committee may conduct oversight with respect to any matter within the jurisdiction of the Committee as defined in the Rules of the House of Representatives.

b. Subcommittees with Functional Jurisdiction

(1) *Subcommittee on Terrorism, Nonproliferation, and Trade* — Oversight and legislative responsibilities over the United States' efforts to manage and coordinate international programs to combat terrorism as coordinated by the Department of State and other agencies, and efforts to bring international terrorists to justice. With the concurrence of the Chairman of the Full Committee, oversight of, and legislation pertaining to, nonproliferation matters involving nuclear, chemical, biological and other weapons of mass destruction, except for legislation involving the Foreign Assistance Act, the Arms Export Control Act, the Export Administration Act, and sanctions laws pertaining to individual countries and the provision of foreign assistance (which is reserved to the Full Committee). Oversight of matters relating to international economic and trade policy; commerce with foreign countries; international investment policy; the Overseas Private Investment Corporation and the Trade and Development Agency; commodity agreements; and special oversight of international financial and monetary institutions; the Export-Import Bank, and customs. With the concurrence of the Chairman of the Full Committee, legislative jurisdiction over measures related to export promotion and measures related to the Overseas Private Investment Corporation and the Trade and Development Agency.

(2) *Subcommittee on Oversight and Investigations* — With the concurrence of the Chairman of the Full Committee, oversight and investigations of all matters within the jurisdiction of the Committee.

(3) *Subcommittee on Africa, Global Health, and Human Rights* — In addition to its regional jurisdiction (described below), responsibility for oversight of international health issues, including transboundary infectious diseases and programs related to enhancing global capacity to address health issues, population issues, legislation and oversight pertaining to implementation of the Universal Declaration of Human Rights, and other matters relating to internationally-recognized human rights, including legislation aimed at the promotion of human rights and democracy generally.

c. Subcommittees with Regional Jurisdiction — The five subcommittees with regional jurisdiction are: the Subcommittee on Europe and Eurasia (including Central Asia); the

Subcommittee on the Middle East and South Asia; the Subcommittee on the Western Hemisphere; the Subcommittee on Africa, Global Health, and Human Rights; and the Subcommittee on Asia and the Pacific. The regional subcommittees have jurisdiction over the following within their respective regions:

- (1) Matters affecting the political relations between the United States and other countries and regions, including resolutions or other legislative measures directed to such relations.
- (2) Legislation with respect to disaster assistance outside the Foreign Assistance Act, boundary issues, and international claims.
- (3) Legislation with respect to region- or country-specific loans or other financial relations outside the Foreign Assistance Act.
- (4) Legislation and oversight regarding human rights practices in particular countries.
- (5) Oversight of regional lending institutions.
- (6) Oversight of matters related to the regional activities of the United Nations, of its affiliated agencies, and of other multilateral institutions.
- (7) Identification and development of options for meeting future problems and issues relating to U.S. interests in the region.
- (8) Oversight of base rights and other facilities access agreements and regional security pacts.
- (9) Concurrent oversight jurisdiction with respect to matters assigned to the functional subcommittees insofar as they may affect the region.
- (10) Oversight of foreign assistance activities affecting the region, with the concurrence of the Chairman of the Full Committee.
- (11) Such other matters as the Chairman of the Full Committee may determine.

4. **TRANSNATIONAL ISSUES** – In addition to those highlighted above:

- a. **International Crime** - Growing links between organized crime, illicit drugs, and global terrorism. Impact of U.S. foreign assistance on advancing the rule of law and anticorruption activities on U.S. ability to combat international crime. International criminal organizations in Africa. Oversight of existing International Law Enforcement Academies (ILEA). Impact of international trafficking of humans, arms,

and narcotics; document fraud; and money laundering. International trafficking of women and children: sexual exploitation, labor slavery, "camel jockeying," and child soldiers. International intellectual property piracy issues: how piracy is being used to support international crime and terrorism, and its impact on the American economy. International economic espionage and how it hurts American business and interests. Extraterritorial prosecutions of U.S. law violations. Cooperation with INTERPOL.

- b. **Narcotics** – The Committee will undertake a comprehensive review of Western Hemisphere counternarcotics initiatives, including the level of coordination among and within U.S. agencies implementing counternarcotics programs in the region and the impact of these initiatives on traditional bilateral assistance programs. The Committee will examine: global patterns of narcotrafficking, with a particular focus on trends from Africa to South America, and the impact of this activity on the stability and security of these regions; U.S. counternarcotics policy in Afghanistan. Eradication efforts and their effectiveness; alternative development; the "certification process" and the annual determinations for major drug producing and transit nations around the globe; the role of narcotics trafficking in terror financing.
- c. **AIDS Pandemic 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.
- d. **International Criminal Tribunals** – 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.

5. ECONOMIC POLICY, TRADE, AND THE ENVIRONMENT

- a. The Committee will exercise oversight regarding U.S. trade policy and developments in the international trading system. Areas of special interest include progress on the free trade agreements already signed with Colombia, Panama, and Korea; the Andean Trade Promotion Act (ATPA); discriminatory Chinese economic policy; and Russian accession to the World Trade Organization. In addition, the Committee will review U.S. policy to protect U.S. intellectual property rights in other countries, especially China and Russia.

- b. WTO negotiations regarding the Doha Development Round and implications for U.S. interests.
- c. 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.
- d. International financial conditions and the evolving role of the International Monetary Fund.
- e. Oversight of the Overseas Private Investment Corporation (OPIC) and the extent to which it effectively carries out its mission to advance U.S. foreign policy interests by mobilizing and facilitating the participation of U.S. private capital and skills in the economic and social development of less-developed countries, including countries in transition from non-market to market economies.
- f. Oversight of the Export Administration Act (EAA), including the potential need for reauthorizing legislation. Additional areas of oversight will include foreign policy-based and other reasons for control, implementation of Title III of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010, regulatory developments, licensing policy and caseloads, the Validated End-User Program, export enforcement, and outreach to industry and small business.
- g. International energy policy issues – including the development of traditional and renewable sources of energy; energy transit routes; and the U.S. dependence on foreign sources of oil .
- h. Development of private sector and market economies, including Enterprise Funds. United States commercial diplomacy, including oversight of the U.S. Trade and Development Agency (USTDA), Commerce Department trade promotion activities, as well as the international economic and foreign policy implications of export credit financing abroad.
- i. The adoption of international and foreign government product standards.
- j. U.S. environmental policies and global environmental conditions.
- k. Implementation of United States sanctions policy against Iran, Burma, and other regimes by the Departments of Commerce, State, and Treasury.
- l. Review of international fisheries agreements and international maritime law.

- m. Oversight of the U.S. Trade and Development Agency (USTDA) and its efforts to promote the export of U.S. goods and services for priority development projects in emerging economies.

COMMITTEE ON HOMELAND SECURITY OVERSIGHT PLAN

Adopted January 26, 2011

Clause 2(d) of Rule X of the Rules of the House of Representatives for the 112th Congress requires each standing Committee to adopt an oversight plan for the two-year period of the Congress and to submit the plan to the Committees on Oversight and Government Reform and House Administration not later than February 15th of the first session of the Congress.

This is the oversight plan for the Committee on Homeland Security for the 112th Congress. It includes the areas in which the Committee expects to conduct oversight during the 112th Congress, but does not preclude oversight or investigation of additional matters as the need arises.

In the 112th Congress, the Full Committee will examine terrorist threats against the homeland, including the increasing threat of homegrown terrorism and Islamic radicalization in the homeland, as evidenced by the terrorist attacks at Fort Hood and Times Square, and thwarted plots on the New York City subway and in Portland, Oregon. As stated by the Attorney General, in the last 24 months, there have been 126 terrorism-related indictments, including 50 against US citizens. The Committee will also analyze the radicalization of U.S. residents by foreign terrorist organizations via the Internet and the influence of English speaking radicals such as Anwar Al Awlaki. The Committee also intends to examine what approach the Department of Homeland Security (DHS) plans to take to address the increasing radicalization of individuals within the United States.

During the 112th Congress, the Committee will also examine the effect on national security of the transportation of unprivileged enemy combatants to the United States to be detained and tried before a jury in a Federal civilian court. The examination will include a review of the potential risk of holding high-value detainees, such as Khalid Sheikh Mohammed and other co-conspirators of the attacks of September 11th, on domestic soil; the risk of inadvertent disclosure of sensitive information during the trial; and the recommendations delivered by the Department of Homeland Security (DHS or Department) as part of the Guantanamo Review Task Force.

The Committee will also examine the Obama Administration's policy concerning the Detention Center at the U.S. Naval Station Guantanamo Bay, Cuba. This oversight will include a review of the Secretary of Homeland Security's role as a member of the President's Guantanamo Detention Task Force, as outlined in Executive Order 13492. Furthermore, the Committee will examine the home-

land security ramifications of the Administration's plans to purchase detention space within the United States for the purposes of detaining enemy combatants currently held at Guantanamo Bay and conducting military commissions for terrorists detained at Guantanamo.

SUBCOMMITTEE ON COUNTERTERRORISM AND INTELLIGENCE

COUNTERTERRORISM

In the 112th Congress, the Committee will examine the counterterrorism policies of the U.S. government, with specific focus on the Department of Homeland Security. This examination will include an assessment of the worldwide threat against the U.S. homeland from Al Qaeda core, Al Qaeda in the Arabian Peninsula (AQAP), Al Qaeda in the Islamic Maghreb (AQIM), al Shahbab, Tehrik-i-Taliban Pakistan (TTP), Lashkar-e-Taiba (LeT) and other emerging terrorist groups.

DEPARTMENT OF HOMELAND SECURITY INTELLIGENCE ENTERPRISE

During the 112th Congress, the Committee will conduct oversight of the Department of Homeland Security's Intelligence Enterprise, including intelligence activities throughout the Department and component agencies. Additionally, the Committee will oversee the progress made in the coordination and collaboration of information collection and intelligence analysis occurring across the DHS Intelligence Enterprise, as well as the further development and role of the Homeland Security Intelligence Council (HSIC) in coordination and collaboration with Departmental intelligence activities.

During the 112th 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 as part of its homeland security mission. The Committee will examine whether the Department is receiving relevant intelligence and law enforcement information from other Federal agencies in a timely manner; 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.

Additionally, the Committee will examine the hiring authorities, practices, and career-development of intelligence analysts and professionals within the Department. The Committee will examine the progress of DHS intelligence analyst training programs, and whether they are meeting the needs of both the Department and state, local, and private sector partners.

COUNTERINTELLIGENCE

Throughout the 112th Congress, the Committee will track the development of the newly reorganized Department of Homeland Security.

urity Counterintelligence Program, to ensure it is fully meeting the Department's needs. The primary mission of DHS' Counterintelligence Program is to prevent adversaries from penetrating the department to exploit sensitive information, operations, programs, personnel, and resources.

INFORMATION SHARING

During the 112th Congress, the Committee will examine the progress being made to improve terrorist and homeland security information sharing efforts among Federal, state, and local governments, law enforcement entities, first responders, emergency management personnel, and the private sector. The Committee intends to explore the Department of Homeland Security's coordination and collaboration with the National Counterterrorism Center (NCTC), particularly through the Interagency Threat Assessment and Coordination Group, and efforts to disseminate necessary terrorist threat information among Federal, state, and local governments and the private sector. While supporting the Department's and government-wide information sharing efforts, the Committee will review efforts to ensure the security of sensitive and classified information and guard against unlawful access or disclosure, as in the case of WikiLeaks.

In addition to examining the Office of Intelligence and Analysis, the Committee will examine the Department of Homeland Security's efforts to establish policy for and coordinate information sharing efforts from across the Federal government to and from state and local fusion centers throughout the country. Additionally, the Committee will examine the Department's internal processes and coordination efforts in sharing information between the fusion centers and the Department. Further, the Committee will examine unclassified information designations and whether such designations impact the ability of the Department or other Federal agencies to share information among Federal, state, local and private sector partners.

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 112th 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.

UNITED STATES SECRET SERVICE

In the 112th Congress, the Committee will examine the homeland security operations of the United States Secret Service, including its critical role of protecting the President of the United States and presidential candidates in the 2012 presidential election.

SUBCOMMITTEE ON BORDER AND MARITIME SECURITY

OPERATIONAL CONTROL OF THE BORDER

During the 112th Congress, the Committee will focus on additional policies and resources necessary for the Department to gain operational control over the land and maritime borders of the United States, including but not limited to personnel, technology, infrastructure, and coordination. The Committee will also assess the status of programs and international agreements to secure U.S. land borders on the north and the south from illegal entry by persons or contraband.

Furthermore, the Committee continues to be concerned about the threat of spill-over violence stemming from the rise of drug cartels and the increasingly violent conflict throughout Mexico. During the 112th Congress, the Committee will conduct rigorous oversight of these issues.

BORDER SCREENING AND TERRORIST TRAVEL

In the 112th Congress, the Committee intends to review efforts to ensure the deployment and implementation of technology, training, and infrastructure enhancements to assist border and consular officials in identifying, intercepting, and disrupting terrorists or others who would do our Nation harm and who are attempting to enter or travel within the United States. As a part of this review, the Committee will monitor the Department's efforts 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 special interest countries. The Committee will address security-related deficiencies in the immigration and naturalization process that terrorists could use to gain entry to or remain in the country for illegitimate purposes. These weaknesses have and will continue to be exploited by terrorists and those seeking to commit terrorist acts. The Committee intends to explore challenges preventing the aggressive deployment of personnel to high-risk visa issuing posts to improve visa security.

The Committee will also examine the integration, security, and reliability of criminal, immigration, and terrorist databases used to screen persons seeking to enter this country, to include advanced passenger information and the US-VISIT program. The Committee will also assess the development of secure travel documents. In addition, the Committee will examine the integration and effectiveness of transportation and border security screening systems for detecting high-risk passengers and cargo transported within the United States and across our borders.

PORT AND MARITIME SECURITY

In the 112th Congress, the Committee will examine various aspects of port and maritime security, including the security of port facilities; the screening of vessels, passengers, cargo, and crew for potential terrorists, terrorist weapons, and contraband; the development of international security standards for shipping and containers; and the implementation and operation of the Transportation Worker Identification Card (TWIC). The Committee also

plans to review how the Department manages risk emerging from maritime threats and vulnerabilities such as small boats that could be utilized in acts of terrorism.

The Committee plans to review the efficiency and effectiveness of the Department's supply chain security programs, such as the Customs Trade Partnership against Terrorism (C-TPAT) and the Container Security Initiative (CSI), to ensure a proper balance between the facilitation of lawful trade and the security of America. This will include an assessment of implementation of the Maritime and Transportation Security Act of 2002 (P.L. 107-295), the Security and Accountability for Every (SAFE) Port Act of 2006 (P.L. 109-347), relevant provisions of 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).

U.S. COAST GUARD

In the 112th Congress, the Committee plans to review the Coast Guard's homeland security missions, to include ports, waterways, and coastal security; drug interdiction; migrant interdiction; law enforcement; and defense readiness. The Committee will examine Coast Guard afloat, aviation, and shore-based operations in support of these missions to ensure that the service is using a risk-based, layered strategy to enforce laws and keep America's waters secure. This will include a specific assessment of the Coast Guard's anti-terrorist capabilities, most notably those found within the Deployable Operations Group and its units, including Maritime Safety and Security Teams, Port Security Units, Tactical Law Enforcement Teams, and the Maritime Security Response Team. Additionally, the Committee will review resource and asset needs within the Coast Guard to determine whether the service is operationally ready to address threats and emergencies while pursuing a long-term sustainable path of fleet recapitalization. The Committee will specifically examine the progress, efficiency, and efficacy of acquisitions programs such as the Integrated Deepwater Systems project to ensure major procurements remain on schedule without a reduction in readiness throughout the service.

Furthermore, the Committee will closely investigate the Coast Guard's specific maritime security operations and initiatives, such as the International Port Security Program and the inspection of vessels originating from ports with inadequate anti-terrorism measures. The Committee will examine these and other programs to ensure that the service is developing a full sense of maritime domain awareness and executing all of its missions in the most effective manner possible to keep America secure.

SUBCOMMITTEE ON TRANSPORTATION SECURITY

NATIONAL STRATEGY FOR TRANSPORTATION SECURITY

During the 112th Congress, the Committee will examine the Department of Homeland Security's continuing efforts to implement the National Strategy for Transportation Security; the efforts of the Transportation Security Administration (TSA) in fulfilling its mandate under the Aviation and Transportation Security Act of 2001;

and TSA's policies and programs to address security threats against all modes of transportation. The Committee's review will consider the Department's capacity for protecting the most at-risk transportation systems, the resiliency of critical infrastructure related to transportation, the development and deployment of technology to detect biological, chemical, and radiological threats, passenger screening, and other methods to prevent or mitigate terrorist attacks. Additionally, the Committee will examine the Department's staffing needs, its inventory and use of detection canines, and its allocation and objectives for transportation security grants.

PASSENGER AND BAGGAGE SCREENING

During the 112th Congress, the Committee will review TSA's deployment of technology and implementation of procedures related to the screening of passengers in all modes of transportation and will examine TSA's balancing security interests with the need for the efficient flow of travel, including privacy and civil liberties safeguards. The Committee will conduct oversight on the cost and effectiveness of technology related to the screening of baggage; information sharing within the Federal interagency process; coordination with international partners, and the effectiveness of the credentialing process. The Committee will also review TSA's passenger search policies and pre-screening programs, including the screening of passengers against no-fly and selectee lists, the performance of the Secure Flight program, and other measures that affect the security of domestic and international air travelers.

AVIATION SECURITY

In the 112th Congress, the Committee will examine the risks and consequences of terrorist attacks on passenger and cargo aircraft, as well as the development of security measures to reduce or mitigate such risks. The Committee's oversight will review programs and procedures implemented by the Department of Homeland Security related to the security of all types of aircraft, including commercial passenger, air cargo, and general aviation aircraft. In addition, the Committee will examine airport perimeter and access controls and technology for limiting access to the secure areas of commercial and general aviation airports. The Committee will also examine the training and management of the Federal Air Marshal Service.

SURFACE TRANSPORTATION

In the 112th Congress, the Committee will review the Transportation Security Administration's efforts to secure surface transit systems, including the most at-risk mass transit systems, buses, subway light rail, and passenger rail, freight rail, pipelines, and highway systems. Moreover, in examining the security of surface transportation systems, the Committee will consider the roles and responsibilities of other DHS components including the Federal Emergency Management Agency (FEMA), as well as agencies external to DHS, including the Department of Transportation's (DOT) Federal Transit Administration (FTA) and Federal Railroad Ad-

ministration (FRA), state and local agencies and private industry. The Committee's examination will include a review of TSA plans for providing resources to adequately train and staff surface transportation inspector units.

SUBCOMMITTEE ON EMERGENCY PREPAREDNESS, RESPONSE, AND COMMUNICATIONS

FEDERAL PREPAREDNESS AND RESPONSE

During the 112th Congress, the Committee will examine the Administration's efforts to review and update Homeland Security Presidential Directive 8 (HSPD-8), which directs the Department to create a national program and multi-year planning system to conduct terrorism preparedness-related exercises, and the impact the delay caused by this review has had on efforts to update the National Planning Scenarios and other preparedness activities. The Committee will also examine the Department's efforts to implement the Post Katrina Emergency Management Reform Act of 2006.

NATIONAL RESPONSE AND INCIDENT MANAGEMENT

In the 112th Congress, the Committee will examine the effectiveness of the National Response Framework (NRF), including the Department's role in coordinating the response efforts of all applicable Federal departments and agencies and the coordination among the Department and state and local governments, first responders, non-governmental organizations and the private sector in implementing the NRF. The Committee will also examine the development and integration of doctrine that addresses prevention, protection, and recovery, including the draft National Disaster Recovery Framework. In addition, during the 112th Congress, the Committee will oversee the Department's implementation of the National Incident Management System (NIMS), including the Department's integration of NIMS with the NRF.

INTEROPERABLE COMMUNICATIONS

In the 112th Congress, the Committee will monitor the progression of the Emergency Communications Preparedness Center and the Department's Office of Emergency Communications and Office of Interoperability and Compatibility. Specifically, the Committee will review the Department's coordination and planning, technical assistance, communications standards, and best practices for interoperable communications systems and the proposed public safety wireless broadband network for first responders. The Committee will also oversee the Department's implementation of grants for interoperable communications. In addition, the Committee will examine the Department's progress in the establishment of the Integrated Public Alerts and Warnings System to ensure interoperability among different warning systems.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS AND FIRST
RESPONDERS

In the 112th Congress, the Committee will examine the extent to which the Department implements a risk-based approach to the allocation of grants and ways to improve the Department's administration of grants to enhance the ability of state and local governments and emergency responders to mitigate against, prevent, protect against, respond to, and recover from a terrorism attack or natural disaster. The Committee will review the coordination of the Department's grant programs with other agencies across the Federal government; coordination within the Department in developing guidance and administering grants; challenges in the funding pipeline; strength of regional partnerships developed through grants; and the distribution and expenditure of such grants at the state and local levels. The Committee will also review ongoing efforts to measure grant funding investments against improved preparedness capabilities.

FIRST RESPONDER TRAINING

During the 112th Congress, the Committee will review the Department's terrorism preparedness training programs, incorporation of such training into first responder certification processes, the level of coordination among Federal, state, and local training programs and the awareness of first responders serving state, local and tribal governments concerning these programs. The Committee will also review existing DHS training centers and determine whether the Department optimally utilizes these facilities to enhance first responder terrorism preparedness.

EXERCISES AND SIMULATIONS

In the 112th Congress, the Committee will monitor the Department's implementation of HSPD-8 and its progress in creating a planning system to conduct terrorism preparedness-related exercises. To that end, the Committee will examine the Departments' National Exercise Program and ongoing efforts to streamline and improve it to ensure the program enhances the preparedness of the Nation. The Committee will review whether FEMA is incorporating lessons learned from national exercises into future training, planning, exercises, and other activities. The Committee will conduct oversight of the National Level Exercise 2011 (NLE 2011), which is centered on a catastrophic earthquake in the New Madrid Seismic Zone and examine related Department of Defense (DoD) led exercises.

CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NUCLEAR PLANNING,
PREPAREDNESS, AND RESPONSE

During the 112th Congress, the Committee will examine the significant challenges posed by chemical, biological, radiological, and nuclear (CBRN) weapons to homeland security and assess the government's progress in implementing security strategies including prevention, preparedness, and response approaches that utilize multiple tools and policies to reduce the likelihood and impact of

CBRN attacks and, thus, the CBRN risk to the Nation. The Committee will oversee the Department's efforts to understand the evolving CBRN threat landscape, as well as integrate and share this information. The Committee will examine the Department's capability to mitigate CBRN risks through appropriate means including preparedness and response to CBRN threats with a focus on public health capacity to respond. In particular, the Committee will look at the capacity of the medical community to ready its existing resources, develop its capabilities, and surge in times of crisis. A critical facet of the Nation's medical preparedness for CBRN threats is the availability of effective medical countermeasures. The Committee will consider issues such as priorities for countermeasure development and state and local preparedness for distribution and dispensing of countermeasures. The Committee will also oversee preparedness for agricultural terrorism events, to include food defense policies and veterinary leadership at the Department of Homeland Security.

SUBCOMMITTEE ON CYBERSECURITY, INFRASTRUCTURE PROTECTION, AND SECURITY TECHNOLOGIES

CYBERSECURITY

In the 112th Congress, the Committee will examine the Department's role in hardening our national critical infrastructure against cyber attacks by fortifying Federal civilian networks and collaborating with the private sector to develop the means to detect and prevent cyber attacks, reduce vulnerabilities, provide incident response, and facilitate recovery. That oversight will consider the Department's ability to detect the incursion of malicious activity; attribute the source of that activity; and promote best practices, risk assessments, and sharing of threat information across all levels of government and the private sector. In addition, the Committee will examine the Department's ability to foster cybersecurity research, development, and educational activities to secure cyber networks. Additionally, the Committee will examine the Department's efforts to recruit and train cybersecurity personnel. The Committee will also examine the resiliency of national critical infrastructure to withstand cyber attacks and the need to optimize supply chain risk management to protect against manipulation without unnecessarily impeding commerce.

The Committee will review the integration of the various cyber missions carried out across the Federal government, including the Department's collaboration with the defense and intelligence agencies and its role in fulfilling the goals of the National Cyber Security Plan. The Committee also will examine the development and implementation of the National Cyber Incident Response Plan, which expands upon the National Response Framework.

THE SAFETY ACT

The Support Anti-terrorism by Fostering Effective Technologies Act (the SAFETY Act) was included as subtitle G of the Homeland Security Act of 2002, and authorized the Secretary of the Department of Homeland Security to designate, upon application, certain

anti-terrorism products and services as qualified to participate in a Federal liability protection program. The SAFETY Act helps to foster the creation of anti-terrorism products and services and facilitates job creation. During the 112th Congress, the Committee will review the need for further congressional guidance on the process and criteria used to review and approve applications for SAFETY Act certification and designation; the process and criteria used to renew SAFETY Act certifications and designations; expansion of SAFETY Act protection for risk mitigation strategies, processes, and procedures; the increased use of SAFETY Act protection internationally; and the Department's ability to keep pace with the rising demand for SAFETY Act protections.

CRITICAL INFRASTRUCTURE PROTECTION

Pursuant to Homeland Security Presidential Directive 7 (HSPD-7), the Department is responsible for integrating sector specific strategies into a National Strategy for Critical Infrastructure Protection, and for coordinating Federal efforts across all such infrastructure sectors. During the 112th Congress, Committee oversight will focus on the implementation of the National Strategy for Critical Infrastructure Protection, including the Department's national coordination responsibilities and its sector specific critical infrastructure protection responsibilities. The Committee will also examine the Department's efforts to assess national critical infrastructure priorities by maintaining the National Asset Database.

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.

SAFETY AND SECURITY OF FEDERAL BUILDINGS AND FACILITIES

In the 112th Congress, the Committee will continue to monitor the safety and security of Federal buildings and Facilities, including the role and responsibility of the Federal Protective Service.

CHEMICAL FACILITY SECURITY

In the 112th Congress, the Committee will continue to examine the implementation, scope, and impact of the Department's existing authority and regulations to secure chemical facilities and take action, as appropriate, to optimally balance the program's effectiveness in reducing the risk posed by certain chemical facilities and the everyday demands for chemicals in commerce.

SCIENCE AND TECHNOLOGY

During the 112th Congress, the Committee will oversee the capability of the Department's Science & Technology Directorate to rapidly develop and deliver products and technology solutions to its customers, including the operating components of DHS, and state

and local emergency responders and officials, to help them secure the homeland by preventing, protecting against, and responding to terrorist threats and natural disasters. The Committee will examine, in particular, the Department's progress in developing a more rigorous process to identify, prioritize, and fund research, development, testing, and evaluation (RDT&E) opportunities that balances risk to the homeland with cost, impact, and time to deliver. The Committee will review the Department's efforts to coordinate the homeland security research and development agenda and leverage scientific knowledge and technical expertise, research, and facilities at relevant universities, research institutions, government and national laboratories, and the private sector, including the Homeland Security Centers of Excellence and Federal Funded Research and Development Centers. The Committee will also assess the status of the Department's technical infrastructure and workforce to ensure current and future homeland security RDT&E needs will be met.

The Committee will review the Department's activities relating to evaluation, testing, and certification of private sector homeland security technologies. The Committee will evaluate the Department's role in facilitating the transfer and commercialization of exiting technologies (including modification of military technologies) for use by Federal state, local and tribal government and first responders.

TECHNOLOGY TO COUNTER CHEMICAL, BIOLOGICAL, RADIOLOGICAL, AND NUCLEAR THREATS

During the 112th Congress, the Committee will examine the Department's progress in improving the Nation's capability to counter the threat of terrorist use of chemical, biological, radiological, and nuclear weapons in the United States through multi-layered approaches that emphasize early detection at the Federal, state, and local levels, as well as post-event capabilities for remediation. The Committee will oversee the Department's development and implementation of the overarching strategic plan for the Global Nuclear Detection Architecture. The Committee will review the Department's chemical, biological, radiological, and nuclear analysis capabilities and information sharing mechanisms to provide actionable information and an integrated operating system to guide decision makers in carrying out appropriate responses, including interdiction. To enhance the ability to interdict chemical, biological, radiological, and nuclear smuggling across U.S. borders (land, air, and sea), the Committee will oversee the Department's progress in employing risk-based methods for developing, testing, certifying, deploying, and operating current and next generation chemical, biological, radiological, and nuclear detection equipment. The Committee will also examine the Department's ability to detect chemical, biological, radiological, and nuclear materials in the interior of the U.S. and the Department's coordination with state and local partners to reduce the risk of radiological and nuclear terrorism to metropolitan urban areas and critical infrastructure through expanding the Securing the Cities Initiative. Finally, the Committee will examine the Department's chemical, biological, radiological, and nuclear forensic activities to support national priorities for deterrence, attribution, and prosecution.

SUBCOMMITTEE ON OVERSIGHT, INVESTIGATIONS, AND MANAGEMENT

DEPARTMENTAL OPERATIONS AND EFFICIENCY INITIATIVES

In the 112th Congress, the Committee will oversee the Department of Homeland Security's day-to-day operations to ensure that it is operating in the most efficient and effective manner possible. Pursuant to Clause 2(d)(F) of the Rules of the House of Representatives, the Committee will work to identify potential opportunities to eliminate duplicative or unnecessary programs, find efficiencies that will contribute to the Department's ability to meet its vital missions, and identify areas for cost savings. The Committee will also conduct rigorous oversight to ensure departmental regulations enhance security without posing an unnecessary barrier to private sector job creation. The Committee will fully investigate homeland security programs and practices, as warranted.

FINANCIAL MANAGEMENT

In the 112th Congress, the Committee will continue its oversight of the Department of Homeland Security's efforts to consolidate its 13 separate financial management systems into one, unified system, known as the Transformation and Systems Consolidation (TASC) project. In coordination with this review, the Committee will also review the Department's efforts to enhance internal controls and provide information that will enable clean audit opinions.

DEPARTMENTAL WORKFORCE

Throughout the 112th Congress, the Committee will monitor the Department's efforts to recruit and retain personnel and to address employee concerns set forth in the Office of Personnel Management's Federal Human Capital Survey and the Department's own personnel surveys, which have indicated morale problems across the Department. In addition, the Committee will examine the Department's Balanced Workforce Initiative, which seeks to convert contractor positions into Federal employees, to ensure an appropriate balance is struck between Federal employees and private contracts and guard against any unnecessary elimination of private sector jobs.

INFORMATION TECHNOLOGY SYSTEMS MANAGEMENT

During the 112th Congress, the Committee will review the Department's efforts to address information technology (IT) challenges, including the management and integration of the Department's IT systems. The Committee will review the authorities and activities of the Chief Information Officer (CIO) and component CIOs to ensure the effective management and coordination of these key functions. The Committee will also monitor the Department's progress in IT architectural planning, investment management, policy development, operations, and related personnel management.

HSPD-12 IMPLEMENTATION

In the 112th Congress, the Committee will monitor the Department's implementation of Homeland Security Presidential Directive 12 (HSPD-12), Policy for a Common Identification Standard for Federal Employees and Contractors, including the Department's completion of card issuance, installation of card readers, and other identification security efforts, such as the use of logical access control systems.

HEADQUARTERS CONSOLIDATION

In the 112th Congress, the Committee will review the Department's efforts to consolidate its headquarters from more than 40 locations throughout the National Capital Region to eight or nine locations. The cornerstone of this effort is the St. Elizabeth's headquarters consolidation project. The Committee will monitor the progress of the consolidation to ensure the plan is completed on time and within budget.

ACQUISITION MANAGEMENT

During the 112th Congress, the Committee will review the efforts of the Department of Homeland Security to improve the integration and coordination of the procurement functions of its 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 "non-traditional government contractors" for needed homeland security technologies, as well as the Secretary's use of other streamlined acquisition practices.

PRIVACY AND CIVIL LIBERTIES

Section 222 of the Homeland Security Act of 2002 (the Act) created a Privacy Officer for the Department of Homeland Security to ensure that the Department's information gathering and analysis functions and other programs across its components adhere to established standards for the protection of privacy. Section 705 of the Act also established an Officer for Civil Rights and Liberties to review and assess information alleging abuses of civil rights or civil liberties by employees and officials of the Department of Homeland Security. During the 112th Congress, the Committee will monitor the Department's efforts under such laws to strike an appropriate balance between the need to combat terrorist attacks against the United States with the privacy expectations and civil rights of U.S. citizens.

COMMITTEE RESOLUTION 112-3

Resolved, that the Oversight Plan of the Committee on House Administration for the 112th Congress, as required pursuant to clause 2(d)(1) of Rule X, is hereby adopted, as follows:

Committee on House Administration
112th Congress Oversight Plan

Member Services

- Oversee Members' allowance amounts, including structure and regulations.
- Provide guidance and outreach to congressional offices to ensure compliance with Committee regulations.
- Review, update 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 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 consider revising 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 the *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 the *Regulations on the Use of the Congressional Frank and Rules on Practice in Proceedings Before the House Commission on Congressional Mailing Standards*.

House Officers and House Operations

- Work with House officers to identify and reduce spending and create more cost effective and efficient operations within the House.
- Analyze management improvement proposals and other initiatives submitted by the House Officers, the Inspector General, the Capitol Police Board, the Architect of the Capitol, the Library of Congress, the Smithsonian Institute, and other legislative branch agencies.
- 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 \$350,000.
- 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 public.
- Continue the review of functions and administrative operations assigned to the Chief Administrative Officer.
- Review semi-annual financial and operational status reports; oversee implementation of changes in operations to improve services and increase efficiencies.
- Review the operations of the House gift shop and its 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 proposals to improve efficiency and cost savings.
- Review the printing needs of the Chief Administrative Officer's operation to identify the potential for eliminating duplication.
- 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 modify benefits.

Clerk of the House

- Review the administration of audio transmission on the House floor.
- Review and approve contracts and requests for proposals by the Clerk that exceed the \$350,000 spending threshold.
- Oversee the Document Management System.
- Review 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.
- Oversee preparation of congressionally-authorized publications.

Sergeant at Arms

- Review and oversee security operations in the House, including the House chamber, the galleries, the Capitol, House Office Buildings, Capitol Grounds, and District offices.
- Review and oversee initiatives designed to increase security and security awareness for Members and staff in district offices.
- 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.
- 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 the Office of Emergency Management, including the 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

- 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.

United States Capitol Police

- Monitor administrative operations of the agency, including budgetary management, civilian component, attrition rates, recruitment efforts and incentive programs for officers and civilian employees.
- Review proposals 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 within the Capitol complex to include the Capitol Visitor Center, the Library of Congress and U.S. Botanic Garden.
- Review and consider proposals to improve USCP training program for new recruits, and in-service training.
- 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.
- 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.
- Monitor the ongoing implementation of the Radio Modernization Project.
- 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.
- Evaluate costs and benefits of merging GPO police force with USCP.

Government Printing Office

- Oversee operations of the Government Printing Office, including the Superintendent of Documents.
- Review and adopt legislative proposals to reform government printing by eliminating redundancies and unnecessary printing, 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.
- Examine current GPO printing and binding regulations to determine advisability of change.
- Oversee Superintendent of Documents' Sales and Depository Library Programs.
- Review GPO labor practices and labor agreements.
- Review use of GPO facilities and other assets to identify possible alternatives enhancing value to the Congress and the public.
- Evaluate costs and benefits of merging GPO police force with Capitol Police.

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.

Office of Congressional Accessibility Services

- Oversee management and operations of Office of Congressional Accessibility Services, such as the implementation of the Americans with Disabilities Act (ADA), 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 evaluate the Smithsonian Institution's use of authorized public funds.

- 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 improve 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.
- Oversee continuation of House technology assessment in new media.

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, and improve procedures for the disclosure of contributions and expenditures. 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.
- Examine the role and impact of political organizations on federal elections.
- Review operations of the Election Assistance Commission (EAC) and evaluate possible changes to improve efficiency and improve implementation of the Help America Vote Act (HAVA). Consider authorization issues and make recommendations on the EAC's budget.
- Examine the impact of amendments made by HAVA and the Military and Overseas Voter Empowerment Act (MOVE Act) to the Uniformed and Overseas Citizens Absentee Voting Act (UCAVA), 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 and reducing costs of compliance for state and local government.

- 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.

COMMITTEE ON THE JUDICIARY
OVERSIGHT PLAN FOR THE 112TH CONGRESS
February 9, 2011

In accordance with Rule X of the House of Representatives, the Committee on the Judiciary is responsible for determining whether the laws and programs within its jurisdiction are implemented and carried out in accordance with the intent of Congress and whether they should be continued, curtailed, or eliminated. Accordingly, in the 112th Congress the Committee will review all laws and programs within its jurisdiction to assess their application, administration, execution, and effectiveness. The Committee will also review the organization and operation of Federal agencies and entities within its jurisdiction for the administration and execution of laws and programs within its jurisdiction.

The Committee will review all agencies and programs within its jurisdiction to identify wasteful, inefficient, or duplicative programs that should be streamlined or eliminated, as well as those that could be enhanced. The Committee will also review the mission and operations of all agencies, including component organizations, within its jurisdiction. Through such oversight, the Committee seeks to determine how these agencies and entities can achieve more impactful and effective programs with an eye toward improving the efficiency and effectiveness of Federal programs and agencies. The Committee also seeks to eliminate fraud, abuse, and mismanagement. As a result of this oversight, the Committee anticipates streamlining and eliminating spending on agencies and programs within its jurisdiction, if appropriate.

This document outlines the current plans of the Committee on the Judiciary for oversight activities in the 112th Congress. The Committee's oversight and investigation activities will be coordinated between the Full Committee and the Subcommittees in order to facilitate comprehensive and strategic oversight of the programs and agencies within its jurisdiction. Oversight activities will include hearings, briefings, correspondence, reports, and public statements.

FULL COMMITTEE

- I. U.S. Department of Justice. In conjunction with the Subcommittees, the Committee will conduct oversight of the U.S. Department of Justice, including all Department components and agencies.
- II. Management Performance and Budget Oversight. The Committee will conduct oversight and identify U.S. Department of Justice grant programs that should be streamlined or eliminated, as well as those that could be enhanced. The Committee will also conduct oversight on all agencies and programs within its jurisdiction to uncover waste, fraud, or abuse and to identify programs that are inefficient, duplicative, or outdated, or that are more appropriately administered by State or local governments. In addition, the Committee will consider the extent to which federally funded or administrated agencies and activities can more efficiently handle certain tasks on a national level and whether they save, reduce, or render more effective state or local government expenditures or activities. In addition, the Committee will consider whether any federal programs within

its jurisdiction should be enhanced, concomitant with cuts to or the elimination of less effective programs.

SUBCOMMITTEE ON CRIME, TERRORISM, AND HOMELAND SECURITY

- I. Trials of Suspected Terrorists. The Subcommittee will conduct oversight on matters related to the prosecution of suspected terrorists.
- II. U.S. Department of Justice. The Subcommittee will conduct oversight of the law enforcement agencies of the U.S. Department of Justice.
 - A. The Federal Bureau of Investigation (FBI). The Subcommittee will conduct oversight of the FBI. In addition to its traditional criminal investigatory jurisdiction, the Subcommittee will also conduct oversight of the FBI's counter-terrorism and counter-intelligence authorities.
 - B. Drug Enforcement Administration (DEA). The Subcommittee will review the operations of the DEA, including domestic and international drug enforcement, money laundering and narco-terrorism investigations.
 - C. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). The Subcommittee will review the mission and operations of the ATF, including federal firearms enforcement, explosives investigations, and tobacco and alcohol trafficking operations.
 - D. U.S. Marshals Service (USMS). The Subcommittee will review the mission and operations of the USMS, including fugitive apprehensions, court and witness security, and its responsibilities under the Sex Offender Registration and Notification Act (SORNA).
- III. The Federal Bureau of Prisons (BOP). The Subcommittee will review the mission and operation of the federal prison system, including prisoner rehabilitation, reentry programs, and management of a growing offender population.
 - A. Federal Prison Industries. The Subcommittee will also conduct oversight 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.
- IV. Office of the Federal Detention Trustee (OFDT). The Subcommittee will conduct oversight on the operations of OFDT.
- V. Office of Justice Programs (OJP). The Subcommittee will review the mission and operations of OJP and its component organizations and the administration of law

enforcement assistance grants in order to identify programs that should be streamlined or eliminated, and those that could be enhanced.

- VI. Office on Violence against Women (OVW). The Subcommittee will review the mission and operations of OVW and the administration of Violence against Women Act (VAWA) grants.
- VII. Community Oriented Policing Services Office (COPS). The Subcommittee will review the mission and operations of COPS and the administration of community policing grants.
- VIII. Executive Office of U.S. Attorneys (EOUSA). The Subcommittee will conduct oversight on the operations of EOUSA.
- IX. U.S. Department of Homeland Security (DHS). The Subcommittee will conduct oversight of DHS law enforcement components, including the U.S. Secret Service, U.S. Immigration and Customs Enforcement, the Bureau of Customs and Border Protection, the U.S. Coast Guard, and the Federal Air Marshals Service.
- X. U.S. Sentencing Commission. The Subcommittee will review the mission and operations of the U.S. Sentencing Commission with particular attention to the role of the Commission following the Supreme Court's decision in *U.S. v. Booker*, 543 U.S. 220 (2005) and its progeny. The Subcommittee will also examine the extent to which federal courts are imposing sentences that diverge from those recommended by the sentencing guidelines, particularly in cases involving drug smuggling and child pornography.
- XI. National Security. The Subcommittee will review the use of Foreign Intelligence Surveillance Act (FISA) and U.S. PATRIOT Act authorities by Intelligence Community (IC) agencies.
- XII. Domestic/Home-Grown Terrorism. The Subcommittee will review the threat to our national security from home-grown terrorists including the recruitment and training or self-radicalization of home-grown terrorists and the federal government's efforts to preempt, investigate, and prosecute domestic terrorism.
- XIII. Crimes against Children. The Subcommittee will review laws and law enforcement tools designed to combat child exploitation, including reauthorization of the Adam Walsh Act, and the proliferation of child pornography on the Internet.
- XIV. Criminal Street Gangs. The Subcommittee may consider enforcement and prevention issues concerning criminal street gangs, including border gangs, and the issue of how gang affiliations may be broken to reduce the number of both street and prison gangs.

- XV. Crime Prevention. The Subcommittee may examine the extent to which federal policies and funding support crime prevention strategies at the Federal, State, local, and tribal levels.
- XVI. Firearms Regulation. The Subcommittee may examine issues related to firearms regulation.
- XVII. International and Domestic Human Trafficking. The Subcommittee will review law enforcement and other activities within its jurisdiction that address international and domestic trafficking in human beings.

SUBCOMMITTEE ON THE CONSTITUTION

- I. Civil Rights Division, U.S. Department of Justice. The Subcommittee will examine the enforcement record and priorities of the Civil Rights Division. The Subcommittee will focus on the Division's activities in the areas of education, employment, credit, housing, public accommodations, law enforcement practices, voting rights, voting fraud, and federally funded and conducted programs.
- II. Community Relations Service. The Subcommittee will conduct oversight of the operations of the Community Relations Service.
- III. Congressional Authority. The Subcommittee plans to consider the boundaries of the Commerce Clause and other Congressional authorities.
- IV. Tort Reform. The Subcommittee will review the policies and practices of the civil justice system and the need for its reform.
- V. Office of Government Ethics. The Subcommittee will consider the priorities and operation of the Office of Government Ethics.
- VI. Property Rights. The Subcommittee will consider whether there is a need for greater protection of citizens' private property rights.
- VII. Religious Liberty. The Subcommittee will consider the federal role in the protection of Americans' rights under the free exercise and establishment clauses.
- VIII. Abortion. The Subcommittee will examine the constitutionality and enforcement of federal and state statutes that relate to the performance of abortions.
- IX. Marriage. The Subcommittee will examine constitutional issues concerning marriage.
- X. War on Terrorism. The Subcommittee will consider constitutional issues associated with the War on Terrorism.

- XI. Detention of Suspected Terrorists. The Subcommittee will conduct oversight on matters related to the long-term detention of suspected terrorists.
- XII. United States Commission on Civil Rights. The Subcommittee will review the work of the Commission, its management, and its implementation.

SUBCOMMITTEE ON IMMIGRATION POLICY AND ENFORCEMENT

- I. Department of Homeland Security
 - A. The Administration Budget. The Subcommittee expects to conduct hearings on the Administration's budget request for fiscal year 2012 as it applies to immigration functions at U.S. Citizenship and Immigration Services ("CIS") and U.S. Immigration and Customs Enforcement ("ICE").
 - B. Administrative Discretion. The Subcommittee expects to examine the uses of deferred action and other exercises of administrative relief by ICE and CIS for aliens not lawfully present in the U.S.
 - C. Immigration and Customs Enforcement
 - 1. Worksite Enforcement. The Subcommittee expects to conduct hearings on the effectiveness of ICE's worksite enforcement activities.
 - 2. Fugitive Operations. The Subcommittee expects to conduct hearings on the effectiveness of ICE's fugitive apprehensions program.
 - 3. Immigration Consequences of Drunk Driving. The Subcommittee expects to examine the immigration consequences of drunk driving convictions.
 - 4. Cooperation of State and Local Law Enforcement. The Subcommittee expects to conduct hearings on issues involved with the cooperation of state and local law enforcement agencies with ICE in the enforcement of federal immigration laws, including the operation of the 287(g) and Secure Communities programs.
 - 5. Enforcement Statistics. The Subcommittee expects to conduct hearings on the reliability of immigration removal statistics.
 - 6. Mexican Law Enforcement Issues. The Subcommittee expects to conduct hearings on the implications of Mexican law enforcement issues for asylum and refugee policy.

D. U.S. Citizenship and Immigration Services.

1. E-Verify. The Subcommittee expects to conduct hearings on CIS's operation of the E-Verify program to verify the employment authorization of newly-hired workers.
2. Immigration Benefit Fraud. The Subcommittee expects to conduct hearings on CIS' ability to uncover fraudulent applications and petitions for visas and other immigration benefits.
3. Backlog Reduction. The Subcommittee expects to conduct hearings on the ongoing efforts of CIS to reduce the processing backlog for immigration petitions and applications.

II. U.S. Department of Justice

- A. Immigration Judge Disciplinary Proceedings. The Subcommittee expects to conduct hearings on the impact of disciplinary investigations on the decision making of immigration judges.
- B. REAL ID ACT of 2005. The Subcommittee expects to hold hearings on the implementation by the federal judiciary of the provisions of the REAL ID Act of 2005 related to determinations by immigration judges.
- C. Enforcement of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"). The Subcommittee expects to conduct hearings on the level of enforcement, by the Justice Department, of the provisions of IIRIRA pertaining to rules regarding in-state tuition charges by public universities, and communications between state and local agencies and the Department of Homeland Security regarding the immigration status of individuals.
- D. Adjudication of Immigration Cases. The Subcommittee will conduct oversight on the Department's work to adjudicate immigration cases, including a review of relevant budgetary requirements.

III. Impact of Immigration Policy on the American Economy and Society

- A. Effect on American Workers. The Subcommittee expects to conduct hearings on the impact of illegal and low-skilled immigration on American workers.
- B. Fiscal Effects of Immigration. The Subcommittee expects to conduct hearings on the fiscal effects of illegal and low-skilled immigration at the local and national levels.
- C. Effects on Social Security. The Subcommittee expects to hold hearings on the impact of illegal and low-skilled immigration on the Social Security system.

- D. Assimilation of Immigrants. The Subcommittee expects to conduct hearings on the process of assimilation of immigrants, including issues such as the availability of English language instruction, constitutional requirements for citizenship and dual nationality.
- IV. Terrorists and the Immigration System. The Subcommittee expects to conduct hearings on how to prevent the manipulation of our immigration system by terrorists.
- V. Criminal Law Issues
- A. Gang Violence. The Subcommittee expects to conduct hearings on gang violence in immigrant communities.
- B. Detention of Foreign Nationals. The Subcommittee expects to conduct hearings on the detention of aliens in light of the Supreme Court's decisions in *Zadvydas v. Davis* and *Clark v. Martinez*.
- C. Victims of Crime. The Subcommittee expects to conduct hearings on the effect of crime committed by immigrants.
- D. Convention Against Torture. The Subcommittee expects to conduct hearings on the implications of the Convention Against Torture in immigration proceedings.
- VI. Illegal Immigration
- A. Illegal Immigration in Arizona. The Subcommittee expects to conduct hearings on the effects on Arizona residents of illegal immigration and the constitutional issues raised by Arizona's immigration enforcement law (SB 1070).
- B. Local Enforcement of Immigration Law. The Subcommittee expects to conduct hearings on the effects on public safety of cooperation and non-cooperation by local enforcement in the enforcement of the immigration law.
- C. Identity Fraud and Theft. The Subcommittee expects to conduct hearings on identity fraud and identity theft in the immigration context.
- D. Temporary Protected Status. The Subcommittee expects to conduct hearings on the administration of the Temporary Protected Status ("TPS") program.

SUBCOMMITTEE ON INTELLECTUAL PROPERTY, COMPETITION, AND THE INTERNET

- I. PRO-IP Act Implementation. The Subcommittee will conduct oversight on the implementation of the “Prioritizing Resources and Organization for Intellectual Property Act of 2008” (PRO-IP) which increases civil and criminal penalties for trademark and copyright infringement.
- II. Oversight of the U.S. Patent and Trademark Office. Oversight of the USPTO is a priority for the Committee. A hearing will focus on agency operations and needs to determine how Congress can help the USPTO address its annual workload and backlog of patent applications. The agency has undertaken a number of new projects and initiatives that must be evaluated as well. As part of the project, the Committee will work with the appropriators to ensure that the USPTO receives sufficient funding to perform its work.
- III. Oversight of the U.S. Copyright Office. The Copyright Office is experiencing increased delays in processing registrations with a corresponding backlog. This issue can be addressed through staff briefings or a possible hearing.
- IV. Merger Clearance. The Subcommittee may explore potential efficiency enhancing measures in the Federal Trade Commission-Department of Justice Hart-Scott-Rodino merger clearance process.
- V. Consummated Merger Review. It has become increasingly common for the antitrust enforcement agencies to investigate and challenge consummated mergers. The Subcommittee may examine the reasons for the increase in challenges, and whether current law needs to be changed to give the agencies the flexibility they need to investigate potential anticompetitive behavior while providing appropriate certainty to the business community.
- VI. Procedural Divergence in U.S. Merger Enforcement. Under current law, the Department of Justice may sue to enjoin a merger in federal district court. The Federal Trade Commission can sue to enjoin that same merger in federal district court and, at the same time, proceed with a case before its own administrative law judge. The Subcommittee may examine the reasons for this disparity and whether it results in different substantive standards for antitrust review.
- VII. International Divergence in Antitrust Enforcement. This oversight will focus on whether the agencies are doing enough to harmonize U.S. antitrust law with competition laws in other countries. This will include exploring what actions the agencies are taking to harmonize laws and enforcement activities, particularly focused on the European Union, China, Brazil, Japan, and Korea; and how such activities are authorized and funded by Congress.
- VIII. Antitrust Exemptions. The Subcommittee will conduct oversight of industry exemptions to determine whether such exemptions continue to serve the public interest.

SUBCOMMITTEE ON COURTS, COMMERCIAL AND ADMINISTRATIVE LAW

- I. Administrative Process and Procedure. The Subcommittee will conduct oversight of issues related to the Administrative Procedure Act, the Congressional Review Act, the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, the overall costs imposed by federal regulation, the extent to which agencies compete for policymaking primacy with the Legislative Branch, and the role that the Office of Information and Regulatory Affairs within the Office of Management and Budget plays in the federal rulemaking process.
- II. Bankruptcy. The Subcommittee expects to conduct oversight of the Bankruptcy Code's responsiveness to the needs of financially troubled small businesses and municipalities, as well as potential insolvency issues presented by a number of States. In addition, the Subcommittee may conduct oversight of the need for bankruptcy venue reform, bankruptcy issues related to the 2008 financial crisis and legislation enacted in response to it, the financial struggles of military veterans, and issues presented by asset sales under Bankruptcy Code sec. 363, such as those highlighted by the recent Chrysler bankruptcy. Oversight of auto bankruptcy issues may also extend to the dealings of the Administration's Auto Task Force and other aspects of the government-managed bankruptcies of General Motors and Chrysler.
- III. Federal Judiciary. The Subcommittee may conduct a hearing on the operations of the Administrative Office of the United States Courts, and the state of the Judiciary as a whole. This may include consideration of the judicial resource needs of Article III and bankruptcy courts, judicial salaries, and security for federal judges.
- IV. Agencies. The Subcommittee will conduct oversight of the Justice Department's Civil Division, Environment and Natural Resources Division, Executive Office for United States Trustees, and Office of the Solicitor General. It will also conduct oversight of the Department's compliance with the Freedom of Information Act and the Office of Management and Budget's Office of Information and Regulatory Affairs.
- V. State Justice Institute. The State Justice Institute (SJI) provides matching grants to state courts that allow them to develop methods to work more efficiently and productively. A review of SJI operations may be in order since its authorization expired in 2007.
- VI. Arbitration. The Subcommittee may conduct oversight of issues arising under the Federal Arbitration Act, including the implementation of the American Arbitration Association's mandatory binding arbitration program for General Motors and Chrysler auto dealers and other matters that shed light on the status and effectiveness of America's arbitration system.
- VII. Legal Services Corporation. The Subcommittee will review the mission and operations of the Legal Services Corporation.

- VIII. Interstate Compacts. The Subcommittee may conduct oversight to determine the extent of compliance with the constitutional process by which States seek Congressional approval of interstate compacts.
- IX. Administrative Conference of the United States. The Subcommittee will conduct oversight on the Administrative Conference of the United States.
- X. State Taxation Affecting Interstate Commerce. The Subcommittee may also continue oversight begun in the 111th Congress of issues related to state taxation that affect interstate commerce.

COMMITTEE ON NATURAL RESOURCES

OVERSIGHT PLAN
112TH CONGRESS



Chairman Doc Hastings

Approved: January 26, 2011

Introduction

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, reformed, curtailed, or eliminated.

In past Congresses, the Committee on Natural Resources has been lax in performing a core Constitutional duty of the Legislative Branch to examine and question the Executive Branch's implementation and administration of laws written by the Congress. This lack of fundamental oversight by the Committee occurred under both Democrat and Republican Majorities, and when examining both Democrat and Republican Presidential Administrations.

In the 112th Congress, the Committee on Natural Resources, and its five Subcommittees, will be fully committed to fulfilling their oversight responsibilities. In prioritizing the oversight work of the Committee and Subcommittees, the emphasis will be placed first and foremost on 1) job creation and economic growth, and 2) reducing spending and eliminating unnecessary, duplicative and unaffordable government programs.

This oversight plan outlines the initial, primary focuses of the Committee and Subcommittees, though additional oversight activities are expected to be generated throughout the first and second sessions of the Congress. As the Committee and Subcommittees review the budgets, spending and merit of programs and agencies under their jurisdiction, it is expected that these additional oversight topics will be brought to light and addressed in an open, transparent manner. And as the Committee shines a spotlight on the regulations and policies unilaterally imposed or proposed by the Interior Department and other agencies, further oversight needs will assuredly be identified.

Subcommittee on Energy and Mineral Resources

Creating Jobs and Increasing Energy Independence Through Safe and Responsible All-of-the-Above Energy and Mineral Production – The Subcommittee and full Committee will examine the nation’s energy and mineral policies, how they affect the nation’s economy and job creation, how they affect the viability of domestic energy (including renewable and alternative sources) and domestic manufacturing (both industrial and high-tech), and how the Administration’s actions are affecting gasoline prices, energy costs, and revenues for federal and state treasuries. A prime focus will be upon the importance of and need for an all-of-the above approach to increase domestic energy production and strengthen our mineral security to create high-paying family wage jobs, increase our economic competitiveness and strengthen our national security.

Budget and Spending Review – The Subcommittee’s jurisdiction covers five Interior Department agencies, and programs within two others: U.S. Geological Survey (USGS), Bureau of Ocean Energy Management (BOEM), Bureau of Safety, Environment and Enforcement (BSEE), Office of Natural Resources Revenue (ONRR), Office of Surface Mining (OSM) and the energy and minerals programs of the Bureau of Land Management (BLM) and U.S. Forest Service (USFS). The Subcommittee will examine each of these agencies for opportunities to streamline, reduce costs, and either close or consolidate outdated programs.

Outer Continental Shelf (OCS) Oil and Natural Gas – Ensuring the safety and viability of American offshore oil and natural gas production will be a prime focus of the full Committee and Subcommittee. Oversight activities will be broad and inclusive of the many timely issues relating to the OCS. These include: the April 2010 Deepwater Horizon explosion and oil spill, as well as its causes and the response by both the federal government and responsible parties; the impact on and ongoing needs of Gulf Coast communities; the structure of federal regulatory agencies and Interior Department’s reorganization of the Minerals Management Service into three new divisions (BOEM, BSEE, ONRR); reforms to existing laws governing offshore activities and the oil spill response; the Administration’s de facto moratorium in the Gulf and its impact on jobs and domestic supply; the official moratoriums imposed by President Obama on multiple areas of the OCS, as well as the ability to proceed with activities in areas of Alaska; and the importance of domestic production to job creation and America’s economic and national security.

Onshore Oil and Natural Gas Programs – The Subcommittee will hold hearings on the state of oil and gas leasing on federal onshore lands in the western United States. Hearings will focus on leasing delays and declines in production from federal lands. The Subcommittee will focus on specific controversies associated with leasing in Utah, Montana and Wyoming, as well as the newly proposed policy related to use of hydraulic fracturing on federal lands.

Gasoline Prices – The Subcommittee will conduct hearings on the price of gasoline and oil and its impact on family budgets, small businesses, and job creation and economic activity generally. This examination of gas and oil prices will include review of America’s dependence on foreign oil and natural gas, and the ability to reduce our dependence through specific domestic production activities.

Royalties and Revenues – In 2008, the federal government raised more than \$23 billion in revenue from bonus bids, rents and royalties related to oil and gas activities on federal lands. Today, with oil prices at or near the same level, the revenue estimates for fiscal year 2011 could be as low as \$7.5 billion, a decline of more than 60%. At a time of record national debt and federal budget deficits, as well as high unemployment, it is important for the Subcommittee to examine the causes of this decline and opportunities for creating jobs and generating additional revenue for the federal and state governments through new activity. There will also be an examination of the current royalty collection system, including technology advancements that could reduce costs and improve accuracy of collection.

Renewable and Alternative Energy – The Subcommittee will conduct oversight over current solar, geothermal and wind programs operated by BLM and USFS, and examine what steps may be necessary to advance and speed the deployment of these technologies on federal lands. The Subcommittee will also explore the advancements in OCS wind leasing, including what steps, if any, are needed to help streamline the leasing and permitting of new wind facilities on the OCS to ensure that those interested in promoting OCS wind resources can create jobs and are not delayed by federal bureaucratic red tape.

National Minerals Security Strategy – The Subcommittee will be conducting a multifaceted oversight strategy related to the development of a National Minerals Security Strategy. In the last year, there were significant concerns raised about the ability to obtain strategic minerals by business, industry and government sources. This is a serious national economic and security dilemma. It also greatly impacts related jobs throughout the country. The Subcommittee intends to conduct oversight on a broad range of strategic minerals, including, but not limited to, rare earth elements, uranium, and copper. This will include a review of domestic resources, current and planned production, and possible future production opportunities. The Subcommittee will also review, and possibly consider legislation to improve, abandoned mine clean-up.

Coal Mining Regulations and Leasing – The Department of the Interior is actively participating in the Obama Administration's war on coal, which is causing real economic hardship for coal miners, their families and coal communities in the United States. The policies of this Administration could well cause future unemployment of all coal miners to the detriment of our national security, economic well-being and energy affordability. Oversight focuses will include regulatory changes to: the classification and use of coal ash, the stream buffer zone rule, new standards for "conductivity," and impacts of the roadless rule regulations on mining operations. In addition to budgetary oversight of the Office of Surfacing Mining, the Subcommittee will focus on the current effectiveness of the Surface Mining Control and Reclamation Act (SMCRA) and problems associated with permit approvals. "Clean coal" will also be a focus.

Federal Mapping Programs – The federal government spends billions each year on new geospatial data – spending which is frequently duplicative and uncoordinated. During hearings last year, witnesses made clear that multiple Administrations have exerted little control, central oversight or effective management. The Subcommittee intends to examine this issue and may consider legislation to consolidate and streamline the geospatial programs to reduce waste and duplication. In addition, the Subcommittee intends to conduct oversight of federal agencies and how they track and monitor their land management responsibilities and purposes.

Oil Shale Research, Demonstration and Development Leasing – The oil shale lands managed by BLM are the largest known concentration of oil shale in the world – what the U.S. Geological Survey estimates to be the equivalent of 800 billion barrels of recoverable oil. This estimate means this resource would be enough to meet U.S. demand for oil at current usage levels for 110 years. The bipartisan Energy Policy Act of 2005 included direction for BLM to establish commercial and research, demonstration and development (RD&D) leasing programs for oil shale resources. This program reached a high point with the completion of long-developed commercial oil shale rules and a successful RD&D leasing process. Since then the Administration has injected uncertainty into the commercial shale rules and changed the terms of the RD&D leases under a second lease offering. These steps have resulted in a significant decline in private sector investment and research on oil shale. By stalling action, new job creation is stymied. The Subcommittee plans to examine the impacts of this uncertainty, the status of oil shale research leases and programs, and consider legislation to set the oil shale program back on the path toward success.

Subcommittee on Fisheries, Wildlife, Oceans and Insular Affairs

Budget and Spending Review – The Subcommittee will examine the President’s Fiscal Year 2012 budget recommendations, as well as existing spending levels, for the Fish and Wildlife Service and the Office of Insular Affairs, within the Department of the Interior, and the National Marine Fisheries Service and certain “wet” programs of National Oceanic and Atmospheric Administration (NOAA) within the Department of Commerce. Stimulus spending under the American Recovery and Reinvestment Act of 2009 will also be examined, with an emphasis on examining how the \$4 billion provided to these agencies was spent, how many permanent, part-time or temporary jobs were created and how the operations and maintenance backlog of these agencies has been affected.

Disabled Sportsmen’s Access Act of 1998 – More than a decade ago, the Congress amended the Sikes Act of 1960 to encourage the Department of Defense to provide recreational opportunities for disabled individuals. A recent survey has indicated that only 25 of the 400 military installations throughout the country have made any attempt to provide facilities for disabled persons to hunt or fish.

Invasive Species – There are now thousands of acres of land in the United States that are overrun by invasive species, including Asian carp, feral pigs, Giant Salvinia, and zebra mussels. These foreign invaders are destroying valuable infrastructure and are costing taxpayers millions of lost dollars.

Lacey Act Listing of Constrictor Snakes – The Fish and Wildlife Service has issued a proposed rule adding nine nonnative constrictor snakes species to the Lacey Act, which prohibits import as well as interstate commerce in listed species. Oversight is needed to assess this proposal and the impact of this listing on hundreds of thousands of pet-owners, thousands of pet stores, and economic activity that measures in the millions of dollars annually.

National Fish and Wildlife Foundation – This Foundation was legislatively created to assist the Fish and Wildlife Service in the conservation of its wildlife resources. The authorization of taxpayer funds expired on September 30, 2010. As a new authorization is considered, the Subcommittee will hear from the Foundation and interested and impacted parties.

National Wildlife Refuge System Operations and Maintenance Backlog – According to the Fish and Wildlife Service, the backlog exceeds \$3.4 billion, and there are a total of 12,795 deferred projects. Of this total, 3,472 projects were considered “mission critical” to the refuge system.

Refuge Revenue Sharing – In 1935, Congress enacted the Refuge Revenue Sharing Act. The purpose of this law was to compensate local communities for the loss of tax revenues when private land is incorporated within the National Wildlife Refuge System. For the past 15 years, the amount of money paid to the counties has decreased from 77 percent to a mere 36 percent of payments.

White-Nose Syndrome – First documented in February 2006 outside of Albany, New York, the White-Nose syndrome (WNS) has spread rapidly across the Eastern United States killing more

than 1 million bats that hibernate in caves and mines. The Subcommittee will obtain the most current information on the impact of WNS on bat species, how federal, state and local officials are responding to its spread, what has been the economic impact of closing hundreds of caves, and what has been learned from federal funds spent seeking an explanation of WNS.

Wildlife Management within the National Wildlife Refuge System – During the past two years, there has been a tremendous increase in the federal acquisition of private land for inclusion within the refuge system. This has occurred as the operations and maintenance backlog continues to skyrocket. The Subcommittee will examine how this dramatic shift in funding is affecting wildlife management, what adverse effects it has caused on fish and wildlife populations, and whether unnecessary access restrictions have been placed on anglers, hunters and recreationists.

Insular Areas General Oversight – The Subcommittee expects to review the fundamental issues facing each of the territories and freely associated states: support and development of self-government and self-determination; job creation, economic development and self-sufficiency through the private sector; accountability of federal funds; enforcement of federal laws; implementation and funding for the Compacts of Free Association; and management of limited land and water resources.

International Fisheries Agreements and International Compliance – In addition to numerous international fisheries treaties already in existence, a number of new international treaties and agreements are being negotiated to ensure compliance of vessels fishing on the high seas. In addition, the U.S. has taken aggressive action to combat Illegal, Unreported, and Unregulated (IUU) fishing practices. The Subcommittee will examine the need for such treaties and how the IUU fishing practices harm the U.S. fishing industry.

Ocean Governance/National Ocean Council and Coastal and Marine Spatial Planning – Through an Executive Order, the White House created a new National Ocean Council (NOC) and a structure for a new Coastal and Marine Spatial Planning initiative. The Committee and Subcommittee will examine the authority used to create this entity and initiative, what sources of funding will be used, what authorities this new entity will have, what effect any new policy initiatives from the NOC will have on other departments and agencies, and how this administrative action may impact jobs and economic activity, including energy production, recreational and commercial fishing, coastal ports and industries, and up-stream activities including farming and agricultural production.

NOAA's Education Programs – NOAA currently has more than a dozen education programs, most of which were created either through earmarks or through broad authority in the America COMPETES Act. The Subcommittee will examine the authority, funding, necessity for, partner organizations, and possible overlap of programs.

Mapping and Charting Program – Hydrographic and geodetic surveys are critical components for safe transportation, including within Arctic regions. The Committee will continue its oversight authority with regard to mapping and charting activities within NOAA and the coordination of these activities across federal agencies to reduce duplication.

Marine Protected Areas, National Marine Sanctuaries, Marine Monuments – The National Marine Sanctuaries Program includes 14 sanctuaries and one national marine monument. In recent years, a number of sanctuaries have revised their designation documents and in some cases, have restricted the ability of various user groups to access sanctuary resources or waters. In addition, other authorities have been used by federal agencies to designate marine protected areas. These authorities often overlap. Oversight topics will include: the sanctuary program budget; the existing sanctuary vessel fleet; expansions of missions and/or restrictions on specific activities through changes in designation documents; expansions of individual sanctuaries; the designation of marine monuments and other marine protected areas; and expansion of the program in general.

Fishery Restrictions Resulting From Protected Resources Designations – There are a number of fisheries that currently are or will be restricted due to interactions or perceived interactions with protected animals. In many cases, the scientific information being used to implement the restrictions is either incomplete or outdated. Because NOAA has diverted funding from gathering the information necessary to adequately manage the natural resources under their jurisdiction, the agency is causing job losses and economic hardships for coastal and fishery-dependent communities. The Subcommittee will examine a number of specific examples illustrating these concerns.

Fisheries Strategic Research Plan – In recent years, NOAA has proposed the creation of a number of new line offices or initiatives, including the creation of a NOAA Climate Service and implementation of a national catch share program. At the same time, funding for basic fisheries and marine mammal surveys necessary to support management of the nation's fishery resources have remained inadequate. As surveys are postponed or cut, the confidence in the stock assessments decline, causing harvest levels to be cut resulting in job losses and economic stress on fishery-dependent communities. The Subcommittee will examine the NOAA's long-term commitment to the harvest of fishery resources and the research necessary to ensure the sustainability of those resources and those who depend on those resources.

Marine Mammal Protection Act – The law prohibits, with few exceptions, the harm or harassment of marine mammals without a permit. The authorization of appropriations for the Act expired in 1999. The Committee will continue its oversight authorities with regard to the implementation and enforcement of the Act.

Subcommittee on Indian and Alaska Native Affairs

Budget and Spending Review – The Committee will review the budget, spending, and staffing levels for the Bureau of Indian Affairs, Office of the Special Trustee for American Indians, and other Departments, offices and functions relating to Indian and Alaska Native affairs. Stimulus spending will also be examined.

Federal Barriers to Economic and Energy Development on Indian Lands – Certain federal laws and policies governing the management of federal lands and other public resources are applied to the management of lands and resources owned by, or held in restricted status for, tribes and individual Indians. The Subcommittee will review whether it is appropriate to treat lands belonging to Indians as though they are public lands.

Cobell v. Salazar Settlement Implementation – The proposed settlement of the long-running Cobell v. Salazar lawsuit was authorized pursuant to the Claims Resolution Act (Public Law 111-291). This Act was passed by Congress under procedures that precluded amendments to correct several flaws identified by respected tribes, tribal organizations, and noted experts. The implementation of this settlement will be examined.

Trust Reform – Without nominating a Special Trustee for American Indians or submitting to the Committee on Natural Resources a plan for improving management of individual Indian and tribal trust resources, the Obama Administration has displayed little or no progress in assisting tribes in their goal of self-determination. The Subcommittee will examine these issues in greater detail through oversight hearings.

Fee-to-Trust Issues, including Carcieri v. Salazar – The 2009 Supreme Court decision in Carcieri v. Salazar was one of the most significant judicial actions concerning Indian lands since 1934. In the 112th Congress, fee-to-trust issues will be considered, including the impact of Carcieri, in a thoughtful, transparent, open process.

Alaska Natives – The Committee will review the implementation of the Alaska Native Claims Settlement Act and amendments made to the Act in recent years, including to correct technical problems.

Natural Resources Management on Indian Reservations – The Department of the Interior holds approximately 56 million acres of land in trust or restricted status for tribes and individual Indians. The Committee will review the current law and Departmental policies and actions concerning these resources in furtherance of the goal of increasing tribal self-governance, as well as job creation, and economic development opportunities for the benefit of Native Americans.

Tribal Law and Order Act Implementation – In the 111th Congress, the House Democrat Leadership bypassed regular order and passed a major overhaul of laws relating to crime and law enforcement in Indian Country. In the 112th Congress, the Subcommittee will review the implementation and impact of this Act through a transparent, open process that allows an opportunity for broad participation.

Indian Health Care Improvement Act Implementation/Indian Health Service – In the 110th and 111th Congresses, the House Democrat Leadership refused to consider a bipartisan Indian Health Care Improvement Act. Instead, in the last Congress, Democrat Leaders took the risky move of adding it to the Obamacare federal government takeover of health care legislation. This course of action injected Indian health care reauthorization into a heated political debate. Indian health care is due special treatment because of Congress's authority over Indian affairs under the Constitution. In the 112th Congress the Subcommittee will review implementation of Indian health care through regular order on a bipartisan basis.

Gaming – In 2009, a total of \$26.5 billion in gambling revenues (amounts wagered less prizes paid) were generated by 233 tribes operating 419 casinos regulated under the Indian Gaming Regulatory Act of 1988 (source: National Indian Gaming Commission). This sum is nearly triple the \$9.8 billion in revenues generated just ten years ago in 1999, and an estimated one-quarter of all gambling revenues generated nationwide in all types of lawful gambling operations. Over the last four years, the Committee has conducted very little oversight of this major industry. In the 112th Congress, it would be responsible to ensure that appropriate enforcement and oversight by the National Indian Gaming Commission, Department of the Interior, and Department of Justice are being conducted.

Subcommittee on National Parks, Forests and Public Lands

Budget and Spending Review – The Subcommittee will review the Fiscal Year 2012 budget request for programs under its jurisdiction, as well as current spending levels for all agencies and programs. Agency heads of the National Park Service, the Forest Service and the Bureau of Land Management (BLM) and public witnesses will be invited to testify at a hearing or hearings. Stimulus spending will also be examined.

Border Security – The Subcommittee will conduct oversight on how implementation of environmental laws on federal lands affects border security.

Strengthening Core National Park Functions of Stewardship, Visitor Experience and Maintenance of National Park Facilities – The Subcommittee will seek ways to ensure that the National Park Service’s basic mission and resources are protected and that park budget constraints, if they occur, affect only nontraditional park activities.

New National Park Units – Proposals for additional parks and park expansions will be examined with due regard for the merits of the proposal, spending constraints, the need for access to vital resources, and protection of property rights.

National Park Management – The Subcommittee will conduct oversight on ways to lessen the operations and maintenance backlog and foster and expand wholesome, family enjoyment of the parks.

National Forests/Wilderness Designations and Releases – Hearings will be held on proposals to designate wilderness areas and to release areas not suited for designation.

Forest Health and Wildfires – The Subcommittee will hold oversight hearings on forest health, wildfire prevention and suppression, and implementation of the various Forest Service authorities.

National Forest County Payments and School Funding – An examination of the impacts of this program on local communities and governments will be undertaken in anticipation of its pending expiration and need for Congressional action.

Resources on Forest Service Lands – Hearings will be held on ways to ensure that appropriate environmental standards are incorporated in the management of Forest Service lands consistent with the need for jobs in resource dependent communities, growth of our country’s economy and diverse recreational activities.

Cabin Fees – Action will be taken to seek a revenue neutral means to keep affordable the fees charged to owners of private cabins on Forest Service Lands.

National Forest System Recreation – Oversight will be conducted on ideas for maintaining open public recreational access without onerous fees.

Forest Service Budget – Oversight will be conducted on how best to strengthen the Forest Service’s basic mission and lessen the diversion of budget and personnel resources into less productive activities. Also, oversight will be conducted on the Forest Service’s proposed Planning Rule.

Bureau of Land Management “Wild Lands” Proposal – Oversight will be conducted on the use of peremptory administrative actions that create de facto wilderness areas without Congressional action or local input. The impact on recreation and job creation will be a focus.

Bureau of Land Management Land Exchanges – The Subcommittee will seek opportunities to implement mutually advantageous and otherwise beneficial land exchanges – especially those that consolidate land for protection and for economic activity that can create jobs for Americans.

Jobs and Bureau of Land Management’s Contribution to Economic Growth and Security – Oversight will be conducted on ways to ensure that appropriate environmental standards are incorporated in the management of BLM lands that provide secure, domestic sources of energy, food, minerals, jobs and recreation.

National Landscape Conservation System – Oversight will be conducted on the use of peremptory administrative actions that create de facto wilderness areas without Congressional action or local input.

Wild Horses and Burros – Oversight will be conducted on BLM’s management of wild horses and burros.

Bureau of Land Management Budget – Oversight will be conducted on how best to strengthen the Bureau of Land Management’s basic mission and lessen the diversion of budget and personnel resources into less productive activities.

Subcommittee on Water and Power

Budget and Spending Review – At a time of growing water supply needs, water-use conflicts, curtailment of water deliveries due to federal regulation and a \$14 trillion national debt, the Subcommittee intends to examine the Bureau of Reclamation’s and the U.S. Geological Survey’s annual budget requests, spending and stimulus spending. The goal of such oversight is to determine whether the agencies are accountable to the American taxpayers, ratepayers and other beneficiaries and to ascertain whether they are fulfilling their core missions.

Oversight of the Power Marketing Administration Budgets – The four Power Marketing Administrations – the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration and the Southeastern Power Administration – sell hydropower generated at federal dams and reservoirs to wholesale customers that serve millions of retail electricity consumers. In many cases, these energy prices have increased or the supply has significantly decreased due to a number of factors. The Subcommittee intends to examine the reasons for the price increases, whether these agencies are reducing internal costs to mitigate for such increases and if they are fulfilling their historical missions.

Increasing Traditional Water Supplies – Visionary leaders developed much of the western water supply infrastructure that urban and rural communities have depended upon for generations. These existing water storage and delivery projects continue to serve millions today, but their operations are being curtailed by endless litigation and agencies bent upon rationing water supplies. The Subcommittee intends to focus on the need to not only protect existing water storage/conveyance facilities but to examine and overcome regulatory, financial and other barriers to building new ones as a way of returning to a policy of abundance.

Water Project Financing – The Subcommittee intends to analyze different types of water projects to determine the most cost-effective approach to providing new water supplies and other benefits. This examination will include but not be limited to a determination of project’s purposes, cost per acre foot, water and non-water benefits and the current process used to determinate cost/benefit ratios.

California Water Supplies at a Crossroads – Although the Subcommittee will focus on the entire western water supply situation, there will be hearings on ways to deliver more water to California communities in need. Many of these communities have experienced high unemployment due to recent man-made water shortages in California. Yet even in current times of high precipitation, millions of acre feet are not captured due to regulation and lack of adequate storage. The Subcommittee intends to focus on bringing abundant water and power supplies back to California and other western states so that communities have access to reliable and cost effective water and power supplies.

Returning to the “Beneficiaries Pay” Principle – Recent efforts to integrate wind and solar resources into the electricity grid can have impacts on existing water and power users who do not benefit from such integration. The Subcommittee intends to examine the impacts of integration schemes, including those by the Western Area Power Administration.

Maintaining Electricity Transmission/Distribution Service on Federal Lands – Energy rights of way on federal lands have a direct impact on electricity transmission and distribution systems. Vegetative management on these rights-of-way is an issue in some areas of the western United States. The Subcommittee intends to examine these matters.

Protecting and Promoting Hydropower as a Clean, Renewable Energy Source – Efforts are underway to undermine existing hydropower resources. The Subcommittee intends to examine these efforts and ways to promote large-scale and small-scale hydropower generation.

Empowering Local Communities – The Subcommittee intends to focus on ways to empower local communities through improving the Bureau of Reclamation's title transfer process and allowing some water users to pre-pay their capital repayment contracts to the federal government.

Full Committee

The full Committee will conduct oversight on a variety of topics in coordination with the Subcommittees, as well as on specific jurisdictional items that reside at the full Committee level. These full Committee jurisdictional matters include:

National Environmental Policy Act (NEPA) – Recent court rulings and administrative regulations relating to NEPA will be reviewed and examined, especially as it relates to job creation and economic activity.

Endangered Species Act – For nearly 20 years, the authorization of appropriations for this Act has been expired and lapsed. This is not responsible to the taxpayers or the species that are threatened and endangered under the Act. It also disregards the many communities whose economic livelihoods are so directly impacted by this law. During this almost two-decade period, the number of listed species has grown to over 2,600, while the number of recovered species has been a mere 20. By any objective standard, a fundamental goal of this law, which is to recover and remove the need for species protection under the Act, has not been achieved as all Americans would hope. The Act and the species it is intended to protect deserve an open, transparent discussion of the future and how Congress will proceed.

Magnuson-Stevens Fishery Conservation and Management Act Reauthorization – The Magnuson-Stevens Act is the primary statute regulating commercial and recreational fishing in Federal waters. The Act was reauthorized in the 109th Congress through 2013. A number of provisions from that reauthorization will be examined, and a look ahead to the next reauthorization will begin.

Oversight Plan
Committee on Oversight and Government Reform
U.S. House of Representatives
112th Congress

Rule X, Clause 2(d) of the Rules of the House requires each standing 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 each Congress.

The following is the oversight plan for the Committee on Oversight and Government Reform for the 112th Congress and its subcommittees. It details subjects designated for investigation, evaluation, and review by the Committee on Oversight and Government Reform, but does not preclude oversight or investigation of other matters as the need arises.

Below are descriptions of some of the issues the Committee intends to investigate during the 112th 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

The Committee will continue oversight of the Administration's implementation of the American Recovery and Reinvestment Act of 2009 (ARRA) to ensure that the massive and rapid expenditure of taxpayer money is subject to the highest possible degree of transparency and the lowest possible levels of waste, fraud, and abuse. The Committee also will seek to evaluate through hearings and other efforts ARRA's success in achieving its stated goals of enabling job creation and economic growth.

Additionally, the Committee intends to evaluate both oversight and fraud detection systems as well as mechanisms developed during the implementation of ARRA, such as those created under the Recovery Accountability and Transparency Board. The Committee will examine whether those systems and mechanisms could and should be applied to a broader range of government spending and other activities.

Financial Sector

The Committee will continue oversight of the financial sector, focusing on those regulatory agencies whose failures were implicated in the financial crisis and those agencies that were created, or saw their powers expanded, by the Dodd-Frank Act of

2010. The Committee will monitor financial regulators' management, technological initiatives and rulemaking, with a view towards ensuring protection of investors, predictable and efficient markets, and vigorous capital formation.

The Committee will consider the findings of the Financial Crisis Inquiry Commission (FCIC), and monitor the work of the Financial Stability Oversight Council (FSOC) and the Office of Financial Research (OFR).

Key topics for oversight include the need for technology-driven transparency in financial regulatory filings so that markets can quickly digest crucial information, management and communications challenges at key agencies – including the Securities and Exchange Commission (SEC), and the implementation of the Dodd-Frank Act.

The Committee will continue to review the administration of the Troubled Asset Relief Program (TARP), including the implementation of recommendations made by the Special Inspector General for the Troubled Asset Relief Program (SIGTARP). The Committee will also monitor the Home Affordable Modification Program (HAMP) and other efforts intended to assist home owners in distress.

The Committee will also review financial services regulations that could undermine economic recovery. The Committee will review existing and new regulations imposed by the Commodity Futures Trading Commission (CFTC).

The Committee will also monitor new developments concerning state and municipal financing and related pension funding issues.

The Committee will conduct oversight of Fannie Mae, Freddie Mac and their regulator, the Federal Housing Finance Agency. The Committee will further explore the risks to taxpayers associated with the role of Fannie Mae, Freddie Mac, and government housing policies and will work to ensure that additional taxpayer money is spent efficiently and effectively.

The Committee will continue to investigate the VIP loan program operated by Countrywide Financial Corporation (now Bank of America). During the 111th Congress, the Committee issued a subpoena to Bank of America to compel production of VIP program records. Documents produced in response to the subpoena show Countrywide gave discounted loans and preferential treatment to policy makers positioned to protect the company's status as the nation's largest residential mortgage lender.

The Committee will investigate the scope and purpose of the VIP program, and will examine whether VIP loan recipients influenced legislation and policy that allowed Countrywide to preserve its strategic partnership with Fannie Mae.

Consumer Protection

As part of the Committee's overarching examination into the regulatory process, the Committee will examine the regulations issued by the Consumer Product Safety

Commission (CPSC) to ensure that the agency is executing its responsibilities under the Consumer Product Safety Improvement Act of 2008 (CPSIA) to safeguard consumers, particularly children, from faulty or dangerous products in a responsible and transparent manner. 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 examine the foreclosure crisis including wrongful foreclosures and other abuses by mortgage servicing companies.

The Committee will also examine the enforcement activities of the Federal Trade Commission – particularly with respect to false and deceptive advertising by mail and email, telemarketing, identity theft and privacy.

The Government Accountability Office

In February 2011, the Government Accountability Office (GAO) will issue its biannual High Risk report, which identifies government programs that are particularly vulnerable to waste, fraud and abuse. The Committee will provide ongoing oversight of agencies and programs included on the High Risk list by holding hearings, meeting with agency officials responsible for included programs, and monitoring agencies' corrective plans and actions.

In 2010, Congress required GAO to begin conducting "routine investigations to identify programs, agencies, offices, and initiatives with duplicative goals and activities within Departments and government-wide and report annually to Congress on the findings." In February 2011, the GAO will issue its first report under this provision, and the Committee will monitor GAO's findings to determine areas of federal activity that are duplicative and inefficient.

On November 30, 2010, the GAO issued a revised version of a report it had released on August 4, 2010 in testimony to the Senate Committee on Health, Education, Labor and Pensions. The revisions in the report raise a number of questions about GAO's methodology and practices. Acting to preserve the integrity and independence of GAO, the Committee will seek to ensure that this problem does not recur, and that ultimately Congress can continue to rely on GAO's trusted counsel and analysis.

Inspectors General

During 2009, agency Inspectors General (IGs) identified nearly \$10 billion in questioned costs—expenditures that are questionable because they violated a law, regulation, contract or grant, were not adequately documented or were unnecessary or unreasonable. They also identified more than \$45 billion related to instances where funds could be put to more effective or efficient use, including reducing outlays or avoiding unnecessary

expenditures. The Committee will review these reports to identify systemic improvements that could benefit a large number of programs.

In March 2010, Chairman Issa sent letters to 75 IGs requesting an update regarding thousands of open and unimplemented recommendations that, if implemented, have the potential to save taxpayers billions. The Committee will continue to monitor IG recommendations and conduct oversight of agency efforts to implement high priority reforms.

The Committee recognizes the value of an empowered community of IGs and is committed to protecting IGs who aggressively root out waste, fraud and abuse at the agencies through audits and investigations. During the 111th Congress, controversy surrounded the removal of IGs at the Corporation for National and Community Service and Amtrak. The Committee will conduct oversight to ensure the independence and effectiveness of the IG community.

The Inspector General Reform Act of 2008 amended the Inspector General Act of 1978 by requiring the President to give Congress 30 days notice before dismissing an IG. The IG Reform Act also requires the President to provide Congress an explanation of why such action is necessary. The Committee will evaluate any concerns that the independence and effectiveness of an IG has been impeded as well as allegations of the improper removal of an IG.

Federal Financial Management

The Committee will examine federal financial management. This review will include compliance with financial management and accounting laws, as well as the security and reliability of federal financial systems. The Committee will also focus on agency efforts to reduce improper payments and achieve a clean government-wide 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 Committee will monitor purchase card programs to ensure that departments and agencies maintain adequate oversight of purchase card spending.

The Committee has jurisdiction over the collection of non-tax debt by the Department of the Treasury's Financial Management Service (FMS) under the Debt Collection Improvement Act of 1996 (DCIA). According to FMS in its 2009 Annual Report, the amount of delinquent non-tax debt owed to the government has risen to \$107.2 billion; Treasury's Debt Management Services office was only able to collect \$5.1 billion in 2009. Over the past six years, the average amount Treasury collected annually was about \$4 billion.

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 entities

susceptible to significant improper payments. For FY 2010, improper payments totaled \$125 billion, the highest dollar figure since the Act's introduction.

The Committee will continue to track the findings from federal Inspectors General reports and special audits concerning the use of federal funds by ACORN, its related organizations and rebranded affiliates to promote accountability and avert misuse of taxpayer funds.

Federal Real Property Disposal

Since 2003, federal real property management has been on the GAO High Risk list. The Government holds thousands of unneeded properties and spends hundreds of millions on upkeep and maintenance of those properties. A June 2010 Presidential Memorandum on property disposal directed OMB to develop guidance that would include agency-specific targets to achieve \$3 billion in cost savings. The Committee intends to examine what progress has been made toward this goal, and to consider changes that could be made to the Federal Real Property and Administrative Services Act that would expedite real property disposal.

Government Contracting

The size and cost of government contracting has more than doubled in the last decade. From FY 2001 to FY 2010, the total amount spent on contracts increased from \$223 billion to \$534.9 billion. The Committee will examine the causes and effects of both the increase in contracting as well as the importance of safeguards such as competition in the procurement process. The Committee will continue to investigate waste and fraud in federal contracting.

The Committee will continue its examination of transparency requirements essential to the government contracting system, with special attention to transparency regarding past performance and contract oversight concerns. The Committee will also continue its review of contractor ethics and disclosure requirements, as well as the proper role of contracting for preferences and set-aside programs for small and disadvantaged businesses.

The Committee will continue to conduct oversight of contracting issues associated with the transition of important responsibilities from the Defense Department to the State Department in Iraq, as well as oversight of contracting in Afghanistan to prevent corruption.

Open Government and Transparency

The Committee will continue to advocate technological solutions to achieve government transparency. Broadly speaking, the Committee will seek to ensure that the federal government's information – with a few well-defined exceptions, such as national security

– is made available online and that it is formatted in ways that facilitate easy access and analysis. The Committee will evaluate possible legislation to set policy goals for technology-driven transparency for federal spending, program performance, regulatory materials, and legislative documents. The Committee will also examine public access to information through the Freedom of Information Act, examine the implementation of other open government laws, such as the Presidential Records Act and the Federal Advisory Committees Act, and consider whether any statutory mandates may impede public access to information.

The Committee will continue oversight of concerns related to the use by the Executive branch of taxpayer funds for public relations and propaganda activities. Federal appropriations law generally prohibits the expenditures of appropriated funds for partisan purposes.

On January 21, 2009, President Obama issued Executive Order 13490, requiring every appointee in executive departments and agencies to sign an ethics pledge concerning their communications with lobbyists and current participation in matters related to their prior lobbying activities. In April 2010, the Office of Government Ethics issued a memorandum finding “several situations in which ethics officials issued waivers . . . after employees acted in particular matters from which they should have been recused, or otherwise engaged in conduct that was prohibited.” The Committee will conduct oversight related to the Administration’s use of ethics waivers.

According to the Center for Responsive Politics, special interest groups spent over \$3 billion lobbying the federal government last year. The U.S. Attorney’s Office for the District of Columbia, which is charged with enforcing the Lobbying Disclosure Act of 1995 (LDA), receives thousands of referrals from Congress regarding potential LDA violations. According to recent studies, however, the vast majority of these referrals remain pending, with no resolution. The Committee plans to investigate why the U.S. Attorney’s Office has failed to take enforcement actions with respect to congressional referrals.

During the 110th Congress, the Committee on Oversight and Government Reform, under the leadership of Chairman Henry A. Waxman, conducted a two-year examination of the practices of the White House Office of Political Affairs (“OPA”). This lengthy investigation culminated in a report concluding that “the extent of political activity by the current [George W. Bush] White House and its deep and systematic reach into the federal agencies appears unprecedented.” The Waxman staff report suggested major reforms to prevent the perceived abuses discovered. The Committee will examine controversies related to OPA and possible Hatch Act violations. In addition, the Committee will evaluate the results of the January 2011 closing of OPA.

The Committee will continue to investigate the persistent challenges and failures associated with the preservation of presidential and federal records, as required by law. Dating back to the Clinton Administration, changes in technology have challenged each subsequent administration’s ability to capture, manage, and preserve the growing and diverse volume of electronic records. Despite new policies intended to improve

transparency, concerns that problems remain have been raised. In the 111th Congress, Ranking Member Issa sent numerous requests to the White House regarding presidential or federal records requirements; however, these requests remain unanswered. The Committee intends to examine the challenges created by the use of personal email and new, innovative forms of communication such as social media.

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 Committee will continue its oversight to ensure that FACA is implemented in a manner that ensures that advisory committees are appropriately transparent and balanced.

The Committee will focus on compliance with the Freedom of Information Act (FOIA). The Committee will monitor implementation of the memorandum issued by the President on January 21, 2009, reinstating the presumption of disclosure. The Committee 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.

The Committee will investigate whether the FOIA response process has been politicized at federal agencies. The Associated Press reported that Department of Homeland Security management required FOIA requests from lawmakers, journalists, activist groups or watchdog organizations to be reviewed by political appointees. Further investigation into FOIA policies at DHS is necessary, and additional agencies where political appointees have a role in the FOIA process may still be identified.

The Committee will seek to ensure that political concerns do not play a role in the proper functioning of executive branch departments and agencies. The Committee will also inquire as to whether relevant officials have properly briefed department and agency employees about their obligations under the Hatch Act, which prohibits partisan political activity among federal employees.

Grant Reform

The Committee will examine federal efforts to reform and streamline the grant process across multiple federal agencies. The Committee may consider the possible reauthorization of the Federal Financial Assistance Management Improvement Act of 1999; investigate allegations of waste, fraud, and abuse in the grants process within specific federal agencies; and examine efforts to adopt consistent government-wide policies for grants applications and reporting.

The total number and dollar amounts of executive branch-administered grants are about 35 times greater than the total number and dollar amounts of Congressional earmarks. Unfortunately, there are no uniform guidelines to ensure open, merit-based competition in federal discretionary grant programs. The Committee intends to examine the efficiency, fairness, and transparency of agency grant-making processes.

Technology Policy

Federal agencies spend more than \$80 billion a year buying information technology products and services, many of which fail to provide the productivity gains expected, or worse, simply fail. The Committee will review the federal government's information technology procurement and management policies to ensure that taxpayers are getting the maximum return for their money. The Committee will closely monitor the executive branch's efforts to stop IT projects that are not on target and streamline those that are wasteful.

The Committee will also review the impact of federal IT mandates under laws such as the Federal Information Security Management Act (FISMA), the E-Government Act of 2002 and the Clinger-Cohen Act. The Committee will seek input from the front lines of procurement and implementation to determine whether these mandates have improved data security, public access, and IT enterprise planning – and at what cost.

The Office of Management and Budget recently changed their approach to managing financial systems, dismantling of the Financial Systems Integration Office (formerly known as the Joint Financial Management Improvement Program Office) and asking federal agencies to segment large projects and show incremental short-term results. Effective oversight of agency financial management IT systems and the use of this new way of procuring and deploying them will be critical and may help to inform possible changes to the Federal Financial Management Improvement Act of 1996 (FFMIA).

The Committee will monitor and conduct oversight of federal agency information security practices that are required under FISMA, and the Office of Management and Budget in this area. We will pay close attention to agency FISMA compliance and overall FISMA effectiveness.

The Committee will examine and evaluate privacy and security practices used by agencies to ensure privacy of confidential data.

Federal Regulation and the Regulatory Process

While federal regulations are necessary to effectively implement the laws that Congress passes to protect human health, consumers, and the environment, federal regulations also impose burdens on job creators. The Committee will place special emphasis on oversight of federal regulations to minimize unnecessary burdens on small businesses, job creation, and economic growth and competitiveness.

The integrity of a rule can be compromised if the process in which it is developed is not open and transparent, allowing adequate time for stakeholders to participate in a meaningful way. 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. Moreover, the Committee will scrutinize the effectiveness of the agency and interagency review process in ensuring that all required review and analysis is conducted and utilized in the development of federal regulations.

The Committee will also examine agencies' performance under the Data Quality Act in terms of responding to petitions for correction in a timely and reasonable manner.

The Committee will examine the impact of unfunded mandates on state and local governments, and private entities, and explore the role and impact of the Unfunded Mandates Reform Act of 1995 and ways to potentially enhance its effectiveness.

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. The Committee will evaluate the impact of recent amendments to the Government Performance and Results Act and monitor the planned implementation of government-wide performance reporting via Performance.gov.

Energy

The Committee will conduct oversight over the Department of Energy's (DOE) effectiveness in managing its broad mission. In addition, the Committee will review DOE's management and distribution of stimulus funds, including numerous reports from IGs regarding problems in the Department's weatherization program.

The Committee will also review the Administration's decision to terminate the proposed nuclear waste repository at Yucca Mountain and the actions of the Nuclear Regulatory Commission in evaluating this conclusion.

The Committee will also examine whether federal policies and regulations create roadblocks to the development of critical energy resources such as nuclear energy.

Environment

In previous Congresses, the Committee has taken an active role in overseeing the Environmental Protection Agency's (EPA) implementation of the Clean Air Act and various amendments to this Act, including such matters as ozone standards, the development and issuance of the Endangerment Finding for Greenhouse Gases, and the

issuance of the California Waiver. The Committee will continue to conduct oversight into these matters, with a particular focus on agency process, adequate economic analysis of proposed rules, and cumulative impact analysis. In addition, the Committee will conduct oversight of the enforcement and permitting decisions conducted by the agency and will monitor the EPA's commitment to improving the agency's long-term relationship with states.

Bureau of Ocean Energy Management Regulation and Enforcement

In 2006, this Committee began an investigation of the Bureau of Ocean and Energy Management Regulation and Enforcement (BOEMRE), formerly the Minerals Management Service (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. Moreover, the Committee repeatedly raised questions over the relationship between the regulators and industry.

In the 111th Congress, the Committee investigated the Federal response to the BP oil spill that resulted from the explosion aboard the Deepwater Horizon. This investigation revealed a breakdown in the chain of command, limiting the effectiveness of the federal response and causing frustration among local residents. In the 112th Congress, the Committee will continue its oversight of BOEMRE, paying particular attention to the effectiveness of the proposed reforms in eliminating the previously identified abuses and conflicts of interest, and to the ability of the agency to effectively oversee and regulate the oil and gas industry.

Particular attention will be paid to the agency's performance with respect to permitting decisions for deep and shallow water drillers, and the impact of this regulatory approval process on economic growth and job creation.

Healthcare

The Committee will investigate waste, fraud, and abuse in government-funded health programs, with special attention to the Centers for Medicare and Medicaid Services. The Food and Drug Administration (FDA) will remain a major subject of oversight, including in key areas related to drug safety and medical devices.

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 health care associated infections that result in significant injury and death in the United States as well as unproductive health care spending.

The Committee will conduct oversight of the implementation of the Patient Protection and Affordable Care Act (PPACA) as well as the Health Care Education and Reconciliation Act (HCERA). Specifically, the Committee will address any waivers

granted, to any individual or entity, from complying with the mandates set forth in PPACA and the HCERA to ensure fairness and uniformity in the process.

Particular focus will be given to investigating waste, fraud and abuse in government healthcare programs at the Centers for Medicare and Medicaid Services.

The Committee will review the issue of tort reform as it relates to medical malpractice.

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 nearly 56 million Americans suffer from food poisoning each year, with 5,000 deaths related to food borne illnesses. The Committee will investigate the safety and security of our nation's food supply.

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 ensure that federal efforts are coordinated and that agencies are effectively and efficiently using resources to improve food safety.

The Committee will also investigate the adequacy of food safety law enforcement by the 15 federal departments and agencies with jurisdiction including the Food and Drug Administration, the Department of Agriculture, and Customs and Border Protection.

District of Columbia

The Committee will review the fiscal situation of the District of Columbia. About 65 percent of the District budget comes from locally generated revenue, while the remaining 35-percent comes from federal funds. According to Mayor Vincent Gray, D.C. revenue began dropping in May 2008, and has declined by 16 percent since that time. Gray said that FY 2011 is the fourth year in a row that the District's expenditures will exceed its revenue, and the District faces a budget gap of \$345 million for FY 2012.

The Committee will review the District's use of federal education funds provided to its traditional public schools and its public charter schools (the subject of a recently-issued GAO report). The Committee will monitor implementation of public school reforms begun under the tenure of former Mayor Adrian Fenty and former D.C. Public Schools Chancellor Michelle Rhee, including the use of the IMPACT teacher assessment system and its effect on teacher quality in the District. The Committee will also review the effectiveness of the federally-funded D.C. Opportunity Scholarship Program in enhancing educational opportunities for low-income D.C. residents, including its effect on student performance and graduation rates. This is particularly important now, since

the program's authorization expired in 2008 and the Administration has proposed that no funding be provided for new students to enroll in the program.

The Committee will also review firearms regulation in the District following the Supreme Court's decision in *District of Columbia, et al. v. Dick Anthony Heller* (554 U.S. 570).

The Committee will review the Washington Metropolitan Area Transit Authority (WMATA). WMATA has 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 remains warranted.

In accordance with the National Capital Revitalization and Self-Government Improvement Act of 1997, the Committee also plans to conduct oversight of the US Attorney's Office for the District of Columbia, which is charged with prosecution of all serious local crimes committed by adults in the District.

Census

The Committee will review the process by which the 2010 Decennial Census was conducted, its level of accuracy, and the appropriateness of the level of expenditures incurred. The Committee will also review the non-decennial operations of the Census Bureau to determine if there can be savings through better efficiencies. The Committee will also seek to determine if the Bureau's data collection activities are overly broad and still serve the people in the appropriate manner.

National Archives and Federal Records

In October 2010, GAO released two reports highlighting failures at the National Archives and Records Administration (NARA). The Committee will conduct oversight of NARA's management of government records and the procedures NARA is putting in place to handle and archive records generated by new technologies, including social media.

The Committee will examine the Presidential Library system, specifically looking at the governance of the Presidential 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.

Federal Workforce

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, *High-Risk Series: An Update* (January 2009) (GAO-09-271)). 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 the United States Office of Personnel Management's (OPM) need to provide leadership in these areas.

The Committee will work with federal employee stakeholders to research and evaluate the effectiveness of OPM, existing federal pay systems, and human resources processes. The Committee will encourage the implementation of policies and strategies that will enhance federal human resource systems government-wide.

The Committee will examine the federal government's compensation, classification and performance management systems. The Committee will track OPM's announced review of the data and computations long used by the government to determine pay gaps.

Performance management will be a central feature of the Committee's review, including existing demonstration projects through the personnel labs and the Department of Defense's recent efforts to provide meaningful distinctions in employee performance. The Committee will also examine the existing probationary period for new hires and the use of existing noncompetitive appointment authorities as part of its focus on ensuring highly skilled, motivated workers are suitably compensated.

The Committee will review staffing plans of agencies to determine appropriate workforce alignment and size. The Committee will look to ensure agency hiring decisions are driven by critical needs, stem from their strategic human capital plans and result in increased productivity.

The Committee will examine the array of benefits provided to federal employees and annuitants as part of Congress' overall deficit reduction efforts. The review will include the recommendations of the National Commission on Fiscal Responsibility and Reform.

The Committee will examine the roles and responsibilities of the Office of Personnel Management in determining whether the agency is providing strategic human capital policies that result in a highly skilled workforce sufficiently nimble to meet the federal government's many missions. The Committee will review OPM's policy-making and benefits administration functions to ensure agencies receive the guidance necessary to manage their respective workforces and employees receive timely benefits processing. In addition, the Committee will examine the use of existing personnel authorities, such as category rating and dual compensation waivers, to meet critical staffing needs.

United States Postal Service

The United States Postal Service (USPS) lost \$8.5 billion in FY 2010, and its financial situation is becoming increasingly dire.

The Postal Service is "facing a major financial crisis," according to a report issued last year by GAO. The report stated that, "we continue to believe that major restructuring is

necessary and not doing so will increase the risk that taxpayers and the U.S. Treasury will have to provide financial relief.”

GAO added USPS’s financial condition to its high-risk list in 2009. Mail volume declined by 42 billion pieces (about 20 percent) from FY 2006 through FY 2010, and continues to decline. The USPS itself stated last year that, absent necessary changes, USPS was on track to lose more than \$200 billion over the course of a decade.

The Committee will examine actions and plans USPS is taking going forward, as it attempts to meet its public purpose and avoid fiscal insolvency. The Committee will also investigate ways in which Congress can address statutory obstacles that may be hindering the ability of the Postal Service to implement necessary changes. To assist in its oversight efforts, the Committee intends to work collaboratively with USPS, the Postal Regulatory Commission, the USPS Inspector General, the Government Accountability Office and non-governmental experts.

National Security and Foreign Operations

Because of its interagency jurisdiction, the Committee is uniquely positioned to examine the effectiveness, efficiency and cooperation of all U.S. Government agencies and departments involved in national security and foreign operations issues.

The Committee will examine diplomatic, military and development policy and related expenditures concerning U.S. relations with Afghanistan, Pakistan, India, Iran, Iraq, Somalia, Sudan, Venezuela, Cuba, China, North Korea and others. Where appropriate, investigations of expenditures for reconstruction of infrastructure, training of personnel, and other related issues will be examined.

The Committee’s oversight of U.S. diplomatic, military, and development efforts in Afghanistan will include, but not be limited to: investigations of the training and equipping of the Afghan National Security Forces; counterinsurgency strategy (COIN); 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; and the development of the rule of law and justice sector.

The Committee’s oversight of U.S. diplomatic, military, 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 Fund; 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; and development efforts, including U.S. efforts to bolster primary education for Pakistani children.

The Committee will conduct oversight of U.S. diplomatic, military, and development efforts to address the issue of global terrorism both in the short-term and long-term. The

oversight will include whether the United States is maximizing the use of all elements of the country's national security potential and how anti-terror efforts, such as the detainment and trial of unlawful enemy combatants, are coordinated with other important U.S. national security interests and the rule of law. The Committee's review will include the international standing of the United States, humanitarian assistance, development programs and public diplomacy efforts.

The Committee will conduct oversight over 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 will be reviewed.

The Committee will review 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.

The Committee will evaluate of the need for interagency reform among the various U.S. national security agencies and departments.

The Committee will examine Defense Department spending, including weapons systems procurement, development, operations, and compliance with statutory and other regulations, testing regimes and efficiency. The Committee will investigate: the nation's 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.

The Committee will review the conduct and efficiency of private contractors in providing security, military intelligence and other endeavors on behalf of U.S. national security.

The Committee will investigate the care, management, and conditions of wounded soldiers at Walter Reed Army Medical Center and other Defense Department and Veterans Affairs medical facilities. The Committee will also examine the implications, intended or otherwise, in the consolidations and closures of such facilities.

Homeland Security

The creation of the Department of Homeland Security (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 decision-making at DHS.

The Committee will evaluate efficiency and effectiveness of homeland security strategy, laws, initiatives, and technology. In particular, the Committee will focus on aviation, rail and transit, chemical, nuclear, port, our northern and southwestern borders, and other facilities or critical infrastructure at risk, federal funding interaction with local responders and efforts to strengthen the U.S. public health system.

The Committee will also review visas, passports and other border control and security identification issues, as well as, border and immigration policies and the operations of U.S. consulates.

The Committee will conduct oversight of the federal government's emergency management capabilities to ensure that lessons learned from previous disasters, such as the need for improved planning and execution, communications operability, and coordination between all levels of government and within the federal government, are part of federal agency reform efforts.

The Committee will closely examine laws, regulations, and policies governing the Transportation Security Administration (TSA). The Committee's oversight efforts will focus on maximizing the effectiveness and efficiency of airport security, including technology, checkpoint screening, perimeter security, workforce requirements for screening agents, information sharing and private sector solutions for increasing airport security.

Drug Policy

Reducing prescription and illicit drug abuse remains a key concern of the Committee, and therefore the Committee will review the Office of National Drug Control Policy's (ONDCP) efforts to combat both prescription and illicit drug abuse. Since drug abuse and addiction continue to be major contributing factors to criminal activity in America, the Committee will also examine the usefulness of current prevention and treatment programs on rehabilitation and offender reentry. The Committee will also review the efficiency and effectiveness of grant programs overseen by ONDCP.

Additionally, as our experience with Afghanistan has proven, the destabilizing nature of the international drug trade has national security consequences above and beyond its effect on our domestic drug problem. The Committee will continue to monitor ONDCP's coordination of a strategy to disrupt the drug market at its source, through international eradication and interdiction.

[COMMITTEE PRINT]

112TH CONGRESS }
1st Session }

HOUSE OF REPRESENTATIVES

OVERSIGHT PLAN OF THE COMMITTEE ON RULES FOR THE
ONE HUNDRED TWELFTH CONGRESS

—————
FEBRUARY 14, 2011. Approved by the Committee on Rules.
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Mr. DREIER, 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

together with

MINORITY VIEWS

Clause 2(d)(1) of rule X of the Rules of the House of Representatives requires each standing Committee, not later than February 15 of the first session, to adopt an oversight plan for the 112th 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 Rules for the 112th 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 on any of the subjects listed below.

BACKGROUND

The Committee on Rules has existed as part of the House committee structure since the First Congress, when it was established in 1789 as a select committee. The essential portion of the present jurisdiction of the Committee is set forth in clause 1(o) of rule X, which grants the Committee jurisdiction over:

(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.

In addition, clause 3(j) of rule X assigns to the Committee special oversight responsibility over the congressional budget process.

The Committee on Rules has always been at the forefront of efforts to reform the processes and procedures of the House to improve the effectiveness of the institution.

The Committee also continues to play a lead role in providing recommendations for substantive changes to the rules of the House, which are adopted on the opening day of each Congress. Such changes have included streamlining the committee system to be more effective in conducting oversight and other business, ensuring the continuity of Congress in the face of man-made and natural disasters, increasing the transparency of committee and House actions, and modernizing the operations of the House.

Some of the substantive changes to House rules adopted on the opening day of the 112th Congress include:

- Requiring Members to cite the Constitutional authority for proposed legislation prior to its introduction in the House;
- Ensuring the public availability of proposed legislation prior to consideration in committee and the House by recognizing electronic availability for the very first time;
- Increasing the transparency of committee actions, including the public availability of audio and video coverage of hearings and meetings, documents, and the results of record votes;
- Requiring committees to report more frequently to the House regarding the oversight and legislative activities of the committees;
- Adjusting budget enforcement rules to favor spending cuts over tax increases;
- Creating “spending reduction” accounts in appropriations bills to ensure that spending cuts can reduce the costs of appropriations bills rather than be used as offsets for additional spending.
- Repealing the “Gephardt rule” to provide for a separate vote in the House on public debt-limit legislation.
- Providing the Speaker greater latitude in deciding which mobile electronic devices may be used by Members on the floor.

In addition to the items discussed below, the Committee will continuously monitor the implementation and effectiveness of the rules changes adopted at the beginning of this Congress.

MAJOR AREAS FOR OVERSIGHT

Budget Process Reform. The annual budget process continues to present challenges to authorizing committees, appropriations committees, and the House as a whole. In each of the last sixteen fiscal years, Congress has failed to enact some or all of the annual appropriations bills prior to the start of the new fiscal year. In the second session of the 111th Congress, the House and Senate not only failed to adopt a concurrent resolution on the budget, but for the first time the Budget Committee failed to even report a resolution. Congress also failed to enact even a single regular appropriations bill for fiscal year 2011.

To improve the efficiency and effectiveness of the legislative budget process, the Committee will examine alternative budget processes, including the use of biennial budgeting. A two year budget cycle could provide committees and Members much needed flexibility and time for increased scrutiny of government programs and funding requests.

The nation, and by extension the taxpayers, are facing record deficits and record levels of public debt. Congress must ensure that its processes are best structured to allow for comprehensive oversight and informed decision-making.

The Committee will also continue to pursue the establishment of a joint select committee on budget process reform. The Committee recognizes that ultimately a bicameral solution is necessary in order to successfully implement reforms to the congressional budget process.

Dynamic Scoring. The American public and many in Congress continue to highlight the pressing need to reduce Federal government spending. This increased focus on government spending has also led to greater interest in the cost and revenue estimates of proposed legislation. In many cases, these estimates are also used to trigger budget enforcement mechanisms.

The Committee is committed to ensuring that the most accurate and comprehensive analysis is available to Members and the public. In the 112th Congress, the Committee will examine current estimating models, including the feasibility of further incorporating macroeconomic impacts of legislation in Congressional estimates in order to determine whether rules changes are necessary to improve the quality and accuracy of budget estimates.

Effective and Efficient Committee Jurisdiction. The Committee on Rules has always played an integral role in modernizing the rules of the House, including its rules on jurisdiction. In the 104th Congress, the House streamlined what was considered to be a bloated and ineffective committee system, abolishing three full committees (Committees on Post Office and Civil Service, the District of Columbia, and Merchant Marine and Fisheries). In the 107th Congress, the trend toward jurisdictional consolidation and efficiency continued with the establishment of a new Committee on Financial Services. In the 108th Congress, the House responded to the changing security environment and the creation of the Department of Homeland Security by creating the Select Committee on Homeland Security, which became a standing committee of the House in the 109th Congress.

During the 112th Congress, the Committee on Rules will continue to review proposals to streamline the committee system and increase effective oversight of the Executive branch and the Federal budget.

Civility and the Congress. In light of the recent tragedy in Tucson, there has been additional focus on the need for increased civility in debate and national dialogue more generally. The Committee is committed to ensuring that the House rules are utilized to make certain that Members adhere to the rules of decorum.

In the 112th Congress, the Committee will examine the House rules relating to debate and decorum to ensure that civility and freedom of speech are equally respected.

Impact of New Information Technologies on the House. In recent years, the House has adapted and upgraded its technological capabilities to improve efficiency, accessibility, and transparency. Members are communicating more effectively with their constituents through the use of websites, blogs, and tele-townhalls, and many Members communicate with their constituents in real-time through social media applications.

Technology is also affecting the way Congress considers legislation. For example, more data and analysis is readily available to Members in the execution of their duties. Bills and committee reports are available and often searchable electronically, and the public can follow Congressional proceedings in real-time through “cybercasts.”

Providing real-time information allows the broader public access to the day-to-day proceedings of the House. Technology is helping bridge the gaps of time and distance to bring representative government closer to the people and Members closer to their

constituents. Technology is helping to create a more orderly process and to reduce costs and bureaucracy.

The 112th House rules package took the landmark step of recognizing electronic availability as an alternative to physical printing by the Government Printing Office. Like any major change, this one will require oversight and adjustment as the House gains experience with the new rule and its implementation.

Some of the issues raised during the transition from the 111th to 112th Congress were not yet mature enough to be addressed in this Congress' rules package. One such issue is the availability of "comparative prints" showing both changes to bills at various stages of the legislative process as well as showing changes to current law proposed by legislation before the House. A number of current Members of the House were previously State legislators where the practice of showing proposed changes as part of the text of bills was commonplace.

While clause 3(e) of rule XIII (commonly referred to as the "Ramsayer" rule) requires a comparative print in committee reports, there is wide acknowledgement that this is insufficient to meet the current needs of Members and the public. The Committee will examine the need for changes in rules and procedures to make comparative prints more widely available at various stages of the legislative process.

Health Care Reform Legislation. In March 2010, President Obama signed health care reform legislation into law (P.L. 111-148 & P.L. 111-152). The law created an Independent Medicare Advisory Board and contains rules and procedures for congressional consideration of the Board's proposals. The law also contains expedited procedures for consideration of a joint resolution for the dissolution of the Board.

In the 112th Congress, the Committee will review these expedited procedures to determine their compatibility with the rights of Members and the institution.

Unfunded Mandates Reform Act. As the House focuses its attention on creating jobs and sustaining economic growth, it is critical that Federal government not impose burdensome mandates on our nation's job creators nor on our state and local governments.

In the 104th Congress, the 1996 Unfunded Mandates Reform Act (UMRA) was enacted. Among a number of provisions designed to reduce or eliminate unfunded mandates, the law requires the Congressional Budget Office (CBO) to estimate the cost of unfunded public and private sector mandates. CBO cost estimates are required to be included in committee reports accompanying legislation brought to the House floor for consideration.

In 2010, this framework required CBO to estimate the direct mandate costs of intergovernmental mandates exceeding \$70 million and of private sector mandates exceeding \$141 million proposed in any measure reported from committee. It also establishes a point of order against consideration of legislation that contains intergovernmental mandates with mandate costs estimated to exceed the threshold amount. In addition, Title II requires Federal administrative agencies to assess the effects on state and local governments and the private sector of proposed and final Federal rules and to prepare a written statement of estimated costs and benefits for any mandate requiring an expenditure exceeding \$100 million in any given year.

In the 112th Congress, the Committee will continue to examine the application of the procedures and enforcement mechanisms associated with UMRA, as well as proposals for expanding the application of the law to capture indirect costs.

The Congressional Review Act of 1996. Job creation and economic growth is the number one priority for the House in the 112th Congress. Part of this agenda includes a systematic review of existing Executive branch regulations that could hinder economic growth and job creation. While the House undertakes a review of existing regulations and their potential impacts on job creation and the economy, it is essential that Congress also be prepared to respond to future regulatory proposals.

The Congressional Review Act (CRA) provides Congress with an opportunity to review—and stop—regulations before their final implementation. Under the expedited procedures established by P.L. 104-121, if a majority of the House and Senate vote to approve a joint resolution of disapproval and the president signs it into law within 60 legislative days of the regulation's publication in The Federal Register, the proposed regulation cannot go into effect.

In the 112th Congress, the Rules Committee may examine the CRA, and its procedures, in order to determine if the CRA can be better utilized to ensure burdensome regulations do not impede job creation and economic growth.

COMMITTEE CONSIDERATION

The Committee on Rules met in open session on February 14, 2011 and ordered the measure reported by a voice vote, a quorum being present.

Minority Views

On the opening day of the 112th Congress, the new Republican Majority offered a set of reform proposals designed to bring greater openness, transparency, and fiscal responsibility to the House. The new Majority also indicated that creating jobs would be their number-one priority. While we had serious concerns with several portions of the opening day rules package, we were encouraged by many of the goals and promises laid out that day. Democrats stood ready to work with the new Majority, particularly in terms of creating jobs and reducing the deficit. Unfortunately, rather than living up to their promises and building on the reforms put in place by the previous Democratic Majority, the Rules Committee's actions to this point have been directly counter to the opening day rhetoric of the new Majority.

Over the past six weeks, Democrats have made several attempts to work with the Majority to put the promises of openness, transparency, fiscal responsibility, and job creation into effect. In the Rules Committee, we offered amendments to Committee rules in order to promote and protect transparency and to ensure greater fiscal responsibility. With the same goals in mind, we have offered amendments to Special Rules for individual pieces of legislation. In each case, the Republican majority has rejected Minority proposals to put their own promises into practice. Instead, they have responded with completely closed rules, making decisions behind closed doors, and displaying breathtaking fiscal irresponsibility that will add trillions of dollars to the deficit.

On top of that, not a single measure has been brought up by the Republican Majority to create a single job. Even worse, the new Majority has actually blocked Democratic attempts to focus on jobs.

As we submit our Oversight Plan for the 112th Congress, it is important to note our serious concerns with the process that has been used so far. It is our sincere hope that in doing so, the Majority will be encouraged to take the Rules Committee in a different direction.

Openness

In stark contrast to the promises made over the past several months, the tone of the 112th Congress was set when the Rules Committee reported its first rule of the year. H. Res. 26 was the antithesis of an open and fair process. This first rule of the new Republican controlled committee:

- provided for three measures to be considered without any of them going through the regular committee process;

- blocked all but one Democratic amendment;
- “deemed” passage of an amendment by the Republican Leader;
- provided for only four minutes for consideration of a Constitutional resolution (the text of which was not even available); and
- waived every rule, new and old, in place to protect a transparent and an open process.

The 112th Congress has yet to consider a single measure under an open rule – while five measures have been considered under completely closed rules, allowing no amendments. In contrast to the thirty amendments that were blocked by the Rules Committee, only two have been debated on the House floor.

Equally as troubling as a closed amendment process on the House floor is the lack of regular order for legislation in committees. Not a single bill considered by the Rules Committee has gone through the regular order, which calls for public hearings, expert testimony, committee markups and sufficient time for scrutiny by the American people. Instead of the regular order, the new majority has simply written proposals behind closed doors and taken them directly to the House floor, shutting out nearly every Member of the House.

The Majority has even attempted to portray their actions as open. At one point, a Member of the Majority went so far as to call a completely closed rule an “open process” since Members would have plenty of debate time for their ideas on the House floor. Apparently, the new Majority believes that being allowed to talk about an amendment is just as good as being allowed to offer it. When given the opportunity, all Republican Members of the Committee opposed allowing Members to actually offer their ideas as amendments.

Transparency

The Republican Oversight Plan trumpets the new level of transparency they have brought to the House, requiring waiting periods and availability requirements for legislative measures. Unfortunately, all of these new requirements share one thing in common: they don’t apply to the Rules Committee, the place where they would actually make the most difference.

When the Rules Committee considered its standing rules for the 112th Congress, Democrats offered a simple proposal – make the Rules Committee live by the same standards as all other Committees in the House. Under our amendment, any bill, substitute amendment, or self-executing amendment before the Committee would have to be available for at least 24

hours. Closing this enormous loophole would have given Members a full day to review legislation before it is considered. The Democratic amendment was defeated on a party-line vote, with all Rules Committee Republicans opposing the very transparency standards required of all other Committees of the House. At that point we offered to change our amendment to allow just 12 hours for Members to read the bill – this too was unacceptable to the Majority.

Fiscal Responsibility

The new Republican majority continues to present itself as the party of fiscal discipline – notwithstanding their history of turning record surpluses into record deficits the last time they controlled the House, Senate, and White House. Yet the first thing Republicans did after taking control of the House was to amend the rules to protect tax breaks for special interests and the wealthy.

The Republicans repealed the Democratic principle of 'pay-as-you-go' and replaced it with so-called "cutgo," which relies on the fantasy that tax loopholes and giveaways do not increase the deficit.

In addition to new rules that dramatically favor special tax breaks for special interests, the Republicans also took specific steps to shield certain types of deficit spending from any scrutiny. For example, the Republican rules package instructed the House to entirely ignore the cost of the repeal of the health care law – literally to pretend the repeal cost nothing. In one stroke, more than a trillion-dollar increase in the deficit over the next 20 years was simply assumed away. When Republicans try to permanently extend the Bush-era tax breaks for the wealthy in 2012, the new Republican rules will assume away those costs as well.

But none of the budget process changes are as mystifying as the Republicans' approach to measuring the the cost of their proposals. The Congressional Budget Office (CBO) is staffed by non-partisan professionals whose objective, non-political cost estimates of legislation have long been considered the gold standard. And yet Republicans have treated the analysis of CBO as if it were optional, to be used when it supports their views and ignored when it does not.

According to the Republicans' Oversight Plan, "the Committee is committed to ensuring that the most accurate and comprehensive analysis is available to Members and the public."

Yet when they brought up the bill to repeal the health care law, they scheduled the meeting without a CBO estimate. When a preliminary CBO estimate finally arrived – the

very day the Rules Committee was meeting – it showed that the bill would increase the deficit by \$230 billion over ten years and more than a trillion over twenty years.

On the previous day, during our Organizational Meeting, Democrats offered an amendment to require a CBO analysis before Rules Committee consideration of any measure. Our amendment would have simply required that any bill reported by the Rules Committee be accompanied by a cost estimate from objective professionals at the Congressional Budget Office.

The Republican leadership of the committee conceded that a cost estimate might be valuable in some instances, but they concluded that the absence of an estimate should not be allowed to stand in the way of rushing legislation straight to the floor when necessary. Our proposal to require a cost estimate before the vote was rejected on another party-line vote.

Creating Jobs

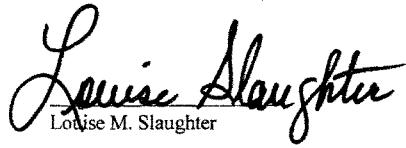
We were pleased when the Republican majority indicated that they would place a high priority on the creation of jobs. In fact the Republican Leader said that “job number one is to focus on more jobs for more Americans.”

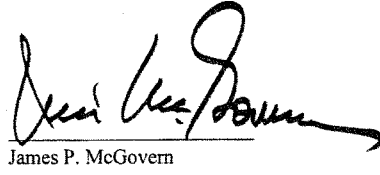
With this in mind, we find it astonishing that the Rules Committee has yet to consider a single piece of legislation that will create a single job. Once again, Rules Committee Republicans went a step further than simple inaction. By a party-line vote, the Majority blocked a proposal to instruct committees to make job creation their highest priority and to report – under an open process – legislation that would actually help to create jobs.

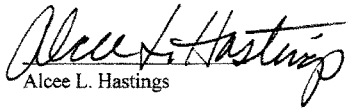
Conclusion

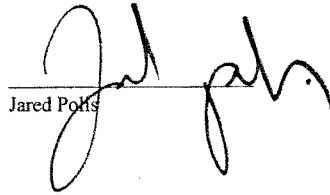
It is ironic that the committee charged with the oversight of the rules of the House and the budget process is itself the very committee responsible for the lack of openness, the lack of transparency, and the fiscal recklessness that has marked the first six weeks of the 112th Congress. We sincerely hope the Republican majority will change their approach and give us the open, transparent, fiscally responsible Rules Committee and House they promised.

We remain ready to work with the Republican majority on the deficit, on job creation, and all other critical issues facing our nation. It is our sincere hope that the Majority will reverse these troubling steps in the wrong direction as the 112th Congress progresses.


Louise M. Slaughter


James P. McGovern


Alcee L. Hastings


Jared Polis



U.S. House of Representatives
Committee on Science, Space, and Technology

Oversight Plan for the 112th Congress

House Rule X sets the Committee's legislative jurisdiction while also assigning broad general oversight responsibilities (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, abuse, and mismanagement, in non-military research and development programs regardless of where they 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 required for and necessarily built into 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.

The Committee also routinely works with the Government Accountability Office (GAO) and the Inspectors General of our agencies to maintain detailed awareness of the work of those offices. The Committee currently has numerous outstanding requests with the GAO and more will be developed in the coming weeks and months. Many of these requests are bipartisan, having been signed by both the Chairmen and Ranking Members of our Committee and Subcommittees, or include multiple Committee Chairmen where there are shared interests. The Committee also works collaboratively with the National Academies of Science, the Congressional Research Service, the Office of Government Ethics, and the Office of Special Counsel, as well as various other independent investigative and oversight entities.

Oversight is commonly driven by emerging events. The Committee will address burgeoning issues and topics as they transpire. Nevertheless, the Committee feels that the work contained in this plan reflects an accurate portrayal of its oversight intentions as of January, 2011.

Space and Aeronautics

National Aeronautics and Space Administration (NASA) human space flight program

The Committee will continue to provide oversight of NASA's human spaceflight program as it undergoes a period of uncertainty and transition following various Administration proposals. Specific attention will be paid to the feasibility of NASA's plans and priorities relative to their resources and requirements.

Federal Aviation Administration (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 suborbital 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 it faces.

NASA Earth and Space Science

The Committee will monitor NASA's efforts to prioritize, plan, launch, and operate space and earth science missions with cost and schedule. Particular attention will be paid to programs that exceed cost estimates to ensure they do not adversely impact the development and launch of other missions. The Committee will also examine the impact of large increases in funding for the Earth Science Directorate relative to funding requested for other science disciplines.

FAA Research and Development (R&D) activities

The Committee will oversee the R&D activities at the FAA to ensure that they lead to improvements in FAA mission performance. The Committee has a particular interest in the performance of the Joint Planning and Development Office (JPDO), and FAA's management of its Next Generation Air Transportation System (NextGen) program.

Commercial Orbital Transportation Services (COTS)

The Committee will evaluate the ability, cost, safety, and reliability of commercial providers to meet NASA requirements to deliver cargo and crew to the ISS.

Space Shuttle transition

As the Space Shuttle retires, the Committee will monitor the transition of its highly skilled workforce to other programs and projects, as there is potential for major workforce transition issues.

International Space Station (ISS) utilization and operation

The plans for operation and utilization of the ISS will continue to draw the Committee's attention as NASA attempts to fully utilize the unique research opportunities that the facility offers, while exclusively relying on logistical services from commercial and foreign providers. Given the significant national investment to date in the facility,

Congress has directed that NASA maintain a strong research and technology program to take advantage of ISS's unique capabilities.

Aeronautics Research

An important area for oversight will be NASA's aeronautics research and development program. The Committee plans to examine NASA's ability to support the interagency effort to modernize the nation's air traffic management system, as well as its ability to undertake important long-term R&D on aircraft safety, emissions, noise, and energy consumption – R&D that will have a significant impact on the quality of life and U.S. competitiveness in aviation.

NASA contract and financial management

A perennial topic on GAO's high risk series, NASA financial management will continue to receive attention from the Committee. The Committee will also monitor NASA's contract management to ensure acquisitions are handled appropriately.

Near Earth Objects

Congress provided guidance to NASA relating to Near Earth Objects in its last two authorization bills. The Committee will continue to monitor NASA's compliance with that direction, as well as determine whether additional oversight is necessary.

Within the Space and Aeronautics Subcommittee's jurisdiction, activities warranting further review include costs associated with cancellation of the Constellation program, NASA's approach to develop and fund a successor to the Space Shuttle, and investment in NASA launch infrastructure. NASA has not clearly articulated what types of future human space flight missions it wishes to pursue, or their rationale.

Energy and Environment

Department of Energy (DOE) Office of Science

DOE plays a leading role in supporting basic research in the physical sciences and driving long-term innovation and economic growth. The Committee will conduct oversight of Office of Science programs to review prioritization across, and management within, its major program areas. Special attention will also be given to the cost, operation, and maintenance of DOE's existing and planned major facilities.

National Laboratories

The Committee will continue to oversee the Department's laboratory complex, which provides a wide range of important R&D capabilities. The management and upkeep of the national laboratories' aging facilities, particularly the clean-up of radioactive and hazardous material sites, remains a continuing concern for the Committee. Efforts will continue to assure that the government meets its responsibilities to control risks in and around these facilities.

DOE Office of Energy Efficiency and Renewable Energy (EERE)

After recently receiving significant increases in funding, the Committee will provide close oversight to ensure that programs are managed efficiently, duplication is limited, and funding was allocated appropriately and effectively.

Fossil Energy R&D

Fossil energy will remain a crucial aspect of our energy portfolio for the foreseeable future. In the 112th Congress, the Committee will continue to ensure that fossil fuel R&D programs are appropriately focused and managed efficiently. Expected areas of oversight include carbon capture and sequestration activities (including FutureGen) and oil and gas R&D efforts.

DOE loan guarantees

Large increases in funding for DOE loan guarantees necessarily call for greater attention by the Committee. Ensuring the funding is appropriately prioritized and spent effectively will be a priority in the 112th Congress.

Fusion

Technical challenges have hampered our ability to harness nuclear fusion as an energy source. The Committee will continue to monitor progress toward nuclear fusion, specifically international cooperation and progress in the International Thermonuclear Energy Reactor (ITER).

DOE Contract Management

DOE programs have come under frequent scrutiny for contract management practices. GAO designated DOE's contract management as high-risk in 1990 and continues to identify areas of potential waste, fraud, and abuse.

Nuclear R&D

The Committee will provide oversight of the nation's nuclear R&D activities with the goal of unleashing the unlimited potential of emissions-free energy. DOE, the Nuclear Regulatory Commission and the power industry hope to accelerate reactor construction as soon as possible. The Committee will examine how DOE R&D can best contribute to this goal through the advancement of various nuclear energy technologies.

Science and R&D at the Environmental Protection Agency (EPA)

The Committee will continue to provide oversight of EPA's management of science, and its use of science in the decision making process, including the evaluation of quality assurance measures. In particular, the Committee will examine how to better integrate science into the Administration's regulatory decision-making process.

EPA Laboratories and Libraries

The Committee will evaluate the effectiveness and utility of EPA resources and infrastructure to ensure the Agency can fully meet its statutory requirements.

Oil Spill Response and Recovery

The Committee will continue its oversight of the cause and impact of the oil spill, as well as the response and recovery efforts associated with the accident. Oversight efforts will build upon the various independent investigations including the President's National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling Report, as well as reports from other entities such as the National Academies.

Federal climate research activities

The Committee will continue to monitor programs to address climate change issues across the Federal government to ensure that existing programs are necessary, appropriately focused, effectively coordinated, and properly organized to prevent duplication of efforts and waste taxpayer resources.

Federal ocean research activities

The Committee will evaluate the President's National Policy for the Stewardship of the Ocean, Coasts, and Great Lakes, which adopted the Interagency Ocean Policy Task Force recommendations aimed at addressing the future of our oceans. The Committee will monitor the implementation of this plan, as well as Federal oceans R&D policy generally.

Specific areas of interest within the Energy and Environment Subcommittee's portfolio warranting further review include major projects and facilities construction at the Department of Energy and accounts receiving significant recent increases, such as

interagency climate science activities, EPA research programs, and DOE energy efficiency and renewable energy technology development programs.

Technology and InnovationDepartment of Homeland Security (DHS) Science and Technology

The Committee will continue to monitor the maturation of DHS, particularly the reorganization of the Science and Technology Directorate, and the research and technology programs associated with the Domestic Nuclear Detection Office.

National Institute of Standards and Technology (NIST) reorganization

The Committee will conduct program oversight for NIST, and other programs in the Department of Commerce, paying special attention to the evaluation of their impact on the private sector. The Committee is aware that the nation's competitive position can be dramatically improved, or weakened, depending on how standards for different products and processes are developed. NIST is the only federal agency with long-term expertise working in this arena, and the Committee is concerned that the cooperation on standards development across agencies is less than optimal. It is the Committee's intention to review the government's role in standard setting with a focus on collaboration across Federal agencies.

Department of Transportation (DOT) R&D programs

The Committee will conduct oversight with regard to surface transportation R&D programs within the federal government, particularly focused on effectiveness and redundancy.

American economic competitiveness

The nation faces a challenge for economic and technological preeminence. The Committee will evaluate steps to reduce federal barriers to domestic and international competitiveness for U.S. companies.

Technology transfer

The Committee will seek recommendations for continued improvements in the technology transfer incentives built into law by the Bayh-Dole and Stevenson-Wydler acts and the Small Business Innovation Research program.

US Fire Administration

The U.S. Fire Administration is responsible for the Assistance to Firefighters grant program, and the Committee has closely monitored the direction of this program as the organizational structure of the Department has coalesced. Continuing attention is important to assure first responders have the necessary support and training.

Natural hazards monitoring and impact reduction

The Committee has supported interagency research programs to identify improvements in building and infrastructure designs to protect and provide early warning for natural disasters. Evaluating further needs for these and other hazard types is ongoing.

Cybersecurity

The Committee has continuously stressed the protection of the nation's cyber-infrastructure, underpinning economic and public services. The Committee will continue to provide oversight of how NIST and DHS address this important topic.

Health information technology

Real improvements in the cost and accuracy of health care can be achieved through enhanced integration of health data with IT systems. NIST has a critical role to play through setting standards that will protect patient privacy and minimize private sector waste. The Committee has been active in this area and will continue to work to ensure that the Nation realizes the gains in efficiency and safety implicit in an effective roll out of Health IT.

Within the Technology and Innovation's Subcommittee's jurisdiction, there are several activities supported by the National Institute of Standards and Technology (NIST) which would be better supported by the private sector. Among them is a grant program for building construction at universities and nonprofit organizations. There are also other programs administered by the Department of Commerce and Department of Transportation which could be streamlined and refined. The Committee will ensure that all funding for these programs is awarded competitively and only renewed after performance is assessed. In the area of economic competitiveness, the Committee must ensure that the Small Business Innovation Research Program is focused on innovations that industry finds too risky to invest in and to increase oversight of outcomes of program and consider reductions. Finally, there are substantial federal funds being provided for staffing local fire personnel that need to be examined as to whether this is a more appropriate role for local communities to support.

Research and Science Education

National Science Foundation (NSF)

The Committee will continue to oversee the NSF. With the recent reauthorization of the America Creating Opportunities to Meaningfully Promote Excellence in Technology, Education, and Science (COMPETES) Act, special attention will be paid to the implementation, execution, and effectiveness of these new programs. Further, the Committee will look for ways to trim duplicative and unused programs in an effort to maximize available resources.

Science, Technology, Education and Mathematics (STEM) K-12 oversight

STEM education is a vital component in the evolving economy. Members of the Committee have expressed interests in improving STEM education activities from pre-K through graduate education and beyond, in order to cultivate a top-notch future scientific and technical workforce, including well-qualified teachers in STEM fields. Determining the appropriate forms of federal support to achieve these outcomes will be of great importance to the Committee.

Academic/Industry Partnerships

The Committee will review the effectiveness and consequences of academic/industry partnerships. Agencies and universities are again debating the level of scrutiny and control that should be applied to research in light of the possible use of new findings by adversaries. At the same time, industry questions the value of controls on technology sales and argues that such controls disproportionately limit American firms in competition for global sales. How to balance these competing interests remains a perennial subject for Committee oversight.

U.S. Antarctic and Arctic Programs

The U.S. has conducted operations on the Antarctic continent under the terms of the Antarctic Treaty System since 1959, and U.S. research activities in the Arctic predate that. The NSF serves as the steward for U.S. interests in Antarctica. Research in these extreme regions is a fundamental component to understanding the Earth and its systems. The future of the icebreaker fleet that provides vital logistical support for NSF activities in the harsh polar environments continues to be of concern.

NSF Major Research Equipment and Facilities Construction (MREFC) program

The Committee will continue to monitor and oversee NSF's MREFC program, including how priorities for projects are developed, long-term budgeting for such priorities, and decision-making with regards to ever-changing scientific community needs.

Government-wide R&D initiatives in emerging fields

The Committee will continue to oversee the collaboration and interagency process associated with emerging fields such as networking and information technology, biotechnology, cybersecurity, and nanotechnology.

The innovative work of the National Science Foundation is important to the economic prosperity and competitiveness of the United States. However, there are various activities within the Foundation that may go beyond the mission of the agency and require more scrutiny and potential cuts in order to ensure that federal investments in basic science remain primarily focused on actual research of benefit to the Nation. Likewise, while STEM education is critical to maintaining the scientific and technical workforce essential to our competitiveness, many duplicative, wasteful, or simply unused programs exist across a number of federal agencies and must be more closely examined and, where warranted, cut.

Investigations and Oversight

Yucca Mountain Nuclear Waste Repository closure decision

The Committee will evaluate DOE's decision to close the Yucca Mountain Nuclear Waste Repository.

NOAA satellite modernization

The Committee will continue its close monitoring of satellite modernization at the National Oceanic and Atmospheric Administration (NOAA). The restructuring of the National Polar-orbiting Environmental Satellite System (NPOESS), and the creation of the Joint Polar Satellite System (JPSS) will continue to draw the Committee's attention, as well as the Geostationary Operational Environmental Satellites, and the broader issues of research-to-operations planning and data continuity.

Critical minerals, materials, and isotopes

The Committee will provide oversight of materials, minerals, and isotopes that are critical to U.S. national interests. Recent shortages and supply concerns associated with helium-3, rare earth elements, californium-251, and plutonium-238 highlight the need to be ever vigilant in our monitoring of critical materials, mineral, and isotopes.

American Recovery and Reinvestment Act (ARRA) oversight

The Committee will provide oversight of funding associated with ARRA to ensure that waste, fraud, abuse and mismanagement is minimized, and to evaluate whether funding was aligned to achieve agency mission objectives through measureable outcomes.

Risk assessment

As the number and complexity of regulations increases throughout federal and state governments, the risk assessments that inform those decisions are garnering more attention. The Committee will continue to oversee how risk assessments are developed and how they are used in the regulatory process to ensure that policies are based on the best science available.

Scientific integrity

The Committee will continue to collect and examine allegations of intimidation of science specialists in federal agencies, suppression or revisions of scientific finding, and mischaracterization of scientific findings because of political or other pressures. The Committee's oversight will also involve the development and implementation of scientific integrity principles within the executive branch.

Additional Science Activities

Pursuant to House Rule X, the Committee will review and study on a continuing basis laws, programs, and Government activities relating to non-military research and

development. This will include agencies both in, and out, of the Committee's legislative jurisdiction.

Agency compliance with Congressional directives and requests

The Committee will be ever vigilant in its oversight to ensure that recent authorization acts, appropriation acts, and other congressional directions are complied with appropriately.

Emerging Issues

Additional matters as the need arises and as provided for under House Rule X, clause 3(k).

Collaboration

The Committee maintains a rich relationship with its Inspectors General, the Government Accountability Office (GAO), the National Academies of Science, the Congressional Research Service, the Office of Government Ethics, and the Office of Special Counsel, as well as various other independent investigative and oversight entities. The Committee will continue to work with those offices, 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. The Committee already has several outstanding requests, many of which are bipartisan or cross-Committee, which reflects the collaborative nature of much of the Committee's oversight work.

The Committee also welcomes input from the public and 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.

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 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 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:

(p) Committee on Science, Space, 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, Space, and Technology shall review and study on a continuing basis laws, programs, and Government activities relating to nonmilitary research and development.

**OVERSIGHT PLAN OF THE COMMITTEE ON SMALL BUSINESS FOR THE
ONE HUNDRED TWELFTH CONGRESS**

January 26, 2011, Approved by the Committee on Small Business

Mr. Graves, from the Committee on Small Business, submitted to the Committee on Oversight and Government Reform and the Committee on House Administration the following

REPORT

Rule X, cl. 2(d)(1) 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 Committees on Government Reform and House Administration not later than February 15 of the first session of the Congress. Under Rule X, the Committee has oversight authority to investigate and examine any matter affecting small business. This Report reflects that broad oversight jurisdiction.

Pursuant to Rule X, cl. 2(d)(1)(F), this oversight plan also includes from proposals to cut or eliminate programs that are inefficient, duplicative, outdated, or more appropriately administered by State or local governments.

Oversight of Federal Capital Access Programs

The Committee will conduct the hearings and investigations into Small Business Administration (SBA) and other federal agencies that provide capital to America's entrepreneurs that may include any or all of the following as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Effectiveness of the capital access programs to generate jobs in the fastest growing small businesses.
- Whether lenders are meeting their goals to lend to small businesses and create jobs.
- Risk to the taxpayers of the capital access programs and if those risks are not reasonable, then elimination of those programs.
- Adequacy of SBA oversight of its lending partners to ensure that federal taxpayers are properly protected.
- Capabilities of the SBA information technology to manage the loan portfolio.
- Appropriateness of ad hoc guidance documents in regulating lenders and borrowers.
- The exercise of discretion by SBA to create pilot programs and the risk they pose to the taxpayer and whether such authority should be curtailed or eliminated.
- Whether SBA disaster loan program and its oversight ensures that small businesses are able to revive to rebuild communities without unduly placing the federal taxpayer at risk.

- Efficacy and duplication of federal capital access programs offered by the Department of Agriculture to small businesses in rural areas.
- Utilization by small businesses of export capital programs at the Export-Import Bank and the Overseas Private Investment Corporation.
- Effectiveness of the Small Business Lending Fund and State Small Business Credit Initiative created by Pub. L. No. 111-240, the Small Business Jobs Act of 2010.
- Impact of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. No. 111-203 on small business access to capital.

In performing oversight, the Committee will focus on particularly risky aspects of financial assistance programs including, but not limited to, commercial real estate refinancing, premier certified lenders, participating security small business investment companies, small business lending companies, express lenders, loan programs utilizing simplified lending applications, and disaster loans offered by private lenders through interest rate subsidies.

Oversight of SBA and Other Federal Entrepreneurial Development Programs

The Committee will conduct the hearings and investigations into the SBA programs that provide training and advice to small businesses that may include any or all of the following as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Examining effectiveness of SBA entrepreneurial development programs in creating jobs.
- Determining whether certain programs should be eliminated as a result of their ineffectiveness or duplication of programs provided by other agencies.
- Suggesting methods for enhancing coordination among federal agencies in providing assistance to entrepreneurs.
- Enhancing the efficacy and utilization of the Manufacturing Extension Partnership at the Department of Commerce.
- Recommending improvements in assistance to small businesses that participate in the production of value-added agricultural products.
- Increasing effectiveness of technical assistance provided to small businesses involved in the production of renewable and non-renewable energy sources.

Oversight of Federal Government Contracting Matters

The Committee will conduct hearings and investigations into the federal procurement system that may include any or all of the following as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Whether fraud or other problems exist in the federal government contracting programs overseen by the SBA including the 8(a), HUBZone, service-disabled

veteran, women-owned contracting program, and Small Business Innovation Research program.

- Effectiveness of SBA contracting programs to increase participation by small businesses in federal procurement.
- Effectiveness of federal agency protections against contract bundling and consolidation.
- The accuracy and utility of SBA size standards and federal procurement databases.
- Operation and effectiveness of federal agency assistance provided to small businesses interested in federal procurement, including that provided by the SBA, Offices of Small and Disadvantaged Business Utilization and Procurement Technical Assistance Centers.
- Development of federal acquisition policies and whether small businesses have sufficiently effective voice in development of such policies.
- Cost-effectiveness of outsourcing government work to private enterprise rather than expanding the government to do provide the good or service internally (i.e., government insourcing).

In performing oversight, the Committee will focus its efforts on uncovering abuse and misuse of the small business designation to obtain federal government contracts.

Oversight of SBA Management

The Committee will conduct the hearings and investigations into the management of the SBA that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- The appropriate mission of the SBA.
- Whether agency employees in the field are empowered to assist small businesses.
- Duplication of offices and missions at SBA headquarters.
- Effectiveness of personnel management to ensure that employees are rewarded for assisting small businesses.
- Capabilities of SBA employees to provide proper assistance to small business owners.

In carrying out this oversight, the Committee will focus particularly on streamlining and reorganizing of the agency's operations to provide maximum assistance to small business owners. Offices that primarily provide assistance or advice to headquarters staff that do not promote the interests of small businesses or protect the federal government as a guarantor of loans will be recommended for cuts or elimination. For some potential offices in which the Committee will examine, refer to the section title "Reductions in Programs and Spending."

Oversight of Federal Regulatory and Paperwork Burdens

The Committee will conduct hearings and investigations into unnecessary, burdensome, and duplicative federal rules, reporting and recordkeeping requirements affecting small businesses that that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Centers for Medicare and Medicaid Services.
- Consumer Financial Protection Bureau.
- Consumer Safety Products Commission.
- Department of Agriculture.
- Department of Energy, particularly the Office of Energy Efficiency and Renewable Energy.
- Department of Interior, particularly the Bureau of Land Management and Minerals Management Service.
- Department of Labor, particularly the Occupation Safety and Health Administration.
- Department of Homeland Security, particularly the Transportation Security Administration.
- Department of Transportation, particularly the Federal Aviation Administration and Federal Motor Carrier Safety Administration.
- Environmental Protection Agency.
- Federal Communications Commission.
- Federal Financial Institutions Examination Council and its constituent agencies.
- Food and Drug Administration.
- Office of Federal Procurement Policy.
- Securities and Exchange Commission.

The Committee will identify specific rules and regulations already issued or at the proposed rule stage to assess the impact on small businesses. The Committee will pay close attention to the effect that regulations have on the implementation of advanced technologies including, but not limited to, the deployment of broadband communications (either by wireline or wireless services) throughout the United States. Oversight of the regulatory process also will, to the extent relevant, examine the work of the Office of Information and Regulatory Affairs at the Office of Management and Budget. Special attention will be paid to the work performed by the Chief Counsel for Advocacy at the United States Small Business Administration to ensure that Office is fulfilling its mission to advocate vigorously on behalf of America's small business owners in regulatory matters at federal agencies. Finally, this oversight will entail an examination of compliance by federal agencies with amendments to Executive Order 12,866 and memoranda on regulatory flexibility and regulatory compliance issued by the President on January 18, 2011.

Oversight of Federal Tax Policy

The Committee will conduct hearings and investigations into the federal tax code, its impact on small business, and Internal Revenue Service's (IRS) collection of taxes that

may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Identification of tax code provisions that hinder the ability of small businesses to create jobs and recommendations for modifying those provisions to boost small business job growth.
- Examination of the structure of the tax code in order to simplify compliance for small businesses.
- Assessment of the recordkeeping and reporting requirements associated with tax compliance and suggestions for reducing such burdens on small businesses.
- Evaluation of the estate tax provisions to determine whether they inhibit the ability of successive generations to maintain successful job creating enterprises.
- Efficiencies at that the IRS that improve the interaction between the government and small business owners.
- Inefficiencies at the IRS that force small businesses to divert capital from job growth to tax compliance.

Oversight of Health Care Policy

The Committee will conduct hearings and investigations into federal health care policy (such as Medicare and Medicaid) and the implementation of the Patient Protection and Affordable Care Act that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- The cost of Patient Protection and Affordable Care Act to small businesses, including the self-employed.
- The impact of the Patient Protection and Affordable Care Act, Medicare and Medicaid on the ability of physicians, pharmacists, and allied health care providers to offer the best care possible to patients.
- Alternatives to the Patient Protection and Affordable Care Act that reduce health insurance costs to small businesses without inhibiting their ability to create jobs.
- The impact of state tort and insurance laws on the cost of medical care.
- Examination of increases in efficiencies that will improve the provision of health care while reducing costs to small businesses that offer their workers health insurance.

Oversight of Energy Policy

The Committee will conduct hearings and investigations into energy policy to reduce the cost of energy and increase energy independence that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Innovations developed by small businesses that increase energy independence.

- Federal regulatory policies that increase dependence on foreign sources of energy.
- Policies needed to incentivize production of energy in the United States.
- Examination of commercialization of research in renewable energy.
- Federal regulations or policies that increase energy costs for small businesses.

The primary thrust of the Committee's efforts will focus on efforts to use the innovation of America's entrepreneurs to fuel the drive for greater energy independence.

Oversight of Trade and Intellectual Property Policy

The Committee will conduct hearings and investigations into international trade and intellectual property policies of America and its trading partners that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Impact of free trade agreements to increase exports by American small businesses.
- Whether the federal government is doing enough to protect the intellectual property rights of small businesses by foreign competitors.
- The impact of federal intellectual property policies, particularly patents and copyrights, to protect the innovations of American entrepreneurs.
- Efforts to increase exports by small businesses.

The focus of oversight will emphasize the best mechanisms to promote and protect advanced technology innovations of small businesses.

Reductions in Programs and Spending

In addition to the programs and policies already cited, the Committee will examine and any all including, but not limited to, programs and offices listed below in order to find areas in which to reduce the federal deficit:

- Small Business Lending Fund operated by Department of Treasury.
- State Small Business Credit Initiative operated by Department of Treasury.
- Patriot Express Loan Program overseen by the SBA.
- Express Loan Program overseen by SBA.
- Emerging Leaders Initiative started by SBA.
- Drug-Free Workplace Program.
- SBA Office of Policy.
- SBA Regional Administrators.
- Office of Advocacy Regional Advocates.
- SBA Deputy District Directors.
- SBA Office of International Trade.
- SBA Office of Native American Affairs.

In particular, the Committee will assess whether reorganization and reassignment of employees to more critical functions at the SBA, such as positions as procurement center representatives, will provide a more effective agency at assisting small businesses generate growth.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
OVERSIGHT PLAN FOR THE 112TH CONGRESS
January 26, 2011

In accordance with Rule X of the House of Representatives, the Committee on Transportation and Infrastructure is responsible for determining whether laws and programs within its jurisdiction are being implemented according to Congressional intent and whether they should be continued, curtailed, or eliminated. As appropriate, the Committee will investigate ways to improve the overall performance and operation of the agencies and entities it oversees, and eliminate fraud, wasteful spending, abuse and mismanagement where possible.

In the 112th Congress, the Committee will review the activities of government agencies and entities within its jurisdiction and the public and private interests they affect or regulate. The Committee will focus its oversight authority on determining: (1) how the departments and agencies under its jurisdiction can spend fewer taxpayer dollars while continuing to carry out their statutory mandates; (2) how to decrease the size of departments and agencies that implement the Committee's authorized programs; and (3) how best to utilize government resources to create jobs and economic opportunities for all Americans.

The oversight and investigation functions are vested at the Full Committee level. Oversight and investigation activities will be coordinated between the Full Committee and the Subcommittees. This structure will facilitate oversight of issues that cut across the jurisdiction of several Subcommittees. One example of such a cross-cutting issue is how to reduce transportation congestion by streamlining project approvals, while at the same time preventing environmental degradation. This issue affects several Subcommittees, since road, rail, sea, and air transportation all experience congestion. A coordinated oversight agenda can facilitate defining the causes of congestion and fashioning multi-modal solutions and reforms that offer congestion relief. Oversight activities will include hearings, briefings, correspondence, reports, media releases, and public statements.

Full Committee oversight and investigation issues include:

Streamlining Department of Transportation Policies, Programs and Procedures

The Committee will assess existing U.S. Department of Transportation (DOT) policies, programs and procedures to seek ways to streamline the processes and eliminate wasteful programs and overly burdensome regulations. Streamlining DOT's and its modal agencies' policies, programs and procedures relates to the Transportation and Infrastructure Committee's responsibility to ensure the proper balance between safety and economic regulation and the free and efficient flow of commerce that is necessary to create jobs and create economic growth.

Benefits to the Taxpayer: Effective review of DOT's policies, programs and procedures will save money by eliminating redundant or ineffective programs, thus using taxpayer money only on programs that are truly needed. It will shrink the government by consolidating redundant programs and eliminating unnecessary or ineffective programs. Further, it will create jobs when a streamlined DOT can efficiently deliver programs to the States and other stakeholders and eliminate any unnecessary red-tape.

Stimulus Act Oversight

The American Recovery and Reinvestment Act of 2009 ("Stimulus") provided \$64.1 billion for programs within the jurisdiction of the Committee on Transportation and Infrastructure. The Committee has and will continue to closely monitor implementation of the Act by all affected departments and agencies within the Committee's jurisdiction. In this economic environment, it has been a top priority of the Committee to ensure the funding is spent creating new jobs. As such, the Committee will continue to monitor whether the grant recipients have submitted accurate job-creation reports in order to learn whether the stimulus money is being well spent.

Benefits to the Taxpayer: Oversight of the Stimulus will save money by ensuring grant recipients use their Stimulus funds for the purpose Congress intended - creating jobs and improving the economy, rather than supplanting state and local spending and closing budget shortfalls. It will shrink the government by ensuring the Stimulus funds are spent on their intended purposes. Further, it will create jobs by focusing the Stimulus money on programs and projects that actually create jobs.

Effectiveness of DOT Discretionary Grant Programs

In recent years Congress has designated funding for fewer transportation projects in legislation. In addition, the Stimulus created several large discretionary transportation programs. As a result the amount of funding distributed to projects chosen by DOT through a discretionary process has increased dramatically. As Congress begins to identify areas to cut spending, the Committee will evaluate the value of continuing these discretionary transportation grants. The Committee will investigate the process by which DOT has selected projects to receive discretionary grant awards, and will closely monitor the effectiveness of these programs to ensure they create jobs.

Benefits to the Taxpayer: Oversight of DOT's discretionary grant programs will save money by ensuring DOT funds the best projects available through a fair and transparent process. It will shrink the government by eliminating wasteful funding of projects with little to no merit. Further, it will create jobs by streamlining the project selection and funding process, thus facilitating a faster approval and reimbursement process.

SUBCOMMITTEE ON AVIATION**Funding of the Federal Aviation Administration**

An FAA Reauthorization bill passed the House in the 111th Congress but was not enacted due to the extended debate on several controversial provisions. Instead, the FAA has been operating on a series of short-term extensions. The Subcommittee will pursue a long-term reauthorization bill that will result in job creation, and reformed and streamlined FAA programs and processes. The Subcommittee will continue to ensure the taxes aviation users pay are actually returned to them in the form of aviation infrastructure improvements. Given the importance of aviation to the Nation's economy and the number of jobs supported by a strong aviation sector, the Subcommittee aims to ensure the FAA is spending its scarce resources wisely. Reauthorization hearings will examine how the FAA is funding much-needed aviation infrastructure maintenance and improvement efforts, which FAA programs need reform, and what processes are employed to streamline large, "job-creating" airport improvement projects.

Benefits to the Taxpayer: Passage of a long-term FAA reauthorization bill will create jobs, reform and streamline FAA programs and processes to eliminate wasteful spending and inefficient programs, shrink government, and ensure that only necessary aviation infrastructure improvements and maintenance are being funded.

Safety Programs

The Subcommittee has held numerous hearings on the safety of the aviation industry and will continue its oversight in the new Congress. Clearly, maintaining a safe and efficient aviation system is critical to the Nation's economic recovery. The Subcommittee will address topics such as regional airline safety, pilot training, ways to reduce operational errors, and FAA's volunteer reporting, data sharing and assessment programs.

Benefits to the Taxpayer: Safety is a critical element of any aviation business plan, and aviation is a key economic engine in the United States. The Committee's oversight of the aviation system will ensure the highest level of safety and allow the economy to recover and grow.

Security Programs

Shortly after the terrorist attack of September 11, 2001, the Aviation and Transportation Security Act (ATSA) was enacted. This legislation transferred security responsibility to the Transportation Security Administration (TSA), and included directives for improving and strengthening the Nation's transportation security. TSA has grown to a large bureaucracy. Additionally, aviation security and airport screening programs heavily impact the passenger experience and the flow of commerce. TSA is an agency in much need of reform. Oversight of this agency and the implementation of its directives will continue, mostly through a series of classified briefings and roundtables.

Benefit to the Taxpayer: The Subcommittee's oversight over aviation security's impact on the traveling public, and the particular focus on reducing the bureaucracy of the TSA, will reduce the costs borne by taxpayer, decrease the size of government, seek out and remove barriers imposed on the flow of commerce, and ensure the maximum effectiveness and efficiency of the screening programs that affect the traveling public.

NextGen Air Traffic Control Modernization

The Federal Aviation Administration's (FAA) air traffic control modernization effort is known as "NextGen" and is expected to replace the current radar and ground-based system with a satellite-based system. Under the NextGen program, most of the air traffic controllers' radar screens, computers, and navigation and surveillance equipment and software are to be replaced. Benefits of this project include: greater system efficiency; reduced noise exposure; reduced emissions and fuel burn; improved safety; increased accuracy and reliability in the equipment and software; and the capability for future computer enhancements. However, this effort has experienced substantial problems, delays, cost overruns, and program changes since it began more than 30 years ago. The Committee will continue to closely monitor the FAA's progress in meeting important deadlines, setting and achieving metrics, and benefits.

Benefits to the Taxpayer: Oversight of the NextGen program will save money by improving efficiency at the Nation's airports. It will shrink the government by streamlining the current air traffic control process. Further, it will create jobs through the implementation of the new technology.

Oversight of Office of the Secretary

The Office of the Secretary within DOT inherited several aviation functions when the Civil Aeronautics Board was abolished. Many of these functions have a dramatic impact on the industry, competition, and job creation. Hearings may be held to evaluate various DOT programs and policies affecting aviation including slots, essential air service, alliances, international air service, key safety treaties, and the European Union's Emissions Trading Scheme.

Benefits to the Taxpayer: Thorough oversight of the DOT programs and policies will ensure that they encourage job creation, protect United States business interests and jobs, cut wasteful spending, and reduce the size of government.

Oversight of the National Transportation Safety Board (NTSB)

Authorization for the NTSB expired in 2008. A reauthorization bill passed the House in 2010 but was not enacted. A new bill will be introduced in 2011. This could be preceded by oversight hearings or the Subcommittee could rely on the hearings held during the 11th Congress.

Benefits to the Taxpayer: The Committee's oversight of the NTSB and development of NTSB reauthorization legislation will allow NTSB to continue fatal accident investigations critical to finding root causes of accidents and make recommendations to improve safety, and improve the efficiency of the Board's operations.

Airline Financial Condition and Passenger Service

The last decade has been a difficult for the commercial airline industry. The impacts of 9/11, severe acute respiratory syndrome (SARS), spikes in fuel prices and the global recession have all taken their toll. Cumulative airline industry losses over the past decade have been as high as \$58 billion. Yet, more recently, the industry has been profitable. According to the Bureau of Transportation Statistics, between January 2010 and September 2010, U.S. scheduled passenger carriers have posted \$7.1 billion in operating profits. As fuel prices are once again on the rise, fuel costs continue to be among the industry's highest cost items and will continue to be a volatile factor in airline profitability.

Air traffic operations and total enplanements have dropped in the last three years. However, over the next decade, the FAA predicts that air traffic operations will increase 2 percent each year. When the economy improves, passenger criticism about flight delays, cancellations, overbooking, poor customer service, and transparency in airfares and ancillary fees charged by airlines will rise again. The Subcommittee will continue to examine ways to maintain the airline industry, review recently established regulations to ensure the proper balance is maintained between safety and commerce, and refocus its attention on customer service issues.

Benefits to the Taxpayer: The Committee's oversight of the financial condition of the airline industry and passenger service will focus on improving the passenger experience without burdensome requirements that will harm the overall efficiency of the airline industry, raise consumer prices, or cost jobs.

SUBCOMMITTEE ON COAST GUARD AND MARITIME TRANSPORTATION

Coast Guard Budget

The Coast Guard is currently functioning under a continuing resolution for fiscal year 2011 which expires March 4, 2011. The continuing resolution provides funding for all Coast Guard accounts and activities at the FY 2010 level. In October 2010, the House and Senate passed and the President signed into law H.R. 3619, the Coast Guard Authorization Act of 2010 which authorized \$10.2 billion for the Service in FY 2011.

In the 112th Congress, the Subcommittee will hold hearings on the President's FY 2012 and 2013 budget requests and consider legislation to authorize the Coast Guard.

The Subcommittee will explore ways to implement cost savings at the Service by leveraging efficiencies and eliminating waste, fraud, abuse, and mismanagement.

Benefits to the Taxpayer: The taxpayer benefits from the Coast Guard's work include a professional service of those trained in protecting lives and property at sea, and securing our borders against drugs, terrorists and illegal aliens.

Coast Guard Acquisition

The Coast Guard is currently undergoing a major recapitalization of its offshore operating assets. The recapitalization is intended to replace or modernize more than 90 ships and 200 aircraft, as well as replace outdated command, control, and communications systems. Failure to update these systems increases operating costs and reduces program efficiency. The recapitalization is facing serious challenges related to schedule, budget, and engineering.

The Coast Guard has failed to develop a recapitalization program that reflects the current budget environment, and continues to pursue a plan not supported by either Administration budget requests or Congressional appropriations.

The Coast Guard has increased maritime homeland security operational requirements, as well as maintenance and repair costs associated with rapidly deteriorating legacy assets. Unfortunately, just as legacy assets are deteriorating at increasing rates and jeopardizing readiness, some new assets being acquired under the recapitalization program have proved unworkable or have been delayed due to lack of funds.

The recapitalization program has also had several successes, including major upgrades to the Coast Guard's search and rescue helicopters, the acquisition of a new class of ocean going cutters, and design and ongoing construction of a new class of near-shore cutters. Despite these successes, the Subcommittee remains concerned with the escalating costs of the program, the mission readiness failure of existing assets, and the lack of a realistic recapitalization plan.

In the 112th Congress, the Subcommittee will continue to closely review the Coast Guard's recapitalization program, as well as any changes to the program which may be necessary to ensure the men and women of the Coast Guard who risk their lives for the Nation have the best equipment possible at the best price for the American taxpayers.

Benefits to the Taxpayer: The taxpayer will benefit through lower, more predictable acquisition costs as a result of a realistic recapitalization plan.

Mission Balance

The Subcommittee remains concerned about the balance of resources and assets used for the Service's homeland and non-homeland security missions. Since September

11, 2001, the Coast Guard has received increased resources to carry out homeland security missions, including ports, waterways, and coastal security and migrant interdiction. The Subcommittee is concerned that the everyday safety missions of the Coast Guard, including search and rescue, vessel inspections, and mariner licensing, also receive adequate resources.

The Coast Guard must assure the safety, as well as the security, of the Nation's maritime commerce every day. Failure to provide adequate resources to the Coast Guard's marine safety program is as much of a threat to the United States' economic interests as failure to provide adequate resources for maritime security.

In the 112th Congress, the Subcommittee will conduct oversight of the Coast Guard's mission balance to ensure the Service maintains the necessary resources and expertise to successfully conduct each of its critical missions.

Benefits to the Taxpayer: The taxpayer will benefit from the prevention of loss of life and property at sea, as well as from savings in the expense of accident response and clean-up.

Maritime Domain Awareness

In order to prevent accidents, protect U.S. borders and effectively respond to incidents in the waters under the control of the United States, the Coast Guard must maintain Maritime Domain Awareness (MDA). In other words, the Service must know the location and mission of ships operating in U.S. waters and such other background information as weather, tides and currents. MDA requires access to many sources of data, including visual observations, weather predictions, long-range vessel tracking information and data provided by vessel-based transponders similar to those used by aircraft. The integration of these data sources into a "Common Operating Picture" shared by shore-side facilities, ships and aircraft, forms the basis of the Coast Guard's future plans to deploy its assets more wisely and cost effectively while also improving safety and security of our maritime transportation system.

The Coast Guard relies on several new and developing technologies to assist in implementing MDA. The Subcommittee has been concerned with delays in fielding these new technologies, cost overruns, the development of seemingly duplicative systems, performance failures, and poor contract management. The Subcommittee is also concerned the plans for implementing MDA may not represent the best strategy to prevent maritime safety and security incidents and may come at an unacceptable cost to the government and the users of the maritime transportation system.

In the 112th Congress, the Subcommittee will continue its oversight of the Service's development and implementation of MDA to ensure the best system is fielded in a timely manner and at the best price for the American taxpayers.

Benefits to the Taxpayer: The taxpayer will benefit by reduced operating cost of Coast Guard ships and aircraft, as well as increased efficiency in commercial vessel movements.

Oil Spill Prevention and Response

The loss of 11 lives in the explosion and sinking of the *Deepwater Horizon* was a tremendous tragedy. The environmental cleanup continues and economic consequences of the unprecedented oil spill are still being calculated.

On May 22, 2010, the President established the National Commission on the BP Deepwater Horizon Oil Spill and Deepwater Drilling to investigate the cause of the incident and provide recommendations to prevent future spills. The Commission released its recommendations on January 11, 2011. These recommendations, coupled with the findings of the joint Coast Guard/Department of Interior investigation into the incident, which will be released by April 2011, will help inform the Subcommittee on what changes to the Oil Pollution Act of 1990 and other laws are needed to prevent future spills.

The Subcommittee will continue oversight of this issue in the 112th Congress to ensure the Nation's oil spill prevention and response capabilities protect human lives and the environment while protecting U.S. jobs. The Subcommittee will work to provide responsible environmental and occupational safeguards while ensuring access to domestic energy resources and protecting vital energy sector jobs.

Benefits to the Taxpayer: The taxpayer will benefit from improved prevention and liability schemes through reduced economic loss as a result of a spill and reduced spending on response and cleanup activities.

Short Sea Shipping

Short sea shipping is the waterborne movement of commercial freight between two ports in the United States. At the present time, the most highly developed water freight transportation systems in the United States operate on the Mississippi River, the Great Lakes, and the St. Lawrence Seaway and often carry agricultural products and other raw materials. However, the Maritime Administration has found these routes are carrying only about 13 percent of total freight tonnage in the United States. By comparison, nearly 70 percent of the freight tonnage transported in the United States is moved by trucks travelling across our Nation's roadways.

The revitalization of our marine highways represents a cost effective and efficient mode of transportation that has the potential to create new maritime industry jobs for Americans. The Subcommittee will examine ways to expand the use of short sea shipping in the 112th Congress.

Benefits to the taxpayer: The taxpayer will benefit by gaining increased cargo carrying capacity in the transportation system without incurring the large costs associated with new highway construction.

Piracy

In 2010, pirates in the waters off the Horn of Africa captured 74 commercial vessels and held over 800 merchant seaman hostage. The pirates continue to intensify their attacks and violent tactics on vessels transiting those waters. Pirates are using larger vessels, more advanced weaponry, and traveling further into the Indian Ocean to intercept vessels traveling outside the regular shipping lanes. Ransoms are increasing and reports indicate that conditions for hostages are worsening.

The Subcommittee will continue oversight of piracy in the 112th Congress. The Subcommittee will work to find ways to improve the security of U.S. seafarers, their vessels, and their cargo as they transit these high risk waters.

Benefits to the Taxpayer: Piracy is driving up the price of insurance and other costs associated with the transportation of goods in international commerce. The taxpayer benefits from the more secure transportation of U.S. goods in foreign commerce.

Ballast Water and Incidental Discharges

Due to a Federal court decision, the discharge of ballast water and other “discharges incidental to the normal operation of vessels” such as bilge water, deck wash and air conditioning condensate are now regulated by the Environmental Protection Agency under the Clean Water Act, as well as the Coast Guard under the National Invasive Species Act and an international convention. In addition, over 25 states have put in place regulations to govern ballast water and other incidental discharges. The requirements in some of these states are inconsistent with requirements in other states. This can complicate vessel operations, drive up costs, threaten jobs, and impede the flow of commerce along our coast, Great Lakes, and inland rivers.

The Subcommittee will work with the Water Resources and Environment Subcommittee to conduct oversight of this issue in the 112th Congress. The Subcommittee will also work to create a more effective ballast water and incidental discharge program that addresses inconsistent requirements and ensures the efficient movement of maritime commerce, defends seafaring and port jobs, and protects the environment.

Benefits to the Taxpayer: The taxpayer benefits through effective, predictable and, therefore, less expensive regulation of vessel discharges.

Vessel Capacity

As a result of the recent economic recession, Americans purchased less imported goods. As imports slowed, ship owners reduced overall cargo carrying capacity by taking such actions as removing ships from service. This caused delays in shipping and drove up costs for importers. In addition, just as vessel capacity was being reduced, the weak American dollar was encouraging the purchase of American-made goods in foreign countries, increasing export demand. With reductions in vessel capacity those wishing to export U.S. goods had difficulty securing containers and vessel space to ship their goods to foreign customers.

As the economy showed signs of recovery and imports grew in 2010, vessel capacity was restored. The Federal Maritime Commission (FMC) conducted an investigation into the matter and recently released its findings and recommendations. The Subcommittee will continue to conduct oversight of vessel capacity issues in the 112th Congress to ensure U.S. manufacturers have the access to foreign markets they need to expand their businesses and hire new workers.

Benefits to the Taxpayer: The taxpayer benefits by having sufficient cargo carrying capacity to meet the United States' foreign trade needs. This makes imports more affordable, and U.S. exports more competitive.

FMC and MARAD Budget

The Subcommittee has jurisdiction over the FMC and the non-defense related programs of the Maritime Administration (MARAD). The FMC is responsible for the economic regulation of waterborne foreign commerce and unfair shipping practices. MARAD oversees several programs related to defense readiness, as well as programs designed to promote and develop the domestic merchant marine industry. Both agencies are operating under a FY 2011 continuing resolution which expires March 4, 2011. In FY 2010, these agencies had a combined budget of over \$387 million.

The Subcommittee will continue to conduct oversight of the FMC and MARAD in the 112th Congress. The Subcommittee will explore ways to promote job growth in the domestic fleet while reducing costs at both agencies.

Benefits to the Taxpayer: The taxpayer benefits by making sure these agencies spend their limited resources wisely.

**SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS AND EMERGENCY
MANAGEMENT**

Federal Courthouses

In June of 2010, the U.S. Government Accountability Office (GAO) issued a report on the federal courthouse program and found that of the 33 courthouses built since 2000, there was 3.56 million square feet of extra space, costing the taxpayer \$835 million plus \$51 million annually to operate and maintain. In August of 2010, the Subcommittee sent a letter to President Obama that detailed the findings of the GAO study and the results of the Subcommittee's investigation into the courthouse program and requested that the Administration place a moratorium on new courthouses until the Subcommittee could ensure the courthouse program was appropriately reformed to address overbuilding. The Subcommittee will continue its oversight of the authorization of new federal courthouses, encourage the full implementation of courtroom sharing formulae, and place strict requirements on any proposed courthouses to minimize overbuilding and reduce costs. The Subcommittee will also closely oversee the progress made on courthouses already authorized to ensure they are constructed within the limitations placed upon them by the Committee and to ensure they stay below or within budget.

The Committee has long championed greater Federal ownership of office space assets for which long-term Federal needs exist, rather than long-term leasing. Over the past two decades, the General Services Administration's (GSA) scarce capital resources have been siphoned off principally to build Federal courthouses that are not needed or significantly overbuilt. GAO reports that the funds expended on the unneeded space would have been sufficient to build nine average-size courthouses. It is clear that, if these funds had been available to construct or purchase other Federal office buildings, these capital resources would have made an appreciable contribution toward Federal ownership of long-term assets. The Committee should ensure that courthouse construction projects include credible judgeship projections; courtroom sharing in a robust and efficient fashion in accordance with the empirical courtroom use data collected by the Federal Judicial Center; and faithful adherence by GSA to congressionally authorized square-footage limitations, as well as dollar limitations, when executing projects.

Benefits to the Taxpayer: Effective oversight of the courthouse program will save money by cutting the costs of courthouses and stopping the building of courthouses that are unneeded; shrink government by requiring the consolidation and reduction of the space needed; and create jobs through the building of those courthouses that are necessary.

General Services Administration Broker Contracts

On October 4, 2004, the General Services Administration (GSA) awarded four contracts as a part of its national brokerage program. Under this program, GSA awarded contracts to four companies to provide brokerage services, including the procurement of

leased space for the federal government. Due to mergers, there are now three companies providing these services. The Subcommittee will continue to closely examine the program's implementation, including how GSA will address some of the weaknesses in the program identified by the Subcommittee, the GSA Inspector General, and the GAO. The broker contractors have been tasked with managing a portion of GSA's leasing portfolio which has resulted in significantly lower lease costs for taxpayers. However, over that same period, GSA's in-house overhead costs of managing leases have increased. The Subcommittee intends to conduct oversight of GSA's overhead costs, why there has been an increase despite a smaller workload, and review ways the brokers could be more effectively used to lower those costs.

Benefits to the Taxpayer: Better use of the broker contracts will cut spending in the form of overhead as well as through the reduced rent payments realized through use of the contractors, shrink government, and create jobs by producing more available work for the private sector.

Real Property Management

The management of Federal Real Property has been on the GAO's *High Risk* list since 2003 due to a number of mismanagement issues including the overreliance on costly leasing to meet long-term space needs and underused or vacant space. In addition, with nearly half of GSA's assets over 50 years old, GSA has faced challenges maintaining a balanced inventory, draining federal resources and costing more to maintain old buildings that are often inefficient. At the same time, GSA continues to over-rely on expensive new commercial leases that very often result in the taxpayer paying for a building several times over without any ownership interest. Office of Management and Budget budget scorekeeping rules are key drivers on "own vs. lease" asset decision-making. Current budget scorekeeping rules generally leave GSA with only two options for meeting the Federal Government's general purpose space needs: direct appropriations for new construction or long-term leases.

The Subcommittee will continue to conduct investigations and oversight of GSA's management of its real property portfolio and examine ways to ensure cost-effective choices are made in approving leasing versus construction or purchase. In addition, the Subcommittee will work to ensure GSA maximizes the utilization of existing space, renegotiates existing leases to reduce costs, and sells under-used or vacant properties which will generate revenue. Finally, the Subcommittee will work to ensure GSA fully utilizes its enhanced property management authority to make better use of space it retains, such as out-leasing empty federal space to generate income for the Federal Buildings Fund and help offset costs.

Benefits to the Taxpayer: Better management of real property will reduce spending and lower costs by cutting waste, result in the shrinking of government through streamlining the bureaucracy in GSA's processes, and create private-sector jobs through GSA's acquisition, construction, leasing and building management activities.

Federal Buildings Fund

Congress established GSA's Federal Buildings Fund (FBF) with the intent of making GSA's management of space self-financed. Federal agencies who are tenants in GSA-owned or managed facilities, generally, pay rent to GSA for use of the space. Those funds are deposited into the FBF which then is used to reinvest in GSA's assets – for repairs and maintenance, as well as for construction or purchasing of new property. With nearly half of GSA's assets over 50 years old coupled with the increase in commercial leasing to fill space needs, serious questions have been raised regarding the viability of the FBF in the future. Old assets drain the resources of the FBF in repair and maintenance costs. The Subcommittee will conduct oversight and hold hearings on how GSA can right-size its portfolio and other steps GSA can take to ensure the viability of the FBF, which will help offset the need for new spending.

Benefits to the Taxpayer: Shoring up the FBF will result in lower spending by making the FBF truly self-sufficient without need for additional appropriations; shrink government through better management of the FBF, which will result in lower administrative costs; and create jobs through the activities funded by the FBF.

Leasing Authorities of Other Agencies

While GSA is considered the landlord for the civilian federal agencies, there are other federal agencies that have their own statutory authorities to secure space for their agency needs. Over the years, however, some of the agencies have mismanaged their authorities, resulting in wasteful spending and unjustifiable commitments. For example, in August, it was reported that the Securities & Exchange Commission (SEC) signed one the largest federal leases in a decade for 900,000 square feet of space and just four months later it turned around and reported 600,000 square feet of that space as excess (unnecessary). The Subcommittee intends to investigate and review the independent property authorities of other agencies, like the SEC, and examine ways to stop actions that result in such massive waste.

Benefits to the Taxpayer: Stopping the wasteful use of these authorities by other agencies will lower spending by avoiding misguided financial obligations; shrink government by ensuring the administrative costs due to these functions are centralized and streamlined; and create jobs by making the federal process more streamlined and understandable for the private sector to compete in providing space to federal agencies.

Capital Investment and Leasing Program (CILP)

As part of the Committee's annual work to review and authorize GSA's requests for authority to repair, alter, construct and lease property for use by federal agencies, the Subcommittee will review each prospectus presented to the Committee and recommend approval only after the Subcommittee is satisfied that the requests are cost-effective and in the best interest of the government.

Benefits to the Taxpayer: A more thorough review of the CILP projects will reduce spending by stopping unneeded projects and leases; shrink government through approval of only those projects that are necessary; and save and create jobs through the projects that are approved.

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 GSA to the Department of Homeland Security. However, responsibility for the protection of federal buildings, generally, remains with the GSA. The Subcommittee will continue to monitor and review the policies, procedures and requirements of security at public buildings, including a review of the implementation of these policies, procedures and requirements of the FPS.

Benefits to the Taxpayer: Effective management of the FPS and its contract guard program will help reduce costs by ensuring building security costs are properly managed; shrink government through the effective use and training of the private contract guards; and save and create more jobs in the private sector through better leveraging of the private contract guard program.

Homeland Security Headquarters

The construction of the Department of Homeland Security's (DHS) headquarters is a multi-billion dollar federal construction project that, when completed, will relocate much of DHS operations in the D.C. area into one campus located at the historic St. Elizabeths Hospital site in Southeast D.C. Currently, the construction of the Coast Guard headquarters is underway at the site. In addition, various DHS components remain in leased space until the phased construction is completed. The Subcommittee plans to continue close oversight of this major project and its associated leases to guard against waste, and ensure jobs are maintained and/or created accordingly throughout the project.

Benefits to the Taxpayer: Strong oversight of this massive building project will lower spending by minimizing cost overruns and, over time, transfer agencies currently paying high rental rates into government-owned space which has been shown to produce savings over the long-term; shrink the size and footprint of DHS; and generate jobs in the construction process and spur economic growth in a distressed area.

Architect of the Capitol

The Subcommittee will continue ongoing oversight of projects being undertaken by the Architect of the Capitol (AOC), including redevelopment of the Federal Office Building 8, garage renovations, as well as other development pursuant to the Master Plan for the Capitol Complex. Consistent oversight will ensure proper prioritization and cost savings.

Benefits to the Taxpayer: Strong oversight of the AOC projects will lower costs by minimizing cost over-runs and stopping projects that are unneeded; shrink government by ensuring AOC building processes are streamlined; and save and create jobs as the projects are undertaken.

Smithsonian Institution Facilities

The Subcommittee will continue its oversight of projects undertaken by the Smithsonian Institution including the acquisition, construction and use of local and remote museum, research and storage facilities of the Institution. The Subcommittee will continue to ensure the cost-effective solutions to the Smithsonian's space needs such as leveraging private dollars and disposal or effective reuse of underused assets.

Benefits to the Taxpayer: Oversight of the Institution's projects will lower spending by ensuring projects are appropriate and leveraged with nonfederal dollars; shrink government through maintaining lower administrative costs; and save or create jobs as the projects are undertaken.

John F. Kennedy Center for the Performing Arts

As a part of its ongoing oversight of the Kennedy Center's programs, the Subcommittee will regularly review the construction, alteration and modernization activities of the Kennedy Center that are conducted using federal funds to ensure appropriate management and cost savings.

Benefits to the Taxpayer: Reviewing the activities of the Kennedy Center will lower spending by ensuring capital investments are appropriate and within budget, and create jobs through those projects.

Economic Development Administration

The authorization legislation for the Economic Development Administration (EDA) expired in FY 2008. EDA was created in 1965 by the Public Works and Economic Development Act to leverage federal funding to help spur economic growth in areas that are experiencing: chronic high unemployment, out-migration, and severe economic dislocations due to plant closings and natural disasters. Over the years, EDA's programs have generated new, permanent jobs with minimal federal investment. For example, reviews of EDA's programs have revealed that its programs, on average, create jobs at a cost of \$4,000 per job. In addition, studies have shown that \$1 invested by EDA attracts \$11 in private or other public funding. The leveraging of federal dollars ensures that projects funded are viable and include a private interest that will ensure the jobs created are long-lasting. In preparation for EDA's reauthorization, the Subcommittee will continue to oversee EDA programs to ensure they continue to leverage private dollars and create jobs. The Subcommittee will also identify and remove regulatory stovepipes that add costs and administrative hurdles to job creation.

Benefits to the Taxpayer: Oversight will reduce spending by consolidating and streamlining administrative costs and economic development functions, shrink government through those streamlining activities, and create jobs by ensuring EDA's programs effectively leverage private investment and other funding to spur targeted economic development that creates jobs.

Appalachian Regional Commission

The Appalachian Regional Commission (ARC) will be due for reauthorization in FY 2012. The Subcommittee will closely examine the activities of the ARC including how it meets the needs of distressed counties in Appalachia, how it uses new and innovative ways to promote economic development, and its track record of success since its last reauthorization to ensure, as with EDA, projects funded result in economic growth and job creation.

Benefits to the Taxpayer: Oversight of ARC's programs will create jobs by ensuring ARC's programs effectively fulfill its job creating mission and leverage non-ARC funds.

Other Regional Economic Development Authorities

The Subcommittee will closely examine the activities of the other established development authorities, which are the Denali Commission, Delta Regional Authority, Northern Great Plains Regional Authority, Southeast Crescent Regional Commission, Southwest Border Regional Commission, and Northern Border Regional Commission. The Subcommittee will review these commissions and identify ways to streamline these programs and reduce any overlap to produce cost savings.

Benefits to the Taxpayer: A thorough review of these commissions, particularly the newer commissions, will lower spending by the reduction and elimination of duplication and streamlining administrative costs; shrink government through the reduction and elimination of duplication; and create jobs through the economic development programs supported by the commissions.

Emergency Management

The Subcommittee intends to undertake a review and assessment of the Nation's ability to prevent, prepare for, mitigate against, respond to, and recover from disasters and emergencies of all types including terrorism. In particular, the Subcommittee will review and conduct oversight of the Federal Emergency Management Agency's (FEMA) hazard mitigation programs. Ensuring effective mitigation programs will reduce costs in future disasters. Studies have shown that for every \$1 invested in mitigation \$3 is saved in future disaster costs and lives are saved. In addition, the Subcommittee will examine ways FEMA can streamline its disaster assistance programs to minimize costs and ensure communities impacted by disasters can quickly recover – saving jobs and reducing increased costs due to delayed recovery.

Benefits to the Taxpayer: Reviewing and assessing FEMA's mitigation and disaster programs will lower spending by ensuring effective investment in mitigation projects and a streamlined approach to disaster response; shrink government by reducing the bureaucracy through the streamlined approaches; and create jobs by ensuring communities hit by disasters can quickly recover.

SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

Streamlining Project Delivery

According to the American Association of State Highway and Transportation Officials, highway and transit projects today can take from ten to 15 years from the beginning planning stages to completion of construction.—with up to six of those years for the environmental review process. Time delays and inefficiencies in project delivery not only postpone needed improvements in our nation's transportation infrastructure but also result in increases in the cost of projects. Tom Skancke, Commissioner with the National Surface Transportation Policy and Revenue Study Commission, testified before the Transportation and Infrastructure Committee that if you add one Federal dollar to a transportation project you stretch the time frame for that project's completion by seven to ten years. The Subcommittee will evaluate the project delivery process to determine what improvements can be made to existing rules and regulations governing project delivery in order to expedite the delivery process for all projects and save the American taxpayer money.

Benefits to the Taxpayer: Streamlining the project delivery process will save time and lead to cost savings, eliminate unnecessary bureaucracy redundancies, and save and create jobs through the projects that are constructed.

Program Consolidation and Elimination

DOT currently administers more than 100 highway, transit, and highway safety programs. Many of these programs serve similar purposes and several of them are no longer necessary because the nature of our transportation system has changed over time. The Committee will continue its work and hold hearings to identify programs that serve duplicative purposes so they can be consolidated and to identify programs that are no longer needed so they can be eliminated.

Benefits to the Taxpayer: Program consolidation and elimination will reduce the number of programs administered by DOT, thereby reducing the size of government and eliminating unnecessary bureaucracy.

Redefining the Federal Role in Surface Transportation

Over the past 50 years the Federal surface transportation programs have grown in both size and scope. In administering the programs, DOT lacks a strategic focus in managing the over 100 highway, transit, and highway safety programs, and the roles of the various Federal, state and local agencies responsible for delivering surface transportation projects and programs is often times unclear. The Committee will evaluate what role the Federal government should play in surface transportation and how best to address the current surface transportation challenges the nation faces, including what types of projects should be paid for with Federal funds and the impacts Federal transportation policies and regulations have on decisions made at the State and local level.

Benefits to the Taxpayer: Focusing Federal surface transportation funding and policy on projects and priorities that are in the Federal interest will allow us to reduce the size of the Federal government.

Performance and Accountability

Currently, Federal surface transportation programs lack transparency, accountability, and performance oversight metrics. There are no requirements for States DOTs, localities, or public transit agencies to develop transportation plans with specific performance objectives. The Committee will continue to explore opportunities to develop a performance management approach that increases the transparency and accountability of how Federal surface transportation funds are used, and delivers the best value for taxpayers.

Benefits to the Taxpayer: Including performance measurements in surface transportation programs and increasing the transparency and accountability of Federal surface transportation programs will ensure that recipients are using these funds in a cost effective manner to meet national surface transportation objectives and delivers the best value to taxpayers.

Innovative Financing

Revenue deposited into the Highway Trust Fund is not keeping up with our highway and transit infrastructure needs. As a result we are going to need to find ways to do more with less. The Committee will continue its work to determine the proper role that innovative financing tools and private investment will play in financing surface transportation projects. The Committee will also evaluate the extent to which States and localities are already using innovative techniques to finance projects, including but not limited to bonding, loan programs and public private partnerships. The Committee will also investigate the extent to which States and localities have the fiscal capacity to take advantage of these innovative financing options.

Benefits to the Taxpayer: Use of innovative financing methods will better leverage our existing revenues and provide expanded options available to finance transportation projects, allowing the taxpayers' money to go farther.

Oversight of Idle Surface Transportation Funding

States and transit agencies have billions of dollars in unobligated surface transportation funding sitting idle due to projects that have been delayed, completed or are no longer viable. Hundreds of millions of dollars in funding is sitting idle at DOT because some programs no longer need the funding that is appropriated for them. Building on the Committee's efforts in the last Congress to rescind unnecessary funding, the Committee will quantify the amount of funding that is tied up in cancelled or delayed surface transportation projects and determine what actions need to be taken to put this funding to better use. The Committee will also identify programs that receive funding they are no longer able to use and propose that funding for those programs either be reduced or eliminated.

Benefits to the Taxpayer: By taking action to make better use of idle surface transportation funding, the Committee will ensure this funding is put toward projects and programs that will create jobs and identify areas where spending can be cut.

Transit Safety Oversight

The Subcommittee will conduct oversight on the current State-managed safety oversight program for fixed guideway transit systems. Statistically, rail transit is the safest mode of transportation, with fewer accidents and deaths each year than any other mode. However, there have been some high profile rail transit accidents resulting in fatalities and injuries around the country in recent years, and in response, the Administration has proposed federalizing transit safety oversight activities at the Federal Transit Administration (FTA). Although transit systems have received federal support since 1964, mostly through capital grants, transit services are intrinsically a local responsibility. The FTA is a grant making agency, and does not have the expertise or the underlying authority to directly oversee local transit agency operations. In fact, DOT is expressly prohibited in statute from regulating the operations of transit systems. The Subcommittee is committed to improving the safety of rail transit operations, but this must be done by strengthening the existing State Safety Oversight program, not by expanding the size and scope of the federal bureaucracy.

Benefits to the Taxpayer: Effective oversight of rail transit systems and State Safety Oversight programs can improve the safety of rail transit, which is already the safest mode of transportation. By strengthening and improving the current State-managed system, rather than expanding the size of the FTA and giving it broader authority, the size of the government will be kept under control and the cost of bureaucracy will not be further increased.

New Starts

The Subcommittee will conduct oversight on the FTA's management of the New Starts program, to identify ways in which the lengthy process of moving a new fixed guideway transit project through project development and into construction can be accelerated and streamlined. As transit projects languish in the New Starts approval pipeline the total cost of those projects increases. The Committee will identify ways in which these projects can move more quickly through the New Starts approval process, while ensuring that these projects are worthy of federal funding.

Benefits to the Taxpayer: Effective oversight of the New Starts process that identifies ways to speed up and streamline project development will directly save taxpayer money on the ultimate cost of the project, and will address congestion and mobility needs faster.

Oversight of Major Surface Transportation Projects

The Subcommittee will conduct oversight on major highway and transit construction projects that have experienced significant cost overruns, to determine how such overruns can be avoided and identify strategies to ensure responsible business practices and equitable sharing of risk. A 2003 Government Accountability Office reported that half of the federal highway projects it examined had cost overruns of more than 25 percent. Over the past few years the cost of several high profile major transit construction projects have doubled or tripled when compared to their original cost estimate. As a result, project sponsors have had to redesign or change the scope of projects or in some cases cancel the project after work has already begun. The Subcommittee will investigate these cost overruns to determine if they are due to changes in the construction market, project mismanagement, or other cause.

Benefits to the taxpayer: Effective oversight of construction costs of large surface transportation projects will save taxpayer money and help needed infrastructure projects get built on time and on budget.

Hours of Service

Since 1937, the Federal Government has set limits on the number of hours commercial drivers may be on duty and spend behind the wheel, in order to promote the safety of truck and bus operations. On January 4, 2003, in response to a Congressional mandate enacted in 1995, the Federal Motor Carrier Safety Administration (FMCSA) published new hours-of-service (HOS) regulations for all property-carrying interstate motor carrier operators. The HOS rules have been the subject of ongoing litigation since 2003. On December 29, 2010, FMCSA issued a Notice of Proposed Rulemaking proposing revisions to the HOS requirements. The trucking industry has raised concerns that the proposed changes are overly complex, potentially reducing productivity. Law enforcement personnel have questioned whether the rules will require additional training for effective enforcement. The Subcommittee will maintain close oversight of the

rulemaking process to ensure it furthers FMCSA's primary mission of safety, while ensuring the efficient movement of freight throughout the U.S. economy.

Benefits to the Taxpayer: Effective oversight of the HOS rules will save money by ensuring that the rule provides for safety while not unnecessarily impeding productivity.

Cross-Border Trucking

In 1982, Congress prohibited Mexican trucking companies from operating in the United States beyond the commercial zone, a three to 20 miles wide zone along the U.S.-Mexican border. In 1994, the North American Free Trade Agreement liberalized access for cross-border trucking between the United States and Mexico. In 2007, the Bush Administration launched a cross-border demonstration program to allow approved Mexican carriers to operate beyond the commercial zone, with a similar program allowing U.S. trucks to travel beyond Mexico's commercial zone. The demonstration program was terminated in 2009 pursuant to of a funding prohibition in the Omnibus Appropriations Act of 2009. In response to the termination of the demonstration program, Mexico imposed sanctions on certain U.S. manufactured and agricultural exports to Mexico. On January 7, 2011, DOT released a concept document to resume a long-haul, cross-border Mexican trucking program with a few modifications to the 2007 demonstration program to address some of the concerns raised by Members of Congress and stakeholder groups. The Subcommittee will maintain close oversight of the implications of DOT's proposal to guard against waste, ensure the safety of truck traffic coming across the U.S.-Mexico border, and to ensure that American jobs are maintained or created.

Benefits to the Taxpayer: Effective oversight of DOT's proposal to resume cross-border trucking will help reduce costs by ensuring that, if the program moves forward, implementation is properly managed, and an agreement between the U.S. and Mexico will lead to American job creation.

Compliance, Safety, Accountability (CSA) Program

FMCSA identified limitations in its compliance and enforcement model both in how safety is measured and how unsafe behaviors are corrected. On December 13, 2010, FMCSA launched its new Compliance, Safety, Accountability (CSA) Program, which uses existing safety data collected by FMCSA and State agencies to better target enforcement activities at truck and bus companies that have a history of safety violations. FMCSA believes that CSA will allow them to "do more with less" by identifying high risk companies, focusing resources where they are most needed, and improving the safety records of those companies. The Subcommittee will continue to evaluate CSA to ensure that implementation of the program is effective and meets these objectives.

Benefits to the Taxpayer: Successful implementation of CSA will: improve safety on our roads, benefiting all highway users; save money by targeting enforcement

activities on high risk companies; maximize FMCSA's existing enforcement resources; and allow companies with good safety practices and performance to avoid unnecessary audits of their records.

Highway Safety and Traffic Fatalities and Injuries.

According to the Federal Highway Administration, the average cost of a roadway fatality is \$3,246,192 and the average cost of a roadway injury is \$68,170. The Subcommittee will monitor the National Highway Traffic Safety Administration's (NHTSA) and the Federal Highway Administration's efforts to improve highway safety.

Benefits to the Taxpayer: Several new highway safety programs were created in the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users that have not been fully utilized by DOT or by the States. By identifying highway safety programs that are underutilized or ineffective, Congress can focus funding on programs and activities that will reduce fatalities and injuries.

Innovative Technologies

The Subcommittee will provide oversight on the development and demonstration of new transportation technologies that improve efficiency and safety on our Nation's highways and transit systems. Research in this area will help create jobs by encouraging development of sophisticated technologies that many State DOTs and localities could implement on their roads, transit systems and bridges. Implementation of these technologies can improve operational performance of surface transportation networks, allowing us to get better use of the existing capacity on our roads and transit systems.

Benefits to the Taxpayer: Effective oversight of the development and demonstration of emerging innovative transportation technologies will provide State DOTs and localities tools to aid in addressing congestion and safety issues on their surface transportation systems. This can play an important role in improving a region's productivity, and can stimulate growth and create jobs in the advanced transportation technology industry.

SUBCOMMITTEE ON RAILROADS, PIPELINES AND HAZARDOUS MATERIALS

Railroad Infrastructure Programs

The Subcommittee will review and hold hearings on DOT's implementation of rail infrastructure programs authorized in the Passenger Rail Investment and Improvement Act of 2008 (PRIIA). The Subcommittee will focus on the Railroad Rehabilitation and Improvement Financing (RRIF) direct and guaranteed loan program for rail and rail-intermodal infrastructure projects. The Subcommittee will examine the RRIF loan program to identify necessary improvements to encourage more utilization of the program. Of the \$35 billion in loan authority authorized under the RRIF program, the

Department has only \$400 million in current outstanding loans. In calendar year 2010, two loans were approved.

The Subcommittee will also examine DOT's implementation of two new capital grant programs authorized in PRIIA, the intercity passenger rail service grants to states, and the high-speed rail corridor development grants. These programs were appropriated a total of \$10.5 billion in the American Recovery and Reinvestment Act ("Stimulus") and the FY 2010 Consolidated Appropriations Act, greatly exceeding the authorized funding levels under PRIIA. Under both the Stimulus and the FY 2010 appropriations bill, funds were provided under a consolidated program called "High-Speed and Intercity Passenger Rail Grants", rather than separately providing funding to the two intercity passenger rail programs authorized in PRIIA. These two programs have different goals and benefits, and by consolidating the grants, the distinction between the two programs was lost. Although the program is often spoken of as the "high-speed rail program", only two projects funded under the consolidated program are truly high-speed, as defined under the PRIIA authorization.

A clear omission in the two passenger rail grant programs established under PRIIA is the role of the private sector in providing financing and project management expertise. Under PRIIA, only States and Amtrak are eligible to receive Federal grants to develop high-speed and intercity passenger rail. However, other passenger rail lines around the world are built and operated through public-private partnerships, and this model should be incorporated into the U.S. passenger rail network and development of high-speed rail. PRIIA created a process for DOT to issue a request for proposals for private interests to finance design, construct, operate, and maintain high-speed service in dedicated corridors or the Northeast Corridors. According to the DOT, eight private-interest proposals were submitted.

The Subcommittee will conduct oversight of these passenger rail programs, and will hold hearings to determine how best to reform and improve these capital grants and loan programs in order to ensure that cost-effective and successful rail projects are selected, funded and implemented.

Benefits to the Taxpayer: Effective oversight of the rail infrastructure programs will focus federal funds on projects that make sense, are strongly supported by the States they serve, and generate important benefits such as congestion relief on the highways and in the air and economic development around stations; save taxpayer money by encouraging private sector participation in financing, building and operating high-speed and passenger rail projects; and create jobs through construction of freight and passenger rail projects, operating new rail services, building equipment and rail cars, and improving capacity for more effective freight and passenger transportation on a national basis.

Amtrak

Capital and operating grants for Amtrak, the national passenger rail operator, were reauthorized in PRIIA for the first time since the Amtrak Reform and

Accountability Act of 1997. A number of improvements to Amtrak management were incorporated in the PRIIA authorization, including:

- requiring Amtrak to establish an improved financial accounting system;
- requiring Amtrak to prepare and submit to Congress a transparent 5-year financial plan on which the annual budget and business plan for each fiscal year would be based;
- requiring the development, in cooperation with host freight rail lines, of a standard set of metrics by which to measure Amtrak's performance and service quality;
- requiring the development of a performance improvement plan for Amtrak's long-distance routes;
- establishing the Northeast Corridor Advisory Commission to coordinate Amtrak's operations in the multi-state corridor and to evaluate options and make recommendations for future passenger rail improvements; and
- requiring the development and implementation of improved Amtrak's on-board services such as food and beverage service.

In addition to these internal management reforms, PRIIA included two provisions that open the operation of intercity passenger rail service to competition. The first provision creates a pilot program whereby two of Amtrak's current intercity routes can be operated by a freight railroad. The second provision established an open request for proposals process for entities other than Amtrak to bid for contracts to design, build, operate, maintain and finance high-speed rail corridors designated under the law. The Subcommittee will conduct oversight and hold hearings on Amtrak's and the Federal Railroad Administration's implementation of the required reforms in PRIIA, and will seek input on how Amtrak can be a more efficient and effective steward of federal taxpayer dollars.

Benefits to the Taxpayer: Oversight of reforms required of Amtrak will ensure that taxpayer dollars allocated to the railroad are spent responsibly and effectively. Pushing DOT to fully implement the competition provisions included in PRIIA and looking for new ways to encourage competition will save taxpayer money and improve Amtrak services.

Rail Safety Programs

Federal railroad safety laws were recently reauthorized in the Rail Safety Improvement Act of 2008 (RSIA). The Subcommittee will conduct oversight and hold hearings on the Federal Railroad Administration (FRA) efforts to implement this new authorization, including the agency's regulatory response to the RSIA's mandate to implement Positive Train Control systems by December 31, 2015, on rail routes carrying passengers or certain poison or toxic-by-inhalation hazardous materials.

Benefits to the Taxpayer: Effective oversight of FRA's implementation of new rail safety laws will help ensure an appropriate balance between commerce and safety,

keeping costs of goods lower for consumers and businesses healthy as our economy recovers from the recession.

Pipeline Safety

The Subcommittee will hold oversight hearings to evaluate the proper level of staffing in the Office of Pipeline Safety at the Pipeline and Hazardous Materials Safety Administration (PHMSA), to discuss the proper balance between State and Federal regulation of the pipeline industry, and to review the level of federal pipeline safety fees paid by pipeline operators and what those fees are used for.

Benefits to the Taxpayer: Effective oversight of PHMSA's pipeline safety programs will help ensure the safe transportation of liquid and gas energy commodities, including oil, other petroleum products, and natural gas, without unnecessarily restricting the pipeline industry and driving up energy costs for consumers.

Hazardous Materials Safety

The Subcommittee will conduct oversight and hold hearings to prepare for reauthorization of the Hazardous Materials Safety programs administered by PHMSA. The current authorization for these programs expired on September 30, 2008. The Subcommittee will pay particular attention to the agency's special permits and approvals program to ensure that the program is run effectively and with transparency, so that hazardous materials shippers and carriers clearly understand the processes by which they are regulated. The Subcommittee will also look closely at PHMSA's regulations, to ensure a proper balance between cost and benefit is achieved, and unnecessary restrictions are not placed on commerce unless clearly indicated by a documented safety deficit.

Benefits to the Taxpayer: Effective oversight of PHMSA's hazardous materials safety programs will help ensure the safe transportation of materials that are needed in every form of agriculture, manufacturing, health care, and almost every major sector of the U.S. economy, without placing unnecessary restrictions on this transportation and thus driving up costs for U.S. businesses and the consumer.

Surface Transportation Board

The Surface Transportation Board (STB) was established on January 1, 1996, by the Interstate Commerce Commission Termination Act of 1995. This initial authorization expired at the end of FY 1998, and the agency has not been reauthorized since. The STB is an independent, three-member agency that administers the remaining economic regulation of railroads, including rates, inter-carrier access, abandonments, and mergers, that remained in place after the deregulation embodied in the Staggers Rail Act of 1980. The Subcommittee will conduct oversight to examine the functions of the Board, including the timeliness and effectiveness of its various procedures in hearing cases and making decisions.

Benefits to the Taxpayer: Effective oversight of the STB's economic regulation of railroads will support a balanced regulatory system where shippers are protected against anti-competitive railroad conduct, while railroads can largely decide for themselves how to manage their operations. America's freight railroads are now the most productive and affordable in the world. Avoiding excessive regulation sustains the economic vitality of the freight railroad industry and keeps goods moving efficiently and cost-effectively.

SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

Clean Water Act and Water Infrastructure Programs

The Subcommittee will conduct oversight of wastewater treatment and water pollution control funding issues, including levels and sources of funding and management of grant and loan programs; wastewater security; and infrastructure needs. Oversight will also include a review of the effectiveness of watershed, market, and performance-based approaches to addressing local water pollution concerns; issues involving the development and implementation of total maximum daily loads, water quality standards, effluent limitations, and permitting; data quality issues; and continued efforts to improve the management of combined and sanitary sewer overflows, stormwater, and nonpoint source pollution. The Subcommittee will investigate whether non-regulatory approaches, such as market-based approaches and other innovative approaches undertaken by State and local governments, may result in greater improvements to the environment. The Subcommittee may review the implications of addressing certain pollutant discharges, including discharges of pesticides, ballast water, incidental discharges from vessels, and water transfers, through traditional Clean Water Act permitting requirements.

Benefits to the Taxpayer: Continued improvement of water quality will likely require a combination of regulatory and non-regulatory approaches. The Subcommittee will be focused on finding innovative ways to finance new and replacement of old water infrastructure projects, providing States, counties and towns with additional tools and flexibility to address local environmental challenges, and getting the most for our nation's limited resources.

Army Corps of Engineers (Corps) Water Resources Program

The Subcommittee will 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, including the selection, planning, and implementation of water resources projects; financing of harbor and inland waterways infrastructure; and efforts to improve the efficiency, effectiveness, and consistent implementation of the agency's regulatory programs, including those pertaining to wetlands (including the scope and procedural and substantive requirements of the permitting programs) and dredging activities. While the Water Resources Development Act (WRDA) of 2007 contained provisions intended to streamline the Army Corps of Engineers civil works project

planning process, planning efforts continue to be delayed due to uncoordinated or inefficient reviews or failure to timely resolve disputes during development of these water resources projects.

Benefits to the Taxpayer: Continued investments in our nation's infrastructure will create jobs and support a healthy economy. The Subcommittee will focus on getting projects for the nation built more efficiently and cost effectively, thereby more quickly delivering project benefits to the public, while ensuring compliance with existing planning and environmental laws.

EPA -- Superfund/CERCLA and Brownfields

The Subcommittee will review efforts to improve the efficiency and effectiveness of the contaminated site cleanup process and the process of assessing natural resources damages (NRD); review the liability, financing, and settlement mechanisms and procedures under the current Superfund program, including implementation of the Small Business Liability Protection Act; review 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.

Benefits to the Taxpayer: Brownfields and Superfund sites drive down property values and tax revenues and are a major blight on many of our cities and towns. The Subcommittee will work to promote state, local, and private efforts to clean up Superfund sites and redevelop brownfields.

Tennessee Valley Authority (TVA)

The Subcommittee will review TVA programs, including its energy program and operations in the current marketplace, and the impact of TVA debt on its long-term goals.

Benefits to the Taxpayer: Until mid-2006, the Tennessee Valley Authority had made significant payments on its long-term debt in an attempt to reduce its total financing obligations. Since 2006, however, TVA's debt has begun to steadily climb to levels that may place the taxpayer at risk. The Subcommittee will initiate a review of TVA's commitment to long-term financial sustainability to lessen the risk posed to the taxpayer.

**U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON VETERANS' AFFAIRS**

OVERSIGHT PLAN FOR 112th CONGRESS

Clause 2(d)(1) of Rule X of the Rules of the House of Representatives for the 112th Congress requires each standing committee, not later than February 15 of the first session, to adopt an oversight plan for the 112th 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 112th 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 Democratic Member, conduct any of the oversight activities planned by the subcommittees.

Subcommittee on Disability Assistance and Memorial Affairs

The Subcommittee will focus on policy for compensation for veterans' disability claims, eligibility and upkeep on all National Cemeteries and the National Cemetery Administration, and VA insurance and pension programs. Goals include improving the timeliness, accuracy, and effectiveness of disability benefits, and ensuring that veterans are appropriately memorialized. To that end, the DAMA subcommittee will conduct oversight hearings, staff visits, and use Inspector General and Government Accountability Office reports and studies.

1. ***Modernizing the Department of Veterans Affairs (VA) Disability Rating Schedule and Benefits Claims Processing System*** – The Subcommittee will perform rigorous oversight over ongoing efforts to modernize VA's disability benefits claims process, which includes the implementation of the Veterans Benefit Management System (VBMS). The VBMS consists of several different pilot programs that must be synthesized into one coherent process. A primary element of VBMS is the digitalization of claims files and electronic transfer of information.
2. ***Appeals*** – The Subcommittee will continue to monitor 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.
3. ***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.
4. ***Examining Underperforming VA Regional Offices (VAROs)***—Several VAROs produce chronically low efficiency and accuracy rates in the disability benefits claims process. Such offices are typically associated with larger metropolitan areas that also have high employee turnover rates as compared to parts of the country where the cost of living is lower. Consideration should be given to consolidating VAROs and reassigning claims work to locations that have consistently proven to be able to process veterans' claims with efficiency and accuracy.
5. ***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 and VA's use of Retained Asset Accounts for beneficiaries' settlements.
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. Additionally, the Subcommittee will closely monitor the overhaul of operations at Arlington National Cemetery; particularly its record keeping system.

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 VBMS. The Subcommittee will explore the applicability of rules-based and other expert systems to automate the adjudication of disability claims through VBMS.

Subcommittee on Economic Opportunity

The Subcommittee will have a major focus on programs that promote veterans' employment and ways to reduce unemployment among veteran, while seeking ways to ensure seamless transition to civilian life. To that end, the Economic Opportunity Subcommittee will conduct oversight on the following topics through the use of hearings, staff-to-staff meetings, site visits and Government Accountability Office studies and reports.

1. **Department of Labor's Veterans' Employment and Training Service (VETS)** – In evaluating these programs, the Subcommittee will focus on interagency cooperation between VETS and the Department of Veterans Affairs Vocational Rehabilitation and Employment (VRE) program to assess the effectiveness of combined efforts to place disabled veterans. The subcommittee will also take a detailed look at the performance of the State Grant Program with an emphasis on promoting more consistent results.

The Subcommittee continues to be concerned about the usefulness and relevance of the Transition Assistance Program (TAP) for those leaving military service. The Subcommittee will continue to conduct on-site visits to observe TAP classes and to gauge revision and deployment of the TAP curriculum.

2. **Vocational Rehabilitation and Employment** – VA's Vocational Rehabilitation and Employment (VR&E) program offers services and assistance with the mission of enabling 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.
3. **Employment and Self-Employment Opportunities for Veterans** – The Subcommittee will review the efforts of the Department of Labor and VA in facilitating employment opportunities to veterans, with a focus on recently separated service members returning from Iraq and Afghanistan, including demobilizing Reserve and National Guard personnel.
4. **Servicemembers Civil Relief Act (SCRA)** – Formerly called the Soldiers and Sailors Civil Relief Act, SCRA provides a wide range of protections for veterans and deploying service members. These include protections for employment, healthcare, and financial transactions such as leases and mortgages. SCRA underwent a major overhaul in 2003 with minor revisions since then. As more active duty and Reservists and National Guard members are activated and return to civilian life and with the economic downturn, protections under

SCRA is more relevant and needed. The Subcommittee will continue to provide oversight over the SCRA, with emphasis upon violations by financial institutions overcharging on mortgages, improperly foreclosing, and in other manners depriving military families of the protections afforded under SCRA.

5. **GI Bill** – The Subcommittee plans to continue monitoring VA’s efforts to implement the Post-9/11 Veterans Educational Assistance with an emphasis on simplifying administration of the benefit as well as its relationship to other Title 38 education benefits. The Subcommittee will also examine ways to improve the delivery of veterans’ educational benefits.
6. **Reserve Component Transition Assistance and the Uniformed Services Employment and Reemployment Rights Act (USERRA)** – The Subcommittee will continue to monitor state transition programs with an emphasis on ensuring service members understand their rights under USERRA. 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.
7. **State Approving Agencies (SAA)** – The Subcommittee is concerned that the SAA efforts may be more productive in ensuring compliance with VA financial policies and procedures as well as preventing fraud and questionable recruiting practices. Therefore, 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.
8. **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 timeliness, accuracy and consistency as a way to decrease the backlogs.
9. **Small Business Contracting Goals for Veteran and Service Connected Disabled Business Owners** – Overall, the Federal government continues to fall short in meeting the three percent procurement goal for service disabled veteran-owned small business (SDVOSB). The VA now sets the example for Federal agencies and the Subcommittee will explore ways to export VA’s success to the rest of the federal government. In 2006, Congress passed Public Law 109-461 which provided SDVOSB and veteran-owned small businesses (VOSB) several advantages in contracting with VA as well as additional tools for VA to contract with SDVOSB and VOSB. The Subcommittee will also continue its oversight of VA’s progress implementing the small business provisions of P.L. 109-461.
10. **VA Federal Procurement, Contract Bundling, and Non-Competitive Contracts** – VA has the second largest Federal procurement budget after DoD. There is a concern that large prime contractors generally fail to comply with their small business subcontract plans that incorporate veteran-owned businesses as subcontractors. Despite the requirements of

sections 501 and 502 of Public Law 109-461, to date, the VA has imposed no penalty on any company for failing to execute their small business plan or to debar businesses who fraudulently claim veteran-owned and controlled status. The Subcommittee will examine what the Office of Federal Contractor Compliance and SBA is doing to ensure that all contractors are in compliance with the small business goals. The Subcommittee will also examine the effectiveness of the Center for Veterans Enterprise in meeting these statutory requirements.

11. ***VA Loan Guaranty Program*** – The Subcommittee will review existing veterans’ loan programs to determine whether existing laws, regulations and VA initiatives are sufficient to reduce foreclosures on veteran-owned homes. 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.
12. ***Paralympics*** – To foster the use of sports as part of rehabilitation, Public Law 110-389 authorized VA to provide a grant to the US Paralympic program to promote development of adaptive sports programs for disabled veterans from the grassroots to elite competitive levels. The Subcommittee will review VA’s Paralympics grant program with an emphasis on the results of grassroots adaptive sports programs.
13. ***Veterans’ Priority of Hiring by Federal Contractors*** – The Subcommittee remains concerned that there is no systematic way to enforce existing law and about the roles of VETS and the Office of Federal Contract Compliance in assuring compliance with the law. Therefore, the Subcommittee will review the effectiveness of current law with a view towards enforcement.

Subcommittee on Health

The Subcommittee will exercise legislative, oversight, and investigative jurisdiction over the Veterans Health Administration (VHA) including medical services, medical support and compliance, medical facilities, medical and prosthetic research, and major and minor construction. Goals include maximizing the effectiveness of health care services delivered, while identifying ineffective spending to achieve the proper prioritization of limited taxpayer dollars.

1. ***Access to Care*** - The Subcommittee will examine the means through which VHA provides care to veterans, the various ways in which veterans’ access care and opportunities to expand and improve the provision of high quality care through non-traditional delivery methods, including the use of local health care providers closer to the veteran’s home. Particular attention will be paid to meeting the unique needs of veterans whose access to traditional medical care is limited by geography, disability, or other challenges.
2. ***Fee Basis Care Expenditures*** - The Subcommittee will vigorously evaluate what changes are needed in VA’s complex organizational structure in order to effectively and efficiently execute its fee basis care program and the need for transformation to ensure accountability

and adequate management and oversight controls. In FY 2009, VA spent approximately \$5.3 billion dollars (12% of its total medical care budget) to purchase health care services from non-VA entities including other government agencies, affiliated universities, community hospitals, nursing homes, and individual providers. In 2009, the VA Office of Inspector General released an audit of VHA's non-VA outpatient fee care program which uncovered about \$1.126 billion in overpayments over five years. The IG concluded that organizational structure changes were needed to make certain that fee basis care is properly authorized, justified and met with consistent, reasonable, and proper payments.

3. ***Virtual Lifetime Electronic Record (VLER)*** –The Subcommittee will aggressively evaluate progress being made by VA and DOD in the development of a single electronic, bi-directional, standards-based medical record to track service members from boot camp through their lives as veterans. Both VA and DOD serve the same patient population at different times yet operate separate health records systems and lack the ability to readily share data, necessitating costly duplication that impedes the safety, quality, and effectiveness of health care delivery.
4. ***Mental Health and Combat Related Stress*** - The Subcommittee will review VHA's current mental health programs, including those for Post Traumatic Stress, Substance Use Disorder and Suicide Prevention. Among the many issues the Subcommittee will focus on are: the implementation of the mental health strategic plan; veteran patient compliance with completing recommended treatment; improving outcomes; overcoming stigma; conducting outreach; assessing future demand for care; and the allocation and tracking of mental health funds.
5. ***Women Veterans*** - Women are the fastest growing segment of the veteran population. The Subcommittee will evaluate VHA's progress in overcoming barriers and other factors associated with health care quality and satisfaction for women veterans. Among the many issues the Subcommittee will focus on are the implementation of provisions in Public Law 111-163 aimed to assist women veterans, including readjustment and child care pilot programs and the activities and recommendations of the Advisory Committee on Women Veterans.
6. ***Support for Families and Caregivers*** - The Subcommittee will examine implementation of Public Law 111-163, which requires VA to establish a comprehensive program of assistance for family caregivers and strengthens statutory authority to provide support, counseling and mental health services for family members of a recovering veteran. It is widely recognized that one of the strongest factors that help warriors in their recovery is a high level of support from loved ones.
7. ***Capital Asset Management*** - The Subcommittee will closely monitor the management of VHA's vast infrastructure which includes more than 6,200 buildings on 300 sites across 32,000 acres. Many of VA's facilities are more than 50 years old and are no longer suited for the delivery of 21st century health care. Further, underutilized and vacant VHA properties cost taxpayers at least \$175 million annually. The Subcommittee will identify options to more effectively use VA properties through sharing opportunities with the Department of

Defense (DOD); collaboration with medical affiliates; and the reuse of excess property through enhanced use leasing or disposal.

8. ***VA and DOD Health Resource Sharing*** - The Subcommittee will identify greater opportunities for VA and DOD health resource sharing. Enhanced sharing between VA and DOD would improve health care quality, access, and efficiency by allowing for the pooling of resources and better performance management and oversight. However, organizational and culture barriers have historically thwarted sharing initiatives. Among the issues the Subcommittee will explore are the joint: procurement of pharmaceuticals; medical/surgical supplies; use of medical equipment and services; and construction.
9. ***Specialized Services for Wounded Warriors*** - The Subcommittee will evaluate VHA's specialized care programs to ensure consistent and coordinated state-of-the art care system-wide through the use of the latest technology and best practices. Among the many issues the Subcommittee will evaluate is the continuum of care for veterans with amputations, Traumatic Brain Injury (TBI), Blind Rehabilitation, and Spinal Cord injury.
10. ***Seamless Transition*** - The Subcommittee will actively review the transition of a service member from active duty to veteran status. The Subcommittee will focus on the accuracy and timeliness of VA's assessment of the health status of separating service members; DOD force protection practices and policies; the Post-Deployment Health Re-assessment tool; streamlining the enrollment process for VA health care.
11. ***Veterans Integrated Service Networks (VISNs) Structure*** - The Subcommittee will examine the current VISN structure and ways to realign the VISNs to better manage performance, promote innovation, and establish uniformity of health care services and practices throughout the system. The VISN system has remained in place for fifteen years, with the only structural change taking place in 2002 when VISN 13 and 14 were integrated and renamed VISN 23. With the rapid application of new information technology that has revolutionized the way we live, interact, and conduct business, the Subcommittee will focus on opportunities to restructure the VISNs toward the goal of more patient-centered care.
12. ***Medical and Prosthetic Research Program*** - The Subcommittee will examine the value of VA research with respect to injuries and illnesses related to military service and the acceleration of discoveries and applications, especially for neurotrauma, sensory loss, amputation, polytrauma, and prosthetic needs. Among the issues the Subcommittee will also focus on are: the adequacy of research space and equipment and the development of a clearinghouse designed to promote VA and DOD researchers awareness collaboration and joint publication of research.
13. ***Long-Term Care*** - The Subcommittee will evaluate current programs and planning for institutional and non-institutional long term care. The Subcommittee will review innovative ways to improve the age-appropriateness of the delivery of long-term care services, improving and increasing home and community-based care options, and the development and implementation of a single, structured, and uniformly applied policy for care provided in VA facilities, state veterans homes and contract community nursing homes as well as rectifying

issues with the implementation of section 211 of Public Law 109-461 which requires VA to pay State Homes a new rate for mandatory veterans known as the “70% program.”

14. **Homeless Veterans Programs** - The Subcommittee will assess the use, effectiveness, and any duplication of the specialized programs to assist homeless veterans and examine ways to strengthen VA’s ability to help homeless veterans regain their independence and prevent those at risk from becoming homeless.
15. **Patient Aligned Care Teams (PACT)** - The Subcommittee will provide aggressive oversight of the impact and effectiveness of a new initiative VA is implementing referred to as PACT which is intended to increase access, coordination, communication, and continuity of care by allowing patients to have a dedicated primary care team and a more active role in their health care.
16. **Pain Management** - The Subcommittee will examine VHA’s pain management strategy. Managing pain is an increasingly significant issue, especially for recently returning combat veterans presenting with a wide range of physical and mental health problems, including musculoskeletal ailments and post traumatic stress. The Subcommittee will focus on: pain awareness, education, intervention; utilization of best practices for the continuum of acute and chronic pain; and the challenge of prescription drug diversion and abuse.
17. **Data Based Performance Management and Health Care Value** - The Subcommittee will review VHA’s performance management processes to ensure that appropriations are responsibly utilized for veterans health care programs. Key to improving veteran satisfaction and access to high quality care is evaluating and comparing with a data-based performance management tool precisely how care is being provided at each facility within the VA health care system and the cost and quality of that care.
18. **Wounded Warriors and the Federal Recovery Coordinator Program** – The Subcommittee will evaluate the effectiveness of the Federal Recovery Coordinator program and the potential for the elimination of overlap of supplemental VA and DOD case management and care coordination programs in the treatment and continuum of care for wounded warriors with amputations, Traumatic Brain Injury (TBI), Spinal Cord injury, impaired vision and other serious and severe injuries.
19. **Veterans Justice Outreach (VJO) Program** - The Subcommittee will evaluate VA support of the VJO program. The VJO program was launched in 2009 to work with local justice system partners to provide outreach and alternative treatment for justice-involved veterans, including Veterans’ courts, drug courts, and mental health courts. Among the many issues the Subcommittee will focus on are plans for the expansion of full-time VJO specialist positions at VA medical centers.
20. **Health Administration Center (HAC) Programs** – The Subcommittee will examine the management and needed actions to improve programs administered by the HAC, including the Civilian Health and Medical Program of VA (CHAMPVA) and the Foreign Medical Program.

- 21. Health Care Personnel Practices and Procedures** - The Subcommittee will review VHA employee recruitment and retention issues. VHA employs over 226,000 individuals and since 2005 has hired about 6,000 new mental health professionals. Among the many issues the Subcommittee will assess are: current and future workforce requirements; human resource policies; employee training and education; and the establishment of meaningful and enforceable performance standards and outcome measures.
- 22. VA Partnerships With Community Organizations** - The Subcommittee will examine the relationship, role and development of community programs in partnership with VHA to meet the needs of veterans and their families in their home communities. While the responsibility for guiding a veteran's transition to home life falls with the VA, community-based groups are playing a key role in helping veterans transition to civilian life. This is especially true for citizen-soldiers in the National Guard and Reserve who often lack access to a supportive military environment. The Subcommittee will focus on fostering communication, education and collaboration with community organizations and providers.

Oversight and Investigations

The subcommittee will conduct oversight and investigations over veterans' matters generally, and over such matters as may be referred to the subcommittee by the Chairman of the full Committee for its oversight or investigation and for its appropriate recommendations. Goals include the identification of wasteful, duplicative, and ineffective spending; improving operations to ensure effectiveness in the delivery of services, and partnering with VA in its efforts to improve the lives of veterans, via expenditure of finite and limited taxpayer dollars.

1. **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 monitor progress in keeping with Congressional goals and the President's expectation of electronic health records for veterans.
2. **VA's Acquisition Process** -- VA spends approximately \$17 billion annually for pharmaceuticals, medical and surgical supplies, prosthetic devices, information technology, construction, and services. VA faces major challenges to implement a more efficient, effective, and coordinated acquisition program. 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 in this multi-billion dollar industry.
3. **Quality of Care and Patient Safety Issues:** The Committee must monitor several quality of care and patient safety issues, including: the sterilization of reusable medical equipment, and the quality of care for veterans receiving VA long-term care services. There is a need for continued watchfulness to ensure that the proper corrective actions are occurring, as well as to determine whether similar problems are being identified and disclosed in an appropriate manner.

4. ***Veterans Records*** -- The National Archives and Records Administration (NARA), the National Personnel Records Center (NPRC), the Records Management Center (RMC) and various military service locations maintain the military personnel records of discharged members of the Armed Forces. The subcommittee will examine the security of veteran records maintained throughout to ascertain the protection of personal identifying information of our nation's veterans, as well as the transmittal of these records to VA in order to assist veterans in the claims process and to help reduce the claims backlog.
5. ***VA Information Technology Programs*** -- The subcommittee will continue its oversight of VA's IT programs to review progress being made with implementation of its integrated enterprise architecture plan. This includes VA's efforts to improve its internal and external cyber security, specifically the Government Configuration Baseline, including mandatory data encryption, as well as review the effectiveness of the VA's Project Management Accountability System (PMAS) program and the new T-4 information technology contracting process, which is a five-year Indefinite Delivery/Indefinite Quantity (IDIQ) Multiple Award Task Order contract with a program ceiling of \$12 billion.
6. ***Enhanced Land Leases and Divestment of Federal Property*** -- The subcommittee will review the adequacy of internal controls related to leasing or selling of Department of Veterans Affairs assets and assess the tangible benefit to taxpayers. Additionally, the subcommittee will review the use and condition of historic properties owned and operated by VA, and whether the Department can sustain the costs and maintenance involved with these properties in the future.
7. ***VA/DoD Benefits Delivery at Discharge Program*** -- The subcommittee will evaluate DoD's utilization of a single examination that meets both military services' separation requirements and VA's disability compensation criteria. The subcommittee will also scrutinize VA's efforts to co-locate Veterans Benefits Administration and Veterans Health Administration personnel involved in compensation and pension claims processing to provide more efficient one-stop claims processing centers. Furthermore, the subcommittee will examine the effectiveness of the implementation of the integrated DoD/VA Disability Evaluation System (DES).
8. ***Human Subjects Protection Program*** -- The subcommittee will hold VA accountable for violations of the Federal Policy for the Protection of Human Subjects. Moreover, previous violations must be corrected and future problems avoided by properly utilizing management techniques and pre-inspection checklists.
9. ***Seamless Transition*** -- The subcommittee will address schedules and delays related to VA and Department of Defense (DoD) efforts to ensure that the transition between the two departments is seamless and responsive to the needs of veterans. At a minimum, the subcommittee will examine issues such as the progress of the Yellow Ribbon Reintegration Program and the DoD's referral of discharged Guard and Reserve personnel to VA's dental program for their follow-up dental care.

10. **Evaluating Management Efficiencies** -- VA plans to achieve specified savings each fiscal year by implementing various procedures to achieve cost avoidance. The subcommittee will examine the relationship between projected savings and demonstrated savings and further assess the impact on the delivery of quality services.
11. **Medical Care Collection Fund** – The subcommittee will scrutinize VA collection efforts to include a common sense approach to waivers, demonstrations, consolidations outsourcing initiatives and recoupment as appropriate.
12. **Modernize Financial Management** –After the failure of the CoreFLS financial and logistics system and *Financial and Logistics Integrated Technology Enterprise (FLITE)*, the VA has a poor track record of resource waste and no viable product to modernize its financial management system. The subcommittee will scrutinize the VA’s strategic asset management system and replacement/improvement plan, including the cost of non-implementation of previous programs.
13. **VA’s Fourth Mission, Emergency Management Capabilities** -- The subcommittee will examine VA’s role in responding to natural or man-made disasters in support of VA and DoD contingencies, the Federal Response Plan, Radiological Emergencies, the Nation Disaster Medical System and in providing Continuity of Government/Operations. The intent is to ensure the VA can perform its “Fourth Mission” in accordance with strategic goals.
14. **Post-Traumatic Stress Disorder (PTSD) Testing** – The subcommittee will evaluate VA’s current PTSD testing program with an eye on non-vetted or local exams that are used to determine a veteran’s eligibility for PTSD related assistance in direct contradiction to established national standards.
15. **VA Senior Executive Service Bonuses** -- The committee will scrutinize of VA’s bonus practices for its Senior Executive Service employees in comparison to performance, productivity, and the goal of Congress to decrease the cost of government for the taxpayer.
16. **VA Inspector General** –The subcommittee will review the VAOIG recommendation and implementation system for efficiency, accuracy, and follow-up. Moreover, it will pursue availability of resources, accountability and methodology to improve outcomes and restore veterans’ confidence in the system.
17. **Office of Federal Contract Compliance Programs** -- The Office of Federal Contract Compliance Programs (OFCCP) enforces and administers the Vietnam Era Veterans’ Readjustment Assistance Act of 1974 (VEVRAA). Since the Federal government awards prime contractors worth approximately \$200 billion per year, the subcommittee will examine OFCCP’s recent investigatory and enforcement actions related to VEVRAA and address issues where appropriate.
18. **Competitive Sourcing and Alternative Management Systems** – VA is implementing the President’s Management Agenda and Office of Management and Budget Directives through

competitive sourcing and alternative management systems. The subcommittee is interested in the factual basis for conduct of this program and the organizational benefits yielded.

19. ***Energy Sustainability and Efficiency*** – The subcommittee will conduct oversight on VA’s progress in moving forward with sustainability and energy efficiencies at the various VA locations to include VA Medical facilities, National Cemeteries, and other facilities. The examination will include a focused look at how VA has spent funding authorized to enhance sustainability and efficiency programs and whether the funding is being well-spent.
20. ***Consolidated Patient Accounting System (CPAC)*** – The subcommittee will conduct oversight on VA’s consolidation of VHA’s business office functions into seven regional centers. The examination will focus on the transformation of VHA billing and to determine how closely VHA is aligned with industry best practices.
21. ***Office of Resolution Management for EEO Complaints*** -- Public Law 105-114, the Veterans Benefits Act of 1997, included a requirement that the Department of Veterans Affairs take actions to improve its equal employment opportunity program and created the Office of Resolution Management. The subcommittee will examine the effectiveness of the Office of Resolution Management and its resources in relation to its function as intended by Congress.
22. ***Small Business Contracting Goals for Service Connected Disabled Business Owners*** -- The subcommittee will probe the poor results related to small business contracting goals with service-connected disabled veteran small business owners and pursue corrective measures to meet or exceed the VA’s own goals.
23. ***Credentialing and Screening of VA Healthcare Employees*** -- The subcommittee will examine VA’s implementation of Government Accountability Office (GAO) recommendations that indicated serious flaws in screening professional credentials of VA healthcare practitioners.
24. ***Medical Recruitment, Retention and Staffing*** – The subcommittee will review efforts being made by the VA to recruit, hire and train medical staff. Of particular interest will be any recent contracts to reintegrate and retain veterans at all levels in VA.
25. ***Laboratory and Clinical Select Agent Security*** – The subcommittee will examine VA Level 3 Laboratories compliance with laws and regulations governing biosafety and biosecurity (including radiological and chemical agents) throughout their research laboratories and Medical Centers.
26. ***Fiduciary Program*** – The subcommittee will analyze the continued delays, veteran and family complaints and the inadequacy of VA’s fiduciary system as reported by the VAOIG April 2010 and seek expeditious corrective action and improvement.

COMMITTEE ON WAYS AND MEANS

**U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515**

February 15, 2011

The Honorable Darrell Issa
Chairman
Committee on Oversight & Government Reform
2157 Rayburn House Office Bldg.
U.S. House of Representatives
Washington, DC 20515

The Honorable Daniel E. Lungren
Chairman
Committee on House Administration
1309 Longworth House Office Bldg.
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Issa and Chairman Lungren:

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 oversight hearings and oversight-related activities that the Committee on Ways and Means and its Subcommittees plan to conduct during the 112th Congress.

Matters under the Committee's Federal Budget Jurisdiction:

- **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, private sector job creation, and limits on the public debt.

Matters under the Committee's Tax Jurisdiction:

- **Tax Reform.** Hearings on simplifying and reforming the tax code for individuals, families, and employers in order to better promote economic growth and job creation.
- **Priorities of the Department of the Treasury.** Hearings with the Treasury Secretary and other Administration officials to receive information regarding the Administration's tax-related priorities for the 112th Congress. Specifically, discuss and consider legislative

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and administrative proposals contained in the President's fiscal year 2012 and 2013 budgets.

- **Appropriate Tax Relief for Individuals, Families, and Employers.** Hearings on appropriate tax relief measures for individual taxpayers, families, and employers of all sizes.
- **Internal Revenue Service Operations/Administration of Tax Laws.** Oversight of the major Internal Revenue Service programs, including enforcement, 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 law 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 and administrative proposals contained in the President's fiscal year 2012 and 2013 budgets. Review IRS realignment and closure of service centers and other facilities.
- **Delivery of Tax Refunds.** Oversight related to the delivery of Federal tax refunds via the use of debit cards 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. 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.
- **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 areas where they make the most errors, and consider solutions. Evaluate simplification of information returns to assist taxpayers in determining taxable income. Examine proposals to close the "tax gap" by simplifying compliance with our tax laws.

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- **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 and error rates within the program.
- **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 Corporation (“PBGC”), including financial exposure of the PBGC.

Matters under the Committee’s Health Jurisdiction:

- **Priorities of the Department of Health and Human Services**. Oversight hearing with the Health and Human Services Secretary to discuss priorities for the 112th Congress and concerns related to the delivery of health services and reimbursement under Medicare. Specifically, discuss and consider legislative and administrative proposals contained in the President’s fiscal year 2012 and 2013 budgets.
- **Medicare Part A and Part B (Fee-for-Service Providers)**. Oversight of the major Medicare programs to ensure efficient use of resources, quality of care, and access to providers for Medicare beneficiaries. Specific topics include: adequacy and appropriateness of provider reimbursements, including incentive payments; program benefits; cost sharing; workforce supply; the doctor-patient relationship; treatment of specific populations such as people with disabilities and low-income beneficiaries; quality improvement efforts; implementation of recently enacted Medicare legislation and regulations; and waste, fraud, and abuse activities.
- **Medicare Advantage**. Oversight of Medicare health plans, including: enrollment; reimbursements; benefit packages; quality; beneficiary choice; and recent statutory and regulatory changes affecting Medicare health plans and their enrollees.
- **Medicare Part D (Prescription Drug Plans)**. Oversight of the Medicare prescription drug program, including: drug pricing; beneficiary premiums and cost-sharing; beneficiary choice; impacts of recently enacted legislation and regulations and their impact on the Part D program; and access to retiree prescription drug coverage.

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- **Medicare Entitlement.** Oversight of program changes on the Medicare Trust Funds; premium and copay levels; and benefit design.
- **CMS Administration.** Oversight of CMS, including issuance of regulations and their impact on Medicare providers and beneficiaries; the adequacy and use of CMS' budget and staff; contracting activities; communications with beneficiaries; adherence to the Administrative Procedures Act; and general agency accountability.
- **Private Health Insurance Coverage.** Oversight and review of private health coverage, including: cost, access, subsidies to purchase insurance, benefit design, coverage options, pooling mechanisms, and employer-sponsored benefits; COBRA; HCTC; health savings accounts and flexible spending arrangements; options to reduce the cost of health coverage, expand coverage, and address the rate of increase in health care costs; the impact of recently enacted legislation and regulations on those with private insurance, employers, the economy, and state budgets; and adherence to the Administrative Procedures Act.

Matters under the Committee's Human Resources Jurisdiction:

- **Welfare Reform.** Review and consider proposals to reauthorize the Temporary Assistance for Needy Families (TANF) program and related welfare reform programs. Examine barriers to increasing self-sufficiency among low-income families with children, and how changes to TANF and related programs may better address 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.
- **Unemployment Compensation.** Provide oversight of the nation's unemployment compensation benefits and employment security systems, with a focus on reforms that could better assist beneficiaries in returning to work.
- **Child Welfare.** Provide oversight of the nation's child welfare programs, including foster care, adoption assistance, and child and family service programs under Titles IV-B and IV-E 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 to care for children and improving the oversight of the health and educational needs of foster children. Consider proposals for reauthorizing several child welfare services programs whose authorization expires at the end of FY 2011, as well as proposals designed to improve the financing of child welfare programs and to reduce abuse and neglect of at-risk children.

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- **Low-Income Disabled and Aged Individuals.** Provide oversight of the Supplemental Security Income (SSI) program to examine trends in the program, agency program integrity efforts, and options to reduce administrative complexities in order to target program resources to those most in need.

Matters under the Committee's Social Security Jurisdiction:

- **Strengthening Social Security.** Examine how Social Security programs are meeting the needs of today's and tomorrow's beneficiaries, along with the financial challenges facing the program and proposals to strengthen Social Security.
- **Stewardship of Social Security Programs.** Provide oversight of the management and performance of Social Security programs, including their potential vulnerability to waste, fraud, and abuse, and to explore necessary legislative remedies.
- **Use of the Social Security Number (SSN).** Examine the integrity and protection of SSNs by the Social Security Administration (SSA) and, the use of SSNs and Social Security cards as identifiers and in identity theft and other fraud, along with options for change.
- **Challenges Facing the Disability Insurance (DI) Program.** Provide oversight of the DI program including: assessing the effectiveness of return to work programs, efforts to improve disability claims processing and service delivery, and examining the growth of and options to strengthen the DI program.
- **SSA's Information Technology (IT) Infrastructure.** Assess the effectiveness of the SSA's IT infrastructure, including its management, performance, and strategic planning for future programs and systems development.
- **Service Delivery.** Oversight of the SSA's service to the public during a time of fiscal constraint and evolving service delivery approaches.

Matters under the Committee's Trade Jurisdiction:

- **Signed Trade Agreements with Colombia, Panama, and South Korea.** Oversight of the three signed and pending trade agreements, with focus on setting a clear path forward to consider all three agreements early in 2011.

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- **China**. Oversight of systemic problems in U.S.-China trade relations, including issues related to China's consistent lack of protection and enforcement of U.S. intellectual property rights, indigenous innovation requirements, use of industrial subsidies, export restraints on key products such as rare earth minerals, and currency undervaluation.
- **Other Bilateral and Regional Negotiations**. Oversight of ongoing bilateral and regional negotiations including the Trans-Pacific Partnership. Evaluate prospect for additional trade and investment agreement negotiations.
- **Preference Programs**. Oversight of major U.S. trade preference programs, such as the Generalized System of Preferences, African Growth and Opportunity Act, Caribbean Basin Initiative, Andean Trade Preference Act, and Haitian Hemispheric Opportunity Through Partnership Encouragement Act. Evaluate efficacy of programs and address possible improvements.
- **World Trade Organization ("WTO")**. Oversight of U.S. goals. Evaluation of reasons for the current stalemate in WTO negotiations and consideration of proposals to break impasse and achieve meaningful outcome in all areas. Oversight of accessions to the WTO, including Russia.
- **Enforcement**. Oversight of U.S. enforcement of WTO rights and rights under trade agreements. Evaluation of proposals to strengthen border enforcement related to U.S. intellectual property rights, import safety, and illegal transshipment. Oversight of administration of U.S. trade remedy laws, including border enforcement. Oversight of whether the United States is in compliance with its obligations, particularly where the United States is facing retaliation.
- **Implemented Trade Agreements**. Oversight of implemented agreements involving Peru, Central America/the Dominican Republic, Oman, Bahrain, Singapore, Chile, Australia, Morocco, Jordan, the North American Free Trade Agreement ("NAFTA"), and Israel.
- **Trade Adjustment Assistance**. Renew and provide continued oversight concerning the Trade Adjustment Assistance programs for Workers, Firms, Communities, and Farmers.
- **Priorities of U.S. Customs and Border Protection**. Oversight concerning customs revenue functions and trade facilitation, including enforcement of U.S. trade and customs laws and regulations. Consider proposals related to CBP's capacity, resources, and organizational structure to carry out its mandate.
- **Miscellaneous Tariff Bill ("MTB")**. Continue work concerning noncontroversial bills to eliminate or reduce duties on products not made in sufficient quantities in the United States, in accordance with Committee guidelines and House Rules.

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- **Priorities of the Office of the United States Trade Representative.** Oversight hearing with the United States Trade Representative to discuss priorities for the 112th Congress and concerns related to the international trade agenda.
- **Priorities of the United States International Trade Commission.** Oversight over the Commission concerning overall priorities and operations.

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 112th Congress progresses over the coming two years.

Sincerely,



Dave Camp
Chairman

cc: The Honorable Sandy Levin
Ranking Member