

## **Committee on Oversight and Government Reform**

### **U.S. House of Representatives**

#### **112<sup>th</sup> Congress – First Semiannual Activities Report**

The number one priority of this Congress is to foster private sector job creation and get Americans back to work.

The House Oversight and Government Reform Committee is uniquely positioned to conduct a broad-based, economy-wide examination of the barriers that stand in the way of job growth and economic recovery. In his State of the Union Address, the President called for a government-wide examination of regulations, to “help our companies compete” and to “knock down barriers that stand in the way of their success.”

In the first half of the first session of the 112<sup>th</sup> Congress, the Committee held thirteen oversight hearings, including those at both the full committee and the subcommittee levels, to examine how the rules proposed and implemented by the Environmental Protection Agency, the Department of Interior, the Department of Labor, and the General Services Administration, among others, have hurt job creation. In addition, the Subcommittee on Technology has held three legislative hearings considering ways to improve the Unfunded Mandates Reform Act, culminating in a productive discussion of regulatory review with the Director of the White House Office of Information and Regulatory Affairs.

Private sector economic growth is not only held back by regulatory barriers standing in the way of small, medium-sized, and large businesses, but also by the uncertainty surrounding our nation’s skyrocketing debt. The Committee’s unique position to oversee all federal government agencies and functions, as well as our role in crafting federal workforce and government management legislation, gives us the opportunity to promote private sector economic growth by reducing fraud, abuse, and mismanagement in government spending, and improving government performance.

During the first quarter of the 112<sup>th</sup> Congress, the Committee on Oversight and Government Reform held 64 oversight hearings and reported and discharged seven bills and resolutions to the House for consideration, including the resurrection of the successful D.C. Opportunity Scholarship Program and bills dealing with tax accountability for federal employees and contractors.

To carry out its duties most effectively, the Committee established seven standing subcommittees: the Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy; the Subcommittee on Government Organization, Efficiency and Financial Management; the Subcommittee on Health Care, District of Columbia, Census and the National Archives; the Subcommittee on National Security, Homeland Defense and Foreign Operations; the Subcommittee on Regulatory Affairs, Stimulus Oversight and

Government Spending; the Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs; and the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform.

## **I. Legislative Activities**

### BILLS ENACTED INTO LAW

H.R. 1308, to amend the Ronald Reagan Centennial Commission Act to extend the termination date for the Commission, and for other purposes. Introduced by Rep. Elton Gallegly on April 1, 2011, passed the House on May 12, 2011, and became Public Law 112-13.

### BILLS PASSED BY THE HOUSE

H.R. 471, Scholarships for Opportunity and Results Act. Introduced by Rep. John Boehner on January 26, 2011. History: H.R. 471 was introduced on January 26, 2011; was marked up by the Committee on March 10, 2011, and ordered favorably reported by a vote of 21 ayes to 14 nays; H. Rept. 112-36 filed on March 17, 2011; and passed the House on March 30, 2011, by a vote of 225-195.

H.R. 1255, Government Shutdown Prevention Act of 2011. Introduced by Rep. Steve Womack on March 30, 2011, with primary referral to the Committee on Appropriations. History: H.R. 1255 was introduced on March 30, 2011; the Committee on Oversight and Government Reform did not act on H.R. 1255; and it was passed by the House on April 1, 2011, by a vote of 221-201.

### BILLS PASSED BY THE COMMITTEE

H.R. 828, Federal Employee Tax Accountability Act of 2011. Introduced by Rep. Jason Chaffetz on February 28, 2011. History: Marked up by the Committee on April 13, 2011, and ordered reported favorably, as amended, by voice vote.

H.R. 829, Contracting and Tax Accountability Act of 2011. Introduced by Rep. Jason Chaffetz on February 28, 2011. History: Marked up by the Committee on April 13, 2011, and ordered reported favorably, as amended, by voice vote.

H.R. 899, to amend title 41, United States Code, to extend the sunset date for certain protests of task and deliver order contracts. Introduced by Rep. James Lankford on March 3, 2011. History: Marked up by the Committee on March 10, 2011, and ordered reported favorably, by voice vote; H. Rept. 112-37 filed on March 17, 2011.

H.R. 1470, to amend title 5, U.S.C., to extend the probationary period applicable to appointments in the civil service, and for other purposes. Introduced by Rep. Dennis Ross on April 8, 2011. History: Marked up by the Committee on April 13, 2011, and ordered reported favorably, as amended, by a vote of 15 ayes to 14 nays.

#### POSTAL NAMING MEASURES

Enacted:

H.R. 793, to designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the “Specialist Jake Robert Velloza Post Office.”

Passed by the House:

H.R. 1423, to designate the facility of the United States Postal Service located at 115 4<sup>th</sup> Avenue Southwest in Ardmore, Oklahoma, as the “Specialist Micheal E. Phillips Post Office.”

## II. Oversight Activities

### Full Committee Meetings and Hearings Held

- Jan. 25, 2011, 9:30 a.m.** Full Committee Organization Meeting
- Jan. 26, 2011, 9:30 a.m.** Full Committee Hearing on “Bailouts and the Foreclosure Crisis: Report of the Special Inspector General for the Troubled Asset Relief Program (“SIGTARP”).”  
Witnesses: The Honorable Neil Barofsky, Special Inspector General for the Troubled Asset Relief Program; The Honorable Tim Massad, Acting Assistant Secretary for Financial Stability and Chief Counsel, U.S. Department of the Treasury.
- Feb. 10, 2011, 9:30 a.m.** Full Committee Business Meeting regarding the Oversight Plan.
- Full Committee Hearing, “Regulatory Impediments to Job Creation.” Witnesses: Mr. Jay Timmons, CEO, National Association of Manufacturers; Mr. Tom Nassif, President and CEO, Western Growers Association; Mr. Harry Alford, CEO, Black Chamber of Commerce; Mr. Michael J. Fredrich, President, MCM Composites, LLC; Mr. Jack Buschur, Buschur Electric; Mr. James Gattuso, Senior Research Fellow in Regulatory Policy, The Heritage Foundation; Mr. Sidney Shapiro, Center for Progressive Reform; Ms. Karen Kerrigan, President and CEO, Small Business and Entrepreneurship Council; and Mr. Jerry Ellig, Senior Research Fellow, Mercatus Center.
- Feb. 17, 2011, 9:30 a.m.** Full Committee Hearing “Waste and Abuse: The Refuse of the Federal Spending Binge.” Witnesses: Hon. Claire McCaskill, U.S. Senate; Mr. Andrew Moylan, Vice President of Government Affairs, National Taxpayers Union; Mr. Thomas A. Schatz, President, Citizens Against

Government Waste; Ms. Debra Cammer, Vice President and Partner, IBM; Hon. Gene L. Kodaro, Comptroller General of the United States, U.S. Government Accounting Office; Veronique de Rugy, Ph.D., Senior Research Fellow, Mercatus Center; Mr. Vincent Frakes, Federal Policy Manager, Center for Health Transformation; Mr. Gary Kalman, Director, Federal Legislative Office, U.S. PIRG.

- Feb. 28, 2011, 10:30 a.m.** Joint Hearing with Committee on Transportation and Infrastructure on “America’s Presidential Libraries: Their Mission and Their Future.” Witnesses: Hon. David S. Ferriero, Archivist of the United States, National Archives and Records Administration; Mr. Thomas Putman, Director, John F. Kennedy Presidential Library and Museum; Mr. R. Duke Blackwood, Director, Ronald Reagan Presidential Library; Thomas Schwartz, Ph.D., Illinois State Historian, Abraham Lincoln Presidential Library and Museum; Ms. Anna Eleanor Roosevelt, Chair, Board of Directors, The Roosevelt Institute; and Martha Kumar, Ph.D., Professor, Towson University.
- Mar. 3, 2011, 9:30 a.m.** Full Committee hearing, “The Refuse of the Federal Spending Binge II: How U.S. Taxpayers are Paying Double for Failing Government Programs.” Witnesses: Hon. Thomas M. Davis, III, Director of Federal Government Affairs, Deloitte & Touche LLP; Hon. Gene L. Dodaro, Comptroller General of the United States, U.S. Government Accountability Office; and Ms. Ryan Alexander, President, Taxpayers for Common Sense.
- Mar. 8, 2011, 9:00 a.m.** Full Committee field hearing, “The Foreclosure Crisis” at the University of MD School of Law located at 500, W. Baltimore Street, Baltimore, MD 21201. Witnesses: Hon. Martin O’Malley, Governor of Maryland; Hon. Stephanie Rawlings-Blake, Mayor of Baltimore; Mr. Mark Kaufman, Commissioner of Financial Regulation, MD Department of Labor, Licensing and Regulation; Mr. Kevin Jerron Matthews, Homeowner.

**Mar. 10, 2011, 9:30 a.m.** Full Committee Business Meeting.

H.R. 899 (Lankford) – To amend title 41, United States Code, to extend the sunset date for certain protests of task and deliver order contracts.

- H.R. 899 was ordered reported favorably by voice vote, a quorum being present.

H.R. 793 (Woolsey) – To designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the “Specialist Jake Robert Velloza Post Office.”

- H.R. 793 was ordered reported favorably by unanimous consent, a quorum being present.

H.R. 471 (Boehner) – “Scholarships for Opportunity and Results Act,” or “SOAR Act.”

- 1) Issa amendment in the nature of a substitute – agreed to by voice vote, a quorum being present.
- 2) Norton amendment in the nature of a substitute (to the Issa amendment) – defeated by a record vote of 12 ayes to 21 noes.

Voting aye: Platts, Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Clay, Connolly, Braley, Welch, and Murphy.

Voting no: Issa, Burton, Turner, McHenry, Jordan, Chaffetz, Mack, Walberg, Lankford, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Walsh, Gowdy, Ross, Guinta, Farenthold, and Kelly.

- H.R. 471 was ordered favorably reported, as amended, a quorum being present, by a vote of 21 ayes to 14 nays.

Voting aye: Issa, Burton, Turner, McHenry, Jordan, Chaffetz, Mack, Walberg, Lankford, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Walsh, Gowdy, Ross, Guinta, Farenthold, and Kelly.

Voting no: Platts, Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Clay, Connolly, Quigley, Braley, Welch, Murphy, and Speier.

**Mar. 17, 2011, 9:30 a.m.** Full Committee hearing entitled, “The Freedom of Information Act: Crowd-Sourcing Government Oversight.” Witnesses: Ms. Miriam Nisbet, Director, Office of Government Information, National Archives and Records Administration; Mr. Daniel Metcalfe, Executive Director, Collaboration on Government Secrecy; Mr. Rick Blum, Coordinator, Sunshine in Government; Mr. Tom Fitton, President, Judicial Watch; Ms. Angela Canterbury, Director of Public Policy, Project on Open Government.

**Mar. 31, 2011, 9:30 a.m.** Full Committee hearing entitled, “Why Isn’t the Department of Homeland Security Meeting the President’s Standard on FOIA?” Witnesses: Ms. Mary Ellen Callahan, Chief Privacy Officer, The Privacy Office, U.S. Department of Homeland Security; Mr. Charles K. Edwards, Acting Inspector General, Office of the Inspector General, U.S. Department of Homeland Security; Mr. Ivan Fong, General Counsel, Office of the General Counsel, U.S. Department of Homeland Security; Mr. John Verdi, Senior Counsel, Director of Open Government Project, Electronic Privacy Information Center.

**Apr. 5, 2011, 9:45 a.m.** Full Committee hearing entitled, “Are Postal Workforce Costs Sustainable?” Witnesses: Hon. Louis J. Giuliano, Chairman, U.S. Postal Service Board of Governors; Hon. James C. Miller, III, Governor, U.S. Postal Service Board of Governors; Hon. Patrick R. Donahoe, Postmaster General and CEO, United States Postal Service; and Mr. Cliff

Guffey, President, American Postal Workers Union, AFL-CIO.

**Apr. 13, 2011, 9:30 a.m.** Full Committee Business Meeting.

H.R. 829 (Chaffetz) – the Contracting and Tax Accountability Act of 2011.

- 1) Chaffetz amendment in the nature of a substitute – agreed to by voice vote, as amended.
  - 2) Connolly amendment to the Chaffetz substitute – defeated by voice vote.
  - 3) Speier amendment to the Chaffetz substitute – agreed to by voice vote.
  - 4) Quigley amendment to the Chaffetz substitute – ruled out-of-order (non-germane)
  - 5) Tierney amendment to the Chaffetz substitute – ruled out-of-order (non-germane)
- H.R. 829 was ordered reported favorably by voice vote, as amended, a quorum being present.

H.R. 828 (Chaffetz) – the Federal Employee Tax Accountability Act of 2011.

- 1) Chaffetz amendment in the nature of a substitute – agreed to by voice vote, as amended.
  - 2) Lynch amendment to the Chaffetz substitute – agreed to by voice vote, as amended.  
  
-Ch. Issa asked unanimous consent to change “90” to “60” on page 2, line 10 of the amendment. There was no objection.
  - 3) Davis amendment to the Chaffetz substitute – defeated by voice vote.
- H.R. 828 was ordered reported favorably, as amended, by voice vote, a quorum being present.

H.R. 1470 (Ross-FL) – To amend title 5, U.S.C., to extend the probationary period applicable to appointments in the civil service, and for other purposes.

- 3) Ross amendment in the nature of a substitute – agreed to by voice vote.
- 4) Connolly amendment to the Ross substitute – ruled out-of-order (non-germane)
- 5) Cummings amendment to the Ross substitute – defeated by a vote of 13 ayes to 14 noes.

Voting aye: Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Clay, Lynch, Connolly, Davis, Braley, Murphy and Speier.

Voting no: Issa, Burton, Platts, Chaffetz, Walberg, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Gowdy, Ross and Farenthold.

- H.R. 1470 was ordered favorably reported, as amended, a quorum being present, by a vote of 15 ayes to 14 nays.

Voting aye: Issa, Burton, McHenry, Chaffetz, Walberg, Amash, Buerkle, Gosar, Labrador, Meehan, DesJarlais, Gowdy, Ross, Guinta and Farenthold.

Voting no: Platts, Cummings, Towns, Maloney, Norton, Kucinich, Tierney, Clay, Lynch, Connolly, Davis, Braley, Murphy, and Speier.

*\*\* Note: Had they been present at the vote, Mr. Turner and Mr. Walsh both would have been recorded as voting “aye.” By unanimous consent, this was approved for the record.*

H.R. 1423 (Cole) – To designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the “Specialist Micheal E. Phillips Post Office.”

- H.R. 1423 was ordered favorably reported by unanimous consent, a quorum being present.

**Apr. 14, 2011, 9:30 a.m.** Full Committee hearing entitled, “State and Municipal Debt: Tough Choices Ahead.” Witnesses: Hon. Scott Walker, Governor of Wisconsin; Hon. Peter Shumlin, Governor of Vermont; Andrew Biggs, Ph.D., Resident Scholar, American Enterprise Institute; Mr. Mark Mix, President, National Right to Work Committee; Robert Novy-Marx, Ph.D., Professor of Finance, University of Rochester Simon Graduate School of Business; and Desmond Lachman, Ph.D., Resident Scholar, American Enterprise Institute.

**Apr. 18, 2011, 9:00 a.m.** Full Committee hearing entitled, “Policies Affecting High Tech Growth and Federal Adoption of Industry Best Practices” located at the Council Chambers of the San Jose City Hall, 200 E. Santa Clara Street, San Jose, CA. Witnesses: Mr. Milo Medin, Vice President for Access Services, Google; Mr. Stuart McKee, National Technology Officer, U.S. Public Sector, Microsoft; and Mr. Patrick Quinlan, President, Rivet Software.

**Apr. 19, 2011, 8:30 a.m.** Full Committee hearing entitled, “Regulatory Impediments to Job Creation: Assessing the Cumulative Impact of EPA Regulation on America’s Farmers” located at Salinas City Council Chambers, 200 Lincoln Avenue, Salinas, California. Witnesses: Mr. Tom Nassif, President and CEO, Western Growers Association; Mr. Jim Bogart, President, Growers/Shippers Association of Central California; Mr. Richard R. Smith, Owner, Paraiso Vineyards; Mr. Norm Groot, Executive Director, Monterey County Farm Bureau; Mr. Mike Jarrard, Mann Packing Co., Inc.; Mr. Mark Murai.

**Apr. 21, 2011, 9:00 a.m.** Full Committee hearing entitled, “Federal Policies Affecting Innovation and Job Growth in the Biotech and Pharmaceutical Industries” located at Atkinson Hall, the University of California, San Diego, 9500 Gilman Drive, La

Jolla, CA. Witnesses: David Gollaher, M.D., President and CEO, California Healthcare Institute; Mr. Duane J. Roth, CEO, Connect; Mr. Joseph D. Panetta, President and CEO, BIOCUM; Mr. Alexis Lukianov, Chairman of the Board and Chief Executive Officer, NuVasive, Inc.; Ms. Marye Anne Fox, Chancellor, University of California, San Diego.

**May 3, 2011, 9:30 a.m.**

Full Committee hearing entitled, "Presidential Records in the New Millennium: Updating the Presidential Records Act and Other Federal Recordkeeping Statutes to Improve Electronic Records Preservation." Witnesses: Hon. David S. Ferriero, Archivist of the United States, National Archives and Records Administration; Mr. Brook Colangelo, Chief Information Officer, Office of Administration, Executive Office of the President.

**May 6, 2011, 10:00 a.m.**

Full Committee field hearing entitled, "Pathways To Energy Independence: Hydraulic Fracturing And Other New Technologies, " held at the Kern County Board of Supervisors Chambers, 1115 Truxtun Avenue, Bakersfield, California. Witnesses: Assemblywoman Shannon Grove, 32<sup>nd</sup> District of California; Mr. Rock Zierman, CEO, California Independent Petroleum Association; William F. Whitsitt, Ph.D., Executive Vice President, Devon Energy; Mr. Steve Layton, President, E&B Natural Resources Management Corporation; and Mr. Tupper Hull, Vice President Western States Petroleum Association.

**May 10, 2011, 12:30 p.m.**

Full Committee hearing entitled, "The Future of Capital Formation." Witnesses: Hon. Mary Schapiro, Chairman, U.S. Securities and Exchange Commission; Ms. Meredith Cross, Director of the Division of Corporation Finance, U.S. Securities and Exchange Commission; Mr. Barry E Silbert, Founder and Chief Executive Officer, Second Market, Inc.; Mr. Eric Koester, Chief Operation Officer and Founder, Zaarly, Inc.; Richard W. Rahn, Ph.D., Senior Fellow, Cato Institute; Mr. Jon Macey, Sam Harris Professor of Corporate Law, Securities Law and Corporate Finance, Yale Law School; Hon. Roel Campos, Partner, Locke Lord Bissell & Liddell, LLP.

- May 12, 2011, 1:30 p.m.** Full Committee hearing entitled, “Politicizing Procurement: Will President Obama’s Proposal Curb Free Speech & Hurt Small Business?” Witnesses: The Honorable Daniel Gordon, Administrator for Office of Federal Procurement Policy, OMB; Mr. Alan Chvotkin, Senior Vice President, Professional Services Counsel; Mr. Mark Renaud, Partner, Wiley Rein, LLP; Ms. M.L. Mackey, CEO, Beacon Interactive Systems; Ms. Lawrie Hollingsworth, President, Asset Recovery Technologies, Inc.; Mrs. Marion Blakey, President and CEO, Aerospace Industries Association; Mr. Brad Smith, Professor Capital University Law School.
- May 24, 2011, 9:00 a.m.** Full Committee hearing entitled, “Pain at the Pump: Policies that Suppress Domestic Production of Oil and Gas.” Witnesses: Hon. Lisa P. Jackson, Administrator, Environmental Protection Agency; and Hon. David J. Hayes, Deputy Secretary, U.S. Department of the Interior.

### **Subcommittee Meetings and Hearings Held**

#### **Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy:**

- Mar. 2, 2011, 1:30 p.m.** Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy hearing, “Pushing the Envelope: The Looming Crisis at USPS.” Witnesses: Hon. Patrick Donahoe, Postmaster General, USPS; Ms. Ruth Goldway, Chair, Postal Regulatory Commission; Mr. Phil Herr, Director, Physical Infrastructure Issues, U.S. GAO; Jim Sampey, Executive Vice President and Chief Operations Officer, Valpak; Mr. Arthor Sackler, Coordinator, Coalition for a 21<sup>st</sup> Century Postal Service; and Mr. Frederic Rolando, Director of Legislative and Political Affairs, National Association of Letter Carriers (AFL-CIO).
- Mar. 9, 2011, 10:00 a.m.** Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy hearing, “Are Federal Workers

Underpaid?” Witnesses: Hon. John Berry, Director, Office of Management and Budget; Mr. Andrew Biggs, Ph.D., Resident Fellow, American Enterprise Institute; Mr. James Sherk, Senior Policy Analyst in Labor Economics, The Heritage Foundation; Mr. Max Stier, President, Partnership for Public Service; and Ms. Colleen Kelley, National President, National Treasury Employees Union.

**Apr. 13, 2011, 1:30 p.m.** Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy hearing entitled, “Federal Employees’ Compensation Act: A Fair Approach?” Witnesses: Mr. Gary Steinberg, Acting Director, Office of Workers’ Compensation Programs, U.S. Department of Labor; Mr. Douglas Fitzgerald, Director, Division of Federal Employees’ Compensation, U.S. Department of Labor; Mr. Bill Siemer, Assistant IG for Investigations, USPS; Ms. Lisa McManus, President and CEO, Contract Claim Services, Inc., Ms. Milagros Rodriguez, Occupational Health and Safety Specialist, AMGE.

**May 12, 2011, 9:30 a.m.** Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy hearing entitled, “Where Have All the Letters Gone? –The Mailing Industry and Its Future.” Witnesses: Mr. Dave Riebe, President of Logistics and Distribution, Quad/Graphics; Mr. Jerry Cerasale, Senior Vice President, Government Affairs, Direct Marketing Association; Mr. Rob Melton, Vice President of Specialty Paper, Domtar; and Mr. Todd Haycock, Director, Postal Services, 3i Infotech, North America.

**May 26, 2011, 9:30 a.m.** Subcommittee on the Federal Workforce, U.S. Postal Service and Labor Policy hearing entitled, “Rightsizing the Federal Workforce.” Witnesses: Hon. Cynthia M. Lummis, U.S. House of Representatives; Hon. Thomas Marino, U.S. House of Representatives; Mr. Andrew G. Biggs, Resident Scholar, AEI; and Mr. William R. Dougan, National President, National Federation of Federal Employees.

**Subcommittee on Government Organization Efficiency and Financial Management:**

- Feb. 11, 2011, 10:00 a.m.** Subcommittee on Government Organization Efficiency and Financial Management hearing, “A Look at the FY 2010 Consolidated Financial Report of the U.S. Government.” Witnesses: Hon. Gene Dodaro, Comptroller General of the United States, U.S. GAO; Hon. Richard L. Gregg, Fiscal Assistant Secretary, U.S. Dept. of the Treasury.
- Feb. 16, 2011, 1:30 p.m.** Subcommittee on Government Organization, Efficiency and Financial Management hearing, “Making Sense of the Numbers: Improving the Federal Financial Reporting Model.” Witnesses: Mr. Thomas Allen, Chairman, The Federal Accounting Standards Advisory Board; Mr. Jonathan D. Breul, Executive Director, IBM Center for the Business of Government; Mr. Michael J. Hettinger, Executive Director, Grant Thornton LLP.
- Mar. 9, 2011, 10:00 a.m.** Subcommittee on Government Organization, Efficiency and Financial Management hearing, “A Look at the FY10 Consolidated Financial Report of the U.S. Government.” Witnesses: Hon. Gene L. Dodaro, Comptroller General of the United States, U.S. GAO; Hon. Daniel I. Werfel, Controller, Office of Management and Budget; and Hon. Richard L. Gregg, Fiscal Assistant Secretary, U.S. Department of the Treasury.
- Mar. 10, 2011, 1:30 p.m.** Joint hearing of the Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs and the Subcommittee on Government Organization, Efficiency and Financial Management entitled, “Financial management, Work Force, and Operations at the SEC: Who’s Watching Wall Street’s Watchdog?” Witnesses: Witnesses: Hon. Mary Schapiro, Chairman, U.S. Securities and Exchange Commission; Mr. Jeffrey Risinger, Director, Office of Human Resources, SEC; Mr. Jonathan Katz, Former Secretary, SEC; Mr. Stephen J. Crimmins, K & L

Gates, LLP; Ms. Helen Chairman, Attorney at Law, Baker and Poliakoff, LLP.

**Apr. 15, 2011, 10:00 a.m.** Subcommittee on Government Organization, Efficiency and Financial Management hearing entitled, “Improper Payments: Finding Solutions.” Witnesses: Hon. Daniel Werfel, Controller, OMB; and Ms. Kay L. Daly, Director, Financial Management and Assurance, U.S. GAO.

**May 13, 2011, 10:00 a.m.** Subcommittee on Government Organization, Efficiency, and Financial Management hearing entitled, “Financial Management at the Department of Homeland Security.” Witnesses: Ms. Peggy Sherry, Deputy Chief Financial Officer and Acting CFO, DHS.

**Subcommittee on Health Care, District of Columbia, Census and the National Archives:**

**Mar. 1, 2011, 9:30 a.m.** Subcommittee on Health Care, District of Columbia, Census and the National Archives hearing entitled, “The D.C. Opportunity Scholarship Program: Keeping the Door Open.” Witnesses: Mr. Ronald Holassie, Senior, Bishop Carroll High School; Ms. Lesly Alvarez, 8<sup>th</sup> Grader, Sacred Heart School; Ms. Sheila Jackson, Mother of DC OSP Student; Ms. Latasha Bennett, Mother of DC OSP Student; Mr. Kevin Chavous, Chairman, Black Alliance for Education Options; Patrick Wolf, Ph.D., University of Arkansas; Ms. Betty North, Principal and CEO, Preparatory School of D.C.; and Ramona Edelin, Executive Director, D.C. Association of Public Charter Schools.

**Mar. 15, 2011, 1:30 p.m.** Subcommittee on Health Care, District of Columbia, Census and the National Archives hearing entitled, “Obamacare: Why the Need for Waivers?” Witnesses: Mr. Steven B. Larsen, J.D., Deputy Administrator and Director, Center for Consumer Information and Insurance Oversight,

Centers for Medicare & Medicaid Services; Mr. Edmund F. Haislmaier, Senior Research Fellow, Center for Health Policy Studies, The Heritage Foundation; Mr. Scoot Wold, Esq., Shareholder, Hitesman & Wold, P.A.; and Ms. Judy Feder, Ph.D., Professor, Georgetown University.

**Apr. 5, 2011, 1:30 p.m.**

Subcommittee on Health Care, D.C., Census and the National Archives hearing entitled, "Waste, Abuse and Mismanagement in Government Health Care." Witnesses: Ms. Deborah Taylor, CFO, Centers for Medicare & Medicaid Services; Peter Budetti, M.D., Deputy Administrator for Program Integrity, Centers for Medicare & Medicaid Services; Mr. Gerald T. Roy, Deputy Inspector General for Investigations, Office of Inspector General, U.S. Department of Health and Human Services; Hon. Loretta Lynch, U.S. Attorney for the Eastern District of New York; Mr. David Botsko, Inspector General, Arizona Health Care Cost Containment System; Ms. Jean MacQuarrie, Vice President for Client Services, Thomson Reuters; Mr. Michael Cannon, Director of Health Policy Studies, Cato Institute; and Ms. Rachel Klein, Deputy Director for Health Policy, Families USA.

**May 12, 2011, 8:45 a.m.**

Subcommittee on Health Care, District of Columbia, Census, and the National Archives hearing entitled, "The District of Columbia's Fiscal Year 2012 Budget: Ensuring Fiscal Sustainability." Witnesses: Hon. Vincent Gray, Mayor, District of Columbia; Hon. Kwame Brown, Chairman, D.C. City Council; Natwar Gandhi, Ph.D., Chief Financial Officer, District of Columbia; Mr. Matt Fabian, Managing Director, Municipal Market Advisors; and Alice Rivlin, Ph.D., Brookings Institution.

**Subcommittee on National Security, Homeland Defense and Foreign Operations:**

**Mar. 2, 2011, 9:30 a.m.**

Subcommittee on National Security, Homeland Defense and Foreign Operations hearing, "U.S. Military Leaving Iraq: Is the State Department Ready?" Witnesses: Mr. Grant S. Green, Commissioner, Commission on Wartime Contracting; Mr. Michael Thibault, Co-Chair, Commission

on Wartime Contracting; Mr. Stuart Bowen, jr., Special Inspector General, Office of the Special Inspector General for Iraq Reconstruction; Ambassador Patrick Kennedy, Under Secretary for Management, U.S. Department of State; Ambassador Alexander Vershbow, Assistant Secretary for International Security Affairs, U.S. Department of Defense; Mr. Frank Kendall, Principal Deputy Under Secretary for Acquisition, Technology and Logistics, U.S. Department of Defense.

**Mar. 16, 2011, 9:30 a.m.** Subcommittee on National Security, Homeland Defense and Foreign Operations hearing, “TSA Oversight Part 1: Whole Body Imaging.” Witnesses: Hon. Sharon Cissna, Representative, Alaska State House of Representatives; Mr. Marc Rotenberg, Executive Director, Electronic Privacy Information Center; Mr. Fred H. Cate, Senior Policy Advisor, Centre for Information Policy Leadership, Hunton & Williams; David J. Brenner, Ph.D., Center for Radiological Research, Columbia University; Mr. Stewart A. Baker, Partner, Steptoe and Johnson, LLP; Mr. Lee Kair, Assistant Administrator for Security Operations, TSA; and Mr. Robin E. Kane, Assistant Administrator for Security Technology, TSA.

**Apr. 14, 2011, 1:30 p.m.** Subcommittee on National Security, Homeland Defense and Foreign Operations hearing entitled, “Tsunami Warning, Preparedness, and Interagency Cooperation: Lessons Learned.” Witnesses: William Leith, Ph.D., Acting Associate Director for National Hazards, U.S. Geological Survey, U.S. Department of the Interior; Mr. Kenneth D. Murphy, Regional Administrator – Region X, FEMA; Ms. Mary Glackin, Dep. Under Secretary for Oceans and Atmosphere, U.S. Department of Commerce; Mr. John W. Madden, Director Division of Homeland Security and Emergency Management, State of Alaska; and Ms. Nancy Ward, Regional Administrator, FEMA.

**Apr. 15, 2011, 9:30 a.m.** Subcommittee on National Security, Homeland Defense and Foreign Operations and Natural Resources Committee’s Subcommittee on National Parks, Forests and Public Lands joint hearing entitled, “The Border: Are Environmental

Laws and Regulations Impeding Security and Harming the Environment?” Witnesses: Hon. Silvestre Reyes, Member of Congress; Mr. Ronald Vitiello, Deputy Chief, U.S. Customs and Border Patrol, U.S. Department of Homeland Security; Ms. Kim Thorsen, Deputy Assistant Secretary for Law Enforcement, Security and Emergency Management, U.S. Department of the Interior; Mr. Jay Jensen, Deputy Under Secretary for Natural Resources and Environment, U.S. Department of Agriculture; Mr. George Zachary Taylor National Association of Former Border Patrol Officers; Mr. Gene Wood, National Association of Former Border Patrol Officers; Mr. Jim Chilton, Chilton Ranch; and Ms. Anu Mittal, Director, Natural Resources and Environment, U.S. GAO.

**May 4, 2011, 1:30 p.m.**

Subcommittee on National Security, Homeland Defense and Foreign Operations hearing entitled, “Is This Any Way to Treat Our Troops? Part III: Transition Delays.” Witnesses: Mr. John Medve, Executive Director, VA/DOD Collaboration Service, U.S. Department of Veterans’ Affairs; Mr. Dan Bertoni, Director, Education, Workforce, and Income Security, U.S. GAO; Ms. Lynn Simpson, Acting Principal Deputy Under Secretary of Defense for Personnel and Readiness, U.S. Department of Defense; Mr. Mark Bird, IT Team Assistant Director, U.S. GAO; and Mr. Randall B. Williamson, Health Care Team Director, U.S. GAO.

**May 11, 2011, 1:30 p.m.**

Subcommittee on National Security, Homeland Defense and Foreign Operations hearing entitled, “USAID: Following the Money.” Witnesses: Hon. Rajiv Shah, Administrator, U.S. AID; and Hon. Donald Gambatesa, IG, U.S. AID.

**May 25, 2011, 1:30 p.m.**

Subcommittee on National Security, Homeland Defense and Foreign Operations hearing entitled, “Cybersecurity: Assessing the Immediate Threat to the United States.” Witnesses: Rear Admiral Michael A. Brown, Director, Cybersecurity Coordination, U.S. Department of Homeland Security; Mr. James A. Lewis, Director of Technology and Public Policy Program, CSIS; Mr. Sean McGurk, Director,

National Cybersecurity and Communications Integration Center, U.S. Department of Homeland Security; Mr. Dean Turner, Director, Global Intelligence Network Symantec Security Response; Mr. Phillip Bond, President, TechAmerica.

**Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending:**

**Feb. 16, 2011, 10:00 a.m.** Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending hearing, “The Stimulus: Two Years Later.” Witnesses: John Taylor, Ph.D., Professor of Economics, Stanford University; Russell Roberts, Ph.D., Professor of Economics, Mercatus Center, George Mason University; Christina Romer, Ph.D., Professor of Economics, University of California at Berkeley; Jared Bernstein, Ph.D., Office of the Vice President, The White House; J.D. Foster, Ph.D., Norman B. Ture Senior Fellow in the Economic of Fiscal Policy, The Heritage Foundation; Mr. Alex Brill, Research Fellow, American Enterprise Institute; Mr. Andrew Busch, Global Currency and Public Policy Strategist, BMO Capital Markets Investment Banking Division; Mr. Chris Edwards, Director of Tax Policy Studies, Cato Institute; Josh Bivens, Ph.D., Economic Policy Institute.

**Mar. 9, 2011, 10:00 a.m.** Subcommittee on Regulatory Affairs, Stimulus Oversight And Government Spending hearing, “Assessing the Cumulative Impact of Regulation on U.S. Manufacturers.” Witnesses: Mr. Aris Papadopolous, CEO and Chairman, Portland Cement Association; Ms. Donna Harman, CEO, American Forest and Paper Association; Mr. Michael P. Walls, Vice President, Regulatory and Technical Affairs, American Chemistry Council; Mr. Michael Kamnikar, Senior Vice President, Forging Industry Association, Ellwood Group; Mr. Bernard Schimmel, Vice President, Technical Services, Boral Bricks, Inc.; and Mr. David C. Foerter, Executive Director, Institute of Clean Air Companies (ICAC).

**Mar. 16, 2011, 1:30 p.m.** Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending hearing, "Project Labor Agreements and the Cost of Doing Business in the Construction Industry." Witnesses: Mr. John Ennis, CEO, Ennis Electric, Inc.; Ms. Linda Figg, FIGG Engineering Group; Dale Belman, Ph.D., MSU School of Industrial and Labor Relations; Mr. John Biagas, Bay Electric Inc.; Mr. Maurice Baskin, American Builders and Contractors, Inc.; Mr. Daniel Gordon, Administrator, Office of Federal Procurement Policy, Executive Office of the President; Mr. Robert Peck, Commissioner of Public Buildings, GSA; and David Michaels, Ph.D., Assistant Secretary for Occupational Health and Safety, U.S. Department of Labor.

**Apr. 6, 2011, 1:30 p.m.** Subcommittee on Regulatory Affairs, Stimulus Oversight and Government hearing entitled, "Assessing the Impact of Greenhouse Gas Regulations on Small Business." Witnesses: Mr. Joe Rajkovic, Director of Regulatory Affairs, Owner-Operator Independent Drivers Association; David Kreutzer, Ph.D., Research Fellow in Energy Economics and Climate Change, The Heritage Foundation; Mr. David D. Doniger, Policy Director, Climate Center, Natural Resources Defense Council; Mr. Keith Holman, Deputy Executive Director, National Lime Association; Ms. Gina McCarthy, Assistant Administrator for the Office of Air and Radiation, U.S. EPA; and Ms. Claudia Rodgers, Deputy Chief Counsel, Office of Advocacy, U.S. Small Business Administration.

**Apr. 20, 2011, 9:00 a.m.** Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending hearing entitled, "Regulatory Impediments to Job Creation in the Northeast Part I" located at Irondequoit Town Hall, 1280 Titus Avenue, Irondequoit, NY. Witnesses: Mr. Mike Medina, President, Optimax; Ms. Rebecca A. Meinking, Executive Vice President, Radece Corporation; Mr. Bill Pollock, CEO, Optimization; Mrs. Cathy Martin, President, Monroe County Farm Bureau; Mr. Jonathan L. Taylor, Oakridge Dairy; Mr. John Teeple, Teeple Farms, Inc.; Ms. Jolene Bender, Supervisor, Town of Marion; Ms. Maggie Brooks, Monroe County Executive; and Sheriff Barry Virts, Wayne County.

**Apr. 20, 2011, 3:00 p.m.** Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending hearing entitled, “Regulatory Impediments to Job Creation in the Northeast Part II” located at South Side Innovation Center, 2610 S. Salina Street, Syracuse, NY. Witnesses: Mr. Jud Gostin, President, Sensis Corporation; Mr. Steve Lefebvre, President, Empire ABC; Mr. Andrew Reeves, Owner, Reeves Farms; Mrs. Nancy Hourigan, Owner, Hourigan’s Dairy Farm; Mr. Tom DeMarree, Owner, Demree Orchards; Mr. Orrin MacMurray, Chairman, C & S Companies; Mr. Travis Glazier, Director of Intergovernmental Relations, Onondaga County Executive; and Mr. Thomas Squires, Cayuga County Administrator.

**May 25, 2011, 1:30 p.m.** Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending hearing entitled, “How Federal Reserve Policies Add to Hard Times at the Pump.” Witnesses: Mr. Vincent R. Reinhart, Resident Scholar, AEI; Robert Murphy, Ph.D., Economist, Institute for Energy Research; Dean Baker, Ph.D., Co-Director, Center for Economic Policy Research; Mr. Greg Wannemacher, President, Wannemacher Total Logistics; and Ms. Karen Kerrigan, President and CEO, Small Business and Entrepreneurship Council.

**Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs:**

**Feb. 9, 2011, 9:30 a.m.** Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs hearing, “State and Municipal Debt: The Coming Crisis?” Witnesses: Ms. Nicole Gelinis, Manhattan Institute; Mr. David Skeel, S. Samuel Arsht Professor of Corporate Law, University of Pennsylvania Law School; Ms. Eileen Norcross, Mercatus Center, George Mason University; Ms. Iris J. Lav, Senior Advisor, Center on Budget and Policy Priorities.

**Mar. 10, 2011, 1:30 p.m.** Joint hearing of the Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs and

the Subcommittee on Government Organization, Efficiency and Financial Management entitled, “Financial Management, Work Force, and Operations at the SEC: Who’s Watching Wall Street’s Watchdog?” Witnesses: Hon. Mary Schapiro, Chairman, U.S. Securities and Exchange Commission; Mr. Jeffrey Risinger, Director, Office of Human Resources, SEC; Mr. Jonathan Katz, Former Secretary, SEC; Mr. Stephen J. Crimmins, K & L Gates, LLP; Ms. Helen Chairman, Attorney at Law, Baker and Poliakoff, LLP.

**Mar. 15, 2011, 1:30 p.m.** Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs hearing entitled, “State and Municipal Debt: The Coming Crisis? Part II.” Witnesses: Hon. Daniel Liljenquist, Utah State Senator; Ms. Robin Prunty, Managing Director, Standard & Poor’s; Dean Baker, Ph.D., Center for Economic Policy and Research; Mr. Robert Kurtter, Moody’s Investors’ Service; and Andrew Biggs, Ph.D., The American Enterprise Institute.

**Mar. 30, 2011, 9:30 a.m.** Subcommittee on TARP, Financial Services, and Bailouts of Public and Private Programs hearing, “Has Dodd-Frank Ended Too Big to Fail?” Witnesses: Hon. Neil Barofsky, Special IG for TARP; and Hon. Tim Massad, Acting Assistant Secretary for Financial Stability and Chief Counsel, U.S. Department of the Treasury.

**May 11, 2011, 2:00 p.m.** Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs hearing entitled, “Transparency as an Alternative to the Federal Government’s Regulation of Risk Retention.” Witnesses: Mr. Edward DeMarco, Acting Director, Federal Housing Finance Agency; Anthony B. Sanders, Ph.D., Professor, George Mason University; Mr. Joshua Rosner, Managing Director, Graham Fisher & Co., Inc.; and Ms. Janneke Ratcliffe, Executive Director, Center for Community Capital, UNC.

**May 24, 2011, 1:30 p.m.** Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs hearing entitled, “Who’s

Watching the Watchmen? Oversight of the Consumer Financial Protection Bureau.” Witnesses: Hon. Elizabeth Warren, Special Advisor to the Secretary of the Treasury for the Consumer Financial Protection Bureau; Mr. Todd Zywicki, Foundation Professor of Law, George Mason University; David S. Evans, Ph.D., Chairman, Global Economics Group; Mr. Adam Levitin, Associate Professor of Law, Georgetown University Law Center; and Mr. Andrew Pincus, Partner, Mayer Brown Rowe & Maw, LLP.

**Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform:**

**Feb. 15, 2011, 9:30 a.m.** Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform hearing, “Unfunded Mandates and Regulatory Overreach.” Witnesses: Mayor Patrice Douglas, City of Edmond, OK; Ms. Susan Dudley, George Washington University Regulatory Studies Center; Ms. Denise M. Fantone, Director, Strategic Issues, U.S. GAO; Mr. Anthony H. Griffin, County Executive, Fairfax County, VA.

**Mar. 11, 2011, 10:00 a.m.** Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform hearing, “Transparency Through Technology: Evaluating Federal Open-Government Initiatives.” Witnesses: Ms. Ellen Miller, Executive Director, Sunlight Foundation; Danny Harris, Ph.D., Chief Information Officer, U.S. Department of Education; Mr. Christopher L. Smith, Chief Information Officer, U.S. Department of Agriculture; Mr. Jerry Brito, Senior Research Fellow, Mercatus Center, George Mason University; and Hon. Danny Werfel, Controller, Office of Federal Financial Management, OMB.

**Mar. 30, 2011, 1:30 p.m.** Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement hearing, “Unfunded Mandates and Regulatory Overreach Part II.” Witnesses: Hon. Joni Cutler, South Dakota State Senator; Mr. Raymond J. Keating, Chief Economist, Small Business

& Entrepreneurship Council; and Mr. John C. Arensmeyer, Founder and CEO, Small Business Majority.

**Apr. 7, 2011, 1:30 p.m.** Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform hearing entitled, “Regulatory Barriers to American Indian Job Creation.” Witnesses: Ms. Mary L. Kendall, Acting Inspector General, Department of the Interior; Ms. Anu K. Mittal, Director, Natural Resources and Environment Team, U.S. GAO; Ms. Patricia Douville, Council Member, Rosebud Sioux Tribe; and Hon. Ron Allen, Chairman, Jamestown S’Klallam Tribe.

**May 25, 2011, 9:30 a.m.** Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform entitled, “Unfunded Mandates, Regulatory Burdens and the Role of the Office of Information and Regulatory Affairs.” Witness: Hon. Cass Sunstein, Administrator, Office of Information Regulatory Affairs, OMB.

### **III. Summary of Committee Oversight Plan**

Pursuant to Rule X, Clause 2(d) of the Rules of the House, the Committee on Oversight and Government Reform for the 112<sup>th</sup> Congress adopted the following plan to guide the work of its subcommittees and the full committee. Because of the Committee’s role as the principal oversight body of the federal government and its mandate to investigate “any matter at any time,” this plan did not preclude oversight and investigation of other matters of importance to the American people.

#### **The Committee’s adopted plan indicates oversight in several sectors, including:**

- **Government Spending and Economic Stimulus-** including the American Reinvestment and Recovery Act and other economic stimulus programs.
- **Financial Sector Regulation-** including the implementation of Dodd-Frank, reviewing the FCIC, the creation of the CFBP, the Troubled Asset Relief Program and the recommendations of the Special Inspector General, including the failure of the Home Affordable Mortgage Program, and the Federal Housing Finance Agency’s oversight of Fannie Mae and Freddie Mac.
- **Consumer Protection-** including abuses by the mortgage industry which, coupled with high unemployment and a stagnant economy, have contributed to the foreclosure crisis.

- **Government Watchdogs-** including the effectiveness of federal government inspectors general and their freedom from political interference, and ensuring the independence and integrity of the Government Accountability Office, and the federal government's actions on the recommendations in their biannual *High Risk Series* and their new annual list of duplicative, overlapping, and fractured federal programs.
- **Federal Financial Management-** including the record \$125 billion in improper payments made in 2010, growth in non-tax debt owed to the Federal Government, the persistent inability of many federal agencies to achieve a clean audit, and a comprehensive detailed review of financial management systems in place in the Federal Government.
- **Federal Real Property Disposal-** including the proposal to use a Base Realignment and Closure style initiative to reduce the federal deficit by disposing of excess property.
- **Government Contracting-** including the transition from primarily Department of Defense personnel to Department of State support in Iraq, and the inclusion of mandated Project Labor Agreements in federal construction contracts.
- **Open Government and Transparency-** including federal spending data accuracy, grant reform, the implementation of the Government Performance and Review Act and Performance.gov, compliance with the Presidential Records Act and the Federal Records Act and the need to update those acts to keep up with technology, political travel and the Hatch Act, allegations of political interference with the Freedom of Information Act, and a government-wide review of FOIA backlogs and agency efforts to eliminate them.
- **Technology Policy-** including the Committee's ongoing oversight of the Federal Information Security Management Act, and the emergence of a federal cybersecurity policy.
- **Federal Regulation and the Regulatory Process-** including updating and strengthening the Unfunded Mandates Review Act of 1995, reviewing the role of the White House Office of Information and Regulatory Affairs in rulemaking, and initiating a government-wide and economy-wide review of regulatory impediments to job creation, and soliciting input from the private sector.
- **Domestic Energy Production-** including actions taken by the Federal Government that have impeded the development of domestic energy resources, including actions taken to discourage the use of new and newly deployed technologies, allegations of mismanagement and abuse at the Nuclear Regulatory Commission, the reorganization of the Bureau of Ocean Energy Management Regulation and Enforcement, and the Administration's moratorium on issuing oil drilling permits in the Gulf.
- **EPA Regulatory Actions and Litigation-** including the adequacy of the economic analysis of proposed rules, enforcement and permitting decisions made by the Agency, and the endangerment finding for greenhouse gases.
- **Healthcare and Drug Policy-** including systemic problems with medical device approval, prevalence of fraud and abuse in Medicaid and Medicare, impediments faced by the biotech industry, food safety, the Office of National Drug Control

Policy, and the issuance of waivers to companies and states struggling to comply with provisions of the Affordable Care Act and other implementation issues.

- **District of Columbia-** including the District’s use of federal education funds and the D.C. Opportunity Scholarship Program, D.C. fiscal management, and general oversight of the D.C. government.
- **Information Policy-** including the Census, the National Archives and Records Administration, the Presidential Library System, and the future of the Presidential Records Act.
- **Federal Workforce Policies-** including pay and benefits, the use of “official time” to conduct union activities, and the appropriate size of the workforce.
- **United States Postal Service-** focusing on policies that will address the actual long-term fiscal sustainability of USPS and avoid a taxpayer bailout.
- **National Security and Foreign Operations-** including the Department of Defense to State transition in Iraq, waste and mismanagement at USAID, and the growing delays in the transition process from DOD to Veterans Affairs health care systems for wounded warriors.
- **Homeland Security-** including ongoing problems with financial management, operations and decision-making at the Department of Homeland Security, and policies regarding privacy and security at airports and the effectiveness of the Transportation Security Administration.

#### **IV. Summary of Actions Taken and Recommendations Made with Respect to the Oversight Plan**

- **Stimulus Spending-** The Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending held a hearing on the two-year anniversary of the American Recovery and Reinvestment Act (the stimulus bill) to examine the effects of the stimulus on the economy after two years. During “The Stimulus: Two Years Later” hearing, economists and policy experts from a wide range of universities and public policy institutes testified about the results of the stimulus. Economist Russell Roberts at George Mason University summed up the views of the majority of the panel when he declared in his testimony that “the results have been deeply disappointing.”
- **Financial Sector Regulation-** In January, the full Committee held a hearing entitled “Bailouts and the Foreclosure Crisis: Report of the Special Inspector General for the Troubled Asset Relief Program” and heard testimony from Neil Barofsky, Special Inspector General for the Troubled Asset Relief Program (TARP). In his testimony he concluded that “the Home Affordable Modification Program (“HAMP”) — has been beset by problems from the outset and, despite frequent retooling, continues to fall dramatically short of any meaningful standard of success.” In late March, the Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs held a hearing entitled “Has Dodd-Frank Ended Too Big to Fail?” Mr. Barofsky testified that the costs of TARP included “the increased moral hazard and potentially disastrous consequences associated

with the continued existence of financial institutions that are ‘too big to fail.’” Additionally in March, the TARP Subcommittee held a joint hearing with the Subcommittee on Government Organization, Efficiency and Financial Management on the state of the Securities and Exchange Commission (SEC), entitled “Financial Management, Work Force, and Operations at the SEC: Who's Watching Wall Street's Watchdog?” where the subcommittees heard from SEC Chairwoman Mary Schapiro, as well as other current and former SEC officials. In May, the Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs held a hearing, entitled “Who's Watching the Watchmen? Oversight of the Consumer Financial Protection Bureau.” The Subcommittee heard testimony from Elizabeth Warren, Assistant to the President, and Special Advisor to the Secretary of the Treasury, along with several experts from universities and the U.S. Chamber of Commerce, about the new Consumer Financial Protection Bureau.

- **Consumer Protection-** On March 8, the full Committee held its first field hearing in Baltimore, MD, entitled “The Foreclosure Crisis.” The Committee took testimony from Maryland Governor Martin O’Malley, Baltimore Mayor Stephanie Rawlings-Blake, Mark Kaufman of the Maryland Commission on Financial Regulation, Jane Wilson from the St. Ambrose Housing Aid Center, and Iraq war veteran Kevin Matthews, who was illegally locked out of his home when his bank prematurely moved forward on a foreclosure.
- **Government Watchdogs-** In mid February the full Committee held a hearing entitled “Waste and Abuse: The Refuse of the Federal Spending Binge” during which the Committee heard from the Comptroller of the United States and several private sector witnesses about the 2011 Government Accountability Office’s High Risk List (an ongoing series of GAO reports that detail the highest risk and most problematic programs in the federal government). In early March the Full Committee held another hearing entitled “The Refuse of the Federal Spending Binge II: How U.S. Taxpayers are Paying Double for Failing Government Programs” that examined a new report by the GAO focusing on duplicative federal government programs.
- **Federal Financial Management-** In March, the Subcommittee on Government Organization, Efficiency and Financial Management held a hearing entitled, “A Look at the FY2010 Consolidated Financial Statements of the U.S. Government” during which the Comptroller General of the United States testified that “three major impediments continued to prevent GAO from rendering an opinion on the Federal Government’s accrual-based consolidated financial statements” including “financial management problems at the Department of Defense” and “the Federal Government’s ineffective process for preparing the consolidated financial statements.” The Subcommittee held several other hearings on federal financial management, including “Making Sense of the Numbers: Improving the Federal Financial Reporting Model,” “A Look at the FY2010 Consolidated Financial

Statements of the U.S. Government,” “Improper Payments: Finding Solutions,” and “Financial Management at the Department of Homeland Security.”

- **Federal Real Property Disposal-** In May, Chairman Issa sent a letter to the Congressional Budget Office (CBO) asking for an estimate of President Obama’s “Civilian Property Realignment Act.”
- **Government Contracting-** The Subcommittee on National Security, Homeland Defense and Foreign Operations conducted a hearing entitled “U.S. Military Leaving Iraq: Is the State Department Ready?” Several officials from the Departments of State and Defense testified, as well as commissioners from the Commission on Wartime Contracting in Iraq and Afghanistan. One of the Commissioners, Grant Green, testified that “this hearing poses the question, ‘U.S. Military Leaving Iraq: Is the State Department Ready?’ The short answer is ‘no,’ and the short reason for that answer is that establishing and sustaining an expanded U.S. diplomatic presence in Iraq will require State to take on thousands of additional contractor employees that it has neither funds to pay nor resources to manage.”
- **Open Government and Transparency-** In late March, the full Committee held a hearing entitled, “Why Isn’t the Department of Homeland Security Meeting the President’s Standard on FOIA?” and issued a staff report entitled “A New Era of Openness? How and Why Political Staff at DHS Interfered with the FOIA Process” to determine why DHS was not following President Obama’s promise of more openness and transparency. Chairman Issa began the hearing by outlining DHS’s FOIA problems, saying “now two full years into the Obama administration, Congressional investigators have uncovered evidence that career FOIA professionals at DHS have been compromised in their statutory compliance by the intrusion of DHS political staff into the department’s FOIA procedures.” The Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform held a hearing in March to examine how technology could be used to create transparency entitled “Transparency Through Technology: Evaluating Federal Open-Government Initiatives.”
- **Technology Policy-** In May, the National Security, Homeland Defense and Foreign Operations Subcommittee held a hearing, “Cybersecurity: Assessing the Immediate Threat to the United States” to examine cybersecurity. Several private sector witnesses testified, as well as Sean McGurk from the National Cyber Security Division of the Department of Homeland Security, who informed the Subcommittee that “The United States confronts a combination of known and unknown vulnerabilities, strong and rapidly expanding adversary capabilities, and a lack of comprehensive threat and vulnerability awareness.”
- **Federal Regulation and the Regulatory Process-** From the beginning of the 112<sup>th</sup> Congress, excessive federal regulation and the regulatory process hindering job creation has been a priority of the Committee, and the Committee held a series

of hearings on the subject. In February, the full Committee held a hearing entitled “Regulatory Impediments to Job Creation” during which the Committee heard from a variety of business leaders and policy experts. The Committee also released a 97 page staff report entitled “Assessing Regulatory Impediments to Job Creation” to document specific examples of government regulations that businesses say hinder job creation. In April, the Committee held a field hearing in San Jose, California on “Policies Affecting High Tech Growth and Federal Adoption of Industry Best Practices.” The Committee heard from several leaders in the tech industry about how government regulations affect their businesses, including Google and Microsoft. The full Committee held two more hearings on federal regulation in April entitled, “Regulatory Impediments to Job Creation: Assessing The Cumulative Impact of EPA Regulation on Farmers” and “Federal Policies Affecting Innovation and Job Growth In the Biotech and Pharmaceutical Industries.” The Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending also held a series of hearings on the topic: “Assessing the Cumulative Impact of Regulation on U.S. Manufacturers,” “Regulatory Impediments to Job Creation: The Cost of Doing Business in the Construction Industry,” “Assessing the Impact of EPA Greenhouse Gas Regulations on Small Business,” “Regulatory Impediments to Job Creation in the Northeast Part I,” and “Regulatory Impediments to Job Creation in the Northeast Part II.” Additionally, the Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform held several hearings on the subject: “Unfunded Mandates and Regulatory Overreach,” “Unfunded Mandates and Regulatory Overreach Part II,” and “Regulatory Barriers to American Indian Job Creation.”

- **Domestic Energy Production-** In May, the full Committee held a hearing entitled “Pain at the Pump: Policies that Suppress Domestic Production of Oil and Gas” where EPA Administrator Lisa Jackson testified. The Committee also released a staff report the same day entitled “Impact of Statements by President, Energy Secretary about Raising Energy Costs on Americans Seen in Administration Policies.” Chairman Darrell Issa introduced the hearing by stating that “the United States has the largest reserves in the world—resources that can provide good-paying American jobs and fuel our economic expansion. Standing between that energy and U.S. consumers is an obstacle course of government red tape, regulation, delays and obfuscations.” In May, the full Committee held a field hearing in Bakersfield, California entitled, “Pathways to Energy Independence: Hydraulic Fracturing and Other New Technologies.” Also in May, the Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending held a hearing on “How Federal Reserve Policies Add to Hard Times at the Pump” to determine how actions of the Federal Reserve increase the price of gas for consumers.
- **EPA Regulatory Actions and Litigation-** The full Committee held a field hearing in Salinas, California, on “Regulatory Impediments to Job Creation: Assessing The Cumulative Impact of EPA Regulation on Farmers” where the

Committee heard from a variety of farmers and small business leaders about how EPA rules hinder job creation. Richard Smith, the owner of Paraiso Vineyards, told the Committee “legislators presumably intend to codify good ideas. Unfortunately, most legislation is followed by regulatory fiats by unelected boards and/or staff; these subsequent ‘rules’ often complicate and/or compromise the original good intentions.” The Subcommittee on Regulatory Affairs, Stimulus Oversight and Government Spending held a hearing entitled, “Assessing the Impact of EPA Greenhouse Gas Regulations on Small Businesses.” During the hearing, Keith Holman, Deputy Executive Director of the National Lime Association, highlighted the negative effects of EPA regulations on small business owners when he stated that “while the GHG rules took effect only three months ago, we already see a chilling effect on lime companies’ plans to modernize or expand their plants because of the great uncertainty surrounding GHG permitting. This in turn makes it less likely that lime companies will create new jobs.”

- **Healthcare and Drug Policy-** The Subcommittee on Health Care, District of Columbia, Census and the National Archives held a hearing entitled, “Obamacare: Why the Need for Waivers” in mid March to examine the process by which the Administration awards waivers to exempt certain companies from the new healthcare law. Chairman Trey Gowdy began the hearing by asking in his opening statement “in light of over 1000 companies requesting waivers from the burdens of this law, what did the President mean when he said, ‘if you like your health insurance, you can keep it’ and where are the failings of this law that necessitate a waivers process?” The Subcommittee then heard from several experts. In April, the Subcommittee held a hearing on government-run healthcare programs entitled “Waste, Abuse and Mismanagement in Government Healthcare” during which the Subcommittee heard from a variety of public and private sector experts at the federal and state level about government healthcare programs such as Medicare and Medicaid.
- **Information Policy-** The full Committee held a joint hearing in February with the Committee on Transportation and Infrastructure entitled “America’s Presidential Libraries: Their Mission and Their Future” at which the Archivist of the United States and several directors of individual presidential libraries testified about the services that presidential libraries provide to Americans. The full Committee also held a hearing on “Presidential Records in the New Millennium: Updating the Presidential Records Act and Other Federal Recordkeeping Statutes to Improve Electronic Records Preservation.” The Archivist of the United States and the Chief Information Officer of the White House Office of Administration testified about possible improvements to the Presidential Records Act that could arise from current technological advances.
- **The District of Columbia-** The D.C. Subcommittee held a hearing in March on the District of Columbia Opportunity Scholarship Program (DCOSP). The

DCOSP's authorization ended in 2009, and the doors were closed to new entrants. In fact, 216 students who had been offered scholarships had those offers revoked. Subcommittee Chairman Gowdy took testimony from parents and students affected by the end of the successful DCOSP. In May, the subcommittee held a hearing on the fiscal sustainability of the D.C. budget. Testimony was heard from Mayor Gray, Council Chairman Kwame Brown, former control board chairwoman Alice Rivlin, and D.C. Chief Financial Officer Natwar Gandhi.

- **Federal Workforce-** The Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy held three hearings exploring issues affecting the federal workforce. At the March 9, 2011 hearing entitled, "Are Federal Workers Overpaid?" Chairman Dennis Ross made it clear that "the Members of this Subcommittee recognize that our talented federal workforce performs critically essential missions throughout the government, on behalf of our nation. We appreciate their service." Ross also noted that despite the fact that the President had declared a two-year pay freeze, roughly \$1 billion worth of pay increases would be handed out each year due to the practice of "step" or "time-in-grade" increases awarded purely on tenure. At that hearing, the Subcommittee heard testimony from John Berry, director of the Office of Personnel Management. Berry argued that those step increases were necessary for employee retention, and promised to work with subcommittee Chairman Ross and full committee Chairman Issa to evaluate that policy. After the hearing, Ross and Issa requested that GAO conduct a comprehensive pay and benefit survey to answer key questions in dispute about the comparability of federal employee and private sector pay. An April 13<sup>th</sup> hearing examined the Federal Employee Compensation Act, the "workers' compensation" system used by federal agencies and the U.S. Postal Service, which has been criticized for keeping some workers on its system who are long since eligible for retirement. The Subcommittee found broad consensus amongst agency IGs for reform of the system. In May, the Subcommittee examined several proposals to reduce the size of the federal workforce through attrition, bringing Rep. Cynthia Lummis of Wyoming, and Rep. Tom Marino of Pennsylvania before the committee to testify. After examining these and other proposals at the hearing, Chairman Issa, Chairman Ross, and National Security Subcommittee Chairman Jason Chaffetz, introduced H.R. 2114, a bill to reduce the size of the federal workforce by 10% by the year 2015 through attrition.
- **United States Postal Service-** The Full Committee and the Subcommittee on Federal Workforce, U.S. Postal Service, and Labor Policy conducted oversight of the United States Postal Service, regarding fiscal sustainability and the prevention of a dollar for dollar taxpayer-funded bailout. The Subcommittee held a hearing in March with newly appointed Postmaster General Patrick Donahoe, Postal Regulatory Commission Chair Ruth Goldway, and postal industry experts to discuss what the Subcommittee called the "Looming Crisis at USPS." The Subcommittee identified the key concern with the fiscal health of USPS-workforce costs represented 80% of expenses. Donahoe returned to testify to the Full Committee on April 5, 2011, at a hearing examining the sustainability of

those costs in light of the recently signed contract with the largest postal union, the American Postal Workers Union. The Subcommittee also held a hearing featuring testimony from the businesses that make up the rest of the postal industry. The Committee is working on legislation that will allow USPS to return to fiscal sustainability and avoid a taxpayer funded bailout.

- **National Security and Foreign Operations-**In May, the Subcommittee on National Security, Homeland Defense and Foreign Operations continued a series of hearings on issues in wounded warrior care that examined the transition of members of the military who are wounded in action from the Department of Defense to the Department of Veterans Affairs. The Subcommittee heard testimony from officials at the Departments of Defense and Veterans Affairs as well as the GAO which had uncovered problems in the transition of members of the military between the two departments. In May, the Subcommittee on National Security, Homeland Defense and Foreign Operations held a hearing entitled, “USAID: Following the Money” to examine how efficiently USAID uses federal funds. Rajiv Shah, Administrator of USAID, and Donald Gambatesa, Inspector General for USAID testified before the Subcommittee.
- **Homeland Security-** The Subcommittee on National Security, Homeland Defense and Foreign Operations held a hearing in March on the use of full body scanners by the Transportation Security Administration (TSA) in airports. The Subcommittee received testimony from several experts in the private sector, as well as two TSA administrators. The Subcommittee also heard testimony from Sharon Cissna, a member of the Alaska State House of Representatives, and a repeated victim of invasive TSA searches. In April, the Subcommittee held a hearing entitled, “Tsunami Warning, Preparedness and Interagency Cooperation: Lessons Learned” to understand the Federal Government’s level of preparation for a tsunami in the United States. Additionally in April, the Subcommittee held a hearing on border security entitled, “The Border: Are Environmental Laws and Regulations Impeding Security and Harming the Environment?” A variety of current and former government officials testified, including former Border Patrol Agent George Zachary Taylor, who declared that “there is a tremendous difference of opinion between what the Law Enforcement Officers working along the Arizona-Mexico Border believe is the current state of National Security and Public Safety there and what the Department of Homeland Security Officials represent as the current state of National Security and Public Safety along that very same border.”

#### **V. Summary of Any Additional Oversight Activities Undertaken, and Any Recommendations Made or Actions Taken Thereon**

**ATF’s Operation Fast and Furious-** The Committee has conducted an investigation over the last several months into the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)’s Project Gunrunner, specifically Operation Fast and Furious. Operation Fast and Furious allowed guns to be

purchased along the Mexican border and transported into Mexico with ATF's knowledge so that the guns could be tracked in an attempt to bring down major players in drug cartels. The Operation allowed hundreds of guns to enter Mexico, and many have been found at the scenes of cartel shootings, including the fatal shooting of Border Patrol Agent Brian Terry. As part of its investigation, the Committee has tried to obtain information from ATF and from the Department of Justice (DOJ). Because of a lack of cooperation with the investigation, the Committee subpoenaed ATF in mid-March for documents and information relating to the failed Operation. The Committee is holding a series of ongoing hearings on Operation Fast and Furious and continues trying to get ATF and the DOJ to cooperate and provide information.

## **VI. Delineation of Any Hearings Held Pursuant to Clauses 2(n), (o), or (p)**

### CLAUSE 2(n)

- March 2, 2011- Pushing the Envelope: The Looming Crisis at USPS (Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy)
- April 5, 2011- Are Postal Workforce Costs Sustainable? (Full Committee)
- May 12, 2011- The District of Columbia's Fiscal Year 2012 Budget: Ensuring Fiscal Sustainability (Subcommittee on Health Care, District of Columbia, Census and the National Archives)
- May 26, 2011- Rightsizing the Federal Workforce (Subcommittee on Federal Workforce, U.S. Postal Service and Labor Policy)

### CLAUSE 2(o)

- January 26, 2011- Bailouts and the Foreclosure Crisis: Report of the Special Inspector General for the Troubled Asset Relief Program (Full Committee)
- February 11, 2011- A Look at the FY2010 Consolidated Financial Statements of the U.S. Government (Subcommittee on Government Organization, Efficiency and Financial Management)
- February 16, 2011- Making Sense of the Numbers: Improving the Federal Financial Reporting Model (Subcommittee on Government Organization, Efficiency and Financial Management)
- March 9, 2011- A Look at the FY2010 Consolidated Financial Statements of the U.S. Government (Subcommittee on Government Organization, Efficiency and Financial Management)

### CLAUSE (p)

- March 10, 2011- Financial Management, Work Force, and Operations at the SEC: Who's Watching Wall Street's Watchdog? (Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs)
  - March 16, 2011- TSA Oversight Part I: Whole Body Imaging (Subcommittee on National Security, Homeland Defense and Foreign Operations)
  - March 30, 2011- Has Dodd-Frank Ended Too Big to Fail? (Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs)
  - March 31, 2011- Why Isn't the Department of Homeland Security Meeting the President's Standard on FOIA? (Full Committee)
  - April 5, 2011- Waste, Abuse and Mismanagement in Government Health Care (Subcommittee on Health Care, District of Columbia, Census and the National Archives)
  - April 14, 2011- FDA Medical Device Approval: Is there a Better Way? (Subcommittee on Health Care, District of Columbia, Census and the National Archives)
  - May 10, 2011- Financial Management at the Department of Homeland Security (Subcommittee on Government Organization, Efficiency and Financial Management)
  - May 24, 2011- Who's Watching the Watchmen? Oversight of the Consumer Financial Protection Bureau (Subcommittee on TARP, Financial Services and Bailouts of Public and Private Programs)
  - May 25, 2011- Cybersecurity: Assessing the Immediate Threat to the United States (Subcommittee on National Security, Homeland Defense and Foreign Operations)
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