

Union Calendar No. 603

110TH CONGRESS }
2d Session

HOUSE OF REPRESENTATIVES

{ REPORT
110-930

ACTIVITIES
OF THE
COMMITTEE ON OVERSIGHT AND
GOVERNMENT REFORM
ONE HUNDRED TENTH CONGRESS
FIRST AND SECOND SESSIONS
2007-2008



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JANUARY 2, 2009.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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U.S. GOVERNMENT PRINTING OFFICE

46-108

WASHINGTON : 2009

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, DC, January 2, 2009.

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

DEAR MS. SPEAKER: By direction of the Committee on Oversight and Government Reform, I submit herewith the committee's activities report for the 110th Congress.

HENRY A. WAXMAN,
Chairman.

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Mr. HENRY A. WAXMAN, from the Committee on Oversight and
Government Reform, submitted the following

REPORT

ACTIVITIES OF THE HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, 110TH CONGRESS, 1ST AND 2D SESSIONS, 2007 AND 2008

INTRODUCTION

During the 110th Congress, the Committee on Oversight and Government Reform held 203 oversight hearings and reported or discharged 372 bills and resolutions to the House for consideration. Significant reforms involving federal procurement practices, open government, and the independence of Inspectors General were enacted into law.

Major investigations included examination of waste, fraud, and abuse in Iraq reconstruction and other government contracting; the activities of Blackwater and other private security contractors; the politicization of science in federal agencies; White House mismanagement of federal records; the Wall Street financial crisis and CEO compensation; the high cost of prescription drugs; formaldehyde levels in FEMA trailers; the treatment of wounded returning soldiers at Walter Reed Army Medical Center; and misleading veterans' charities. Other investigations examined the disclosure of CIA agent Valerie Plame Wilson's identity, the fratricide of Army Ranger Patrick Tillman, and the use of steroids in Major League Baseball.

In the 110th Congress, the Committee Chair was Henry A. Waxman and the Ranking Member was Tom Davis. To carry out its duties as effectively as possible, the Committee at the beginning of the 110th Congress established the following five standing subcommittees: Subcommittee on Domestic Policy; Subcommittee on Federal Workforce, Postal Service, and the District of Columbia; Subcommittee on Government Management, Organizations, and Procurement; Subcommittee on Information Policy, Census, and National Archives; and Subcommittee on National Security and Foreign Affairs.

This report describes the Committee's major oversight and legislative accomplishments, provides a chronological summary of Committee proceedings, and summarizes activities of the Subcommittees during the 110th Congress.

I. OVERSIGHT ACCOMPLISHMENTS

Pursuant to Rule X, Clause 2(d) of the Rules of the House, the Committee on Oversight adopted an oversight plan at the commencement of the 110th Congress consisting of topics designated for investigation, evaluation, and review by the Committee. The topics were selected by Chairman Henry A. Waxman, in consultation with the Ranking Minority Member, Rep. Tom Davis, other members of this Committee, and other Committees.

The plan highlighted intended subjects of oversight, including:

- Agriculture, including policies regarding the safety of our food supply;
- Energy and environment, including governmental and non-governmental activities and policies relating to global warming, the extent to which government agencies responsible for public health and environmental protection are fulfilling their responsibilities, and the nation's ability to develop a sustainable energy sector;
- Government contracting, including the causes and effects of the recent increase in procurement, the importance of safeguards like competition from the procurement process, and shortfalls in the acquisition workforce;
- Healthcare, including alleged waste, fraud, and abuse in the nation's healthcare system; federal policies and programs that aim to prevent and treat HIV/AIDS, as well as those related to reproductive health; and the extent to which government health programs are driven by sound scientific evidence rather than political considerations;
- Homeland security, including alleged procurement abuses at the Department of Homeland Security, and how effectively DoD, DHS, and state governors work together to promote security;
- Federal emergency management, including government activities in the wake of Hurricane Katrina;
- Iraq reconstruction and troop support, including allegations of waste, fraud, and abuse in the use of private contractors conducting reconstruction and troop support activities; and, among other topics,
- The White House, including the efficiency and effectiveness of operations of the Executive Office of the President and the Office of the Vice President.

The Committee's oversight of these and many other issues in the 110th Congress resulted in substantial cost savings for American taxpayers and improvement in the effectiveness and efficiency of our government. Following are highlights of major oversight accomplishments of the Committee in the 110th Congress.

A. AGRICULTURE

Crop Insurance. On May 3, 2007, a Committee hearing disclosed billions of dollars of waste, fraud, and abuse in the federal crop insurance program. At the hearing, GAO testified that over 40% of program funding—over \$10 billion—never reached the farmers that the program is designed to assist. Witnesses identified billions of dollars in excess subsidies for the private insurers that administer the program.

On June 18, 2008, Congress passed (over President Bush's veto) the Food, Conservation, and Energy Act of 2008 (H.R. 6124). Provisions in this legislation contain reforms to the crop insurance program that will produce significant savings for the taxpayer. The legislation reduces excessive subsidies for insurers, provides new funding for program enforcement, and modifies other provisions resulting in waste and abuse by farmers and insurers, saving an estimated \$3.4 billion over the next decade.

B. ENERGY AND ENVIRONMENT

Uranium contamination in the Navajo Nation. On October 23, 2007, the Committee held a hearing on the health and environmental impacts of uranium contamination in the Navajo Nation in the aftermath of decades of uranium mining and milling. Representatives of the Navajo Nation described widespread contamination of the surface and groundwater around four former milling sites and 520 abandoned uranium mines and the health risks that this contamination presents. Five federal agencies—the Environmental Protection Agency (EPA), the Department of Energy (DOE), the Nuclear Regulatory Commission (NRC), the Bureau of Indian Affairs (BIA), and the Indian Health Service (IHS)—testified on the limited steps taken to date to clean up the contamination. The hearing represented the first occasion on which the five responsible agencies had met to discuss solutions.

On June 16, 2008, the five agencies jointly submitted to the Committee a five-year plan to begin cleaning up the widespread uranium contamination in the Navajo Nation. Since that time, EPA assessed 70 houses and other structures near the abandoned mine sites for contamination and began demolishing contaminated structures.

Allegations concerning the National Institute of Environmental Health Sciences. In early 2007, Chairman Waxman and Domestic Policy Subcommittee Chairman Dennis Kucinich began investigating questions about the National Institute of Environmental Health Sciences (NIEHS) and its then-director, Dr. David Schwartz. Chairmen Waxman and Kucinich expressed concern about potential conflicts of interest relating to an NIEHS proposal to privatize aspects of the journal *Environmental Health Perspectives*. The members also sought information relating to allegations of other misconduct by Dr. Schwartz.

In August 2007, the Director of the National Institutes of Health (NIH) announced there would be a comprehensive review of Dr. Schwartz's conduct, and Dr. Schwartz temporarily stepped down from his position. Dr. Schwartz was never reinstated as Director. In February 2008, he formally tendered his resignation. In April 2008, NIH's Office of Management Assessment released a review of NIEHS management which documented numerous problems with the institute's programs and procedures and suggested recommendations for reform.

Environmental Study of Santa Susana Field Laboratory in Los Angeles. The Santa Susana Field Laboratory in Los Angeles is a cold war legacy site with numerous toxic and radiological contamination issues in need of remediation. On May 23, 2007, Chairman Waxman learned that the Department of Energy was preparing to demolish structures at the Santa Susana Field Laboratory without completing an environmental impact statement as required by a federal court. Chairman Waxman wrote DOE to express his concerns and to request an assurance that an EIS would be prepared prior to the remediation. On June 27, 2007, the Department of Energy announced that it would comply with Chairman Waxman's request.

C. GOVERNMENT CONTRACTING

GSA Outsourcing. On June 14, 2007, Chairman Waxman requested that the General Services Administration delay implementation of a proposal to expand GSA's use of contractors to conduct contract oversight and management until GSA could demonstrate whether necessary safeguards were in place. Based on findings of the Committee and other oversight entities regarding other federal agency outsourcing of contracting oversight, Chairman Waxman expressed concern that GSA's proposal could result in the improper outsourcing of inherently governmental functions, contractor conflicts of interest, and erosion of procurement oversight by federal officials that could lead to additional waste, fraud, and abuse.

The next day, GSA announced that it had suspended its plans to outsource contract support services until it understood and responded to congressional concerns. After further consultation with Committee staff, GSA agreed to produce an ordering guide to help buyers identify government functions that cannot be outsourced and prevent contractor conflicts of interest.

D. HEALTHCARE

Healthcare-Associated Infections. On April 16, 2008, the Committee held a hearing on healthcare-associated infections, a leading cause of death for Americans. A GAO report prepared for Chairman Waxman was released at the hearing, which recommended that the Department of Health and Human Services (HHS) must identify priorities and do more to promote implementation of best practices to reduce healthcare associated infections. A subsequent Committee staff report released on September 22, 2008, showed that the majority of state hospital associations have not adopted a proven program which could save thousands of lives and billions of dollars.

On September 23, 2008, at a conference of infection control professionals, HHS announced a "national action plan" to address the

problem of healthcare-associated infections. On October 1, 2008, the HHS Agency for Healthcare Research and Quality also announced a series of grants to ten states to reduce these infections.

Lead in Children's Toys. Since 2005, Chairman Waxman has investigated the dangers to children from lead in toys, jewelry, and other products. A December 2006 report released by Chairman Waxman found exceptionally high levels of lead even in products sold in the Capitol gift shops.

On July 31, 2008, Congress passed Chairman Waxman's Lead Free Toys Act (H.R. 3473) as part of H.R. 4040, a bill to reform the Consumer Product Safety Commission. This law will require immediate reductions in the amount of lead in children's products and contains the world's strongest restrictions on lead in children's products.

Compendium of HIV Prevention Interventions. In May 2006, Ranking Member Waxman wrote to the Centers for Disease Control and Prevention (CDC) to ask why the agency had failed to update the Compendium of HIV Prevention Interventions with Evidence of Effectiveness, first released in 1999. The Compendium describes programs identified by CDC's scientific staffs as having been shown to reduce risk behaviors and HIV transmission and is used by health professionals in the field to maximize the effectiveness of their prevention efforts. In the May 2006 letter and follow-up correspondence, Mr. Waxman expressed concern that even though CDC scientists had identified additional effective programs in the seven years since the Compendium was first issued, the CDC had not released an update.

In response to Mr. Waxman's inquiries, CDC posted a full update to the Compendium on its website in November 2007.

Safety of Diabetes Drug Avandia. On June 6, 2007, the Committee held a hearing on the role of the Food and Drug Administration in evaluating the safety of Avandia, a widely used diabetes drug. The hearing followed the publication of data indicating that the drug might put patients at higher risk of heart attacks. On the day of the hearing, FDA announced plans to add a "black box" warning on the drug's label alerting patients and physicians about the increased risk of heart failure.

In July 2007, the FDA convened an advisory committee to review the data on the safety of Avandia. The recommendations of the advisory committee led to the addition of another "black box" warning for heart problems in November 2007. FDA also requested that the manufacturer conduct a long-term study to determine the safety of Avandia.

Conflicted Contractor at National Institute of Environmental Health Sciences. In February 2007, Chairman Waxman and Senator Barbara Boxer raised concerns about the potential conflicts of interest of Sciences International, a private contractor at the National Institute of Environmental Health Sciences (NIEHS) that was involved in reviewing the health risks of a chemical called bisphenol-A. In response to these concerns, NIEHS investigated and terminated Sciences International's contract.

In April 2007, NIEHS, the National Toxicology Program (NTP), and the National Institutes of Health (NIH) also committed to taking several additional actions. First, NIH initiated a broad review of NIH-wide and center-specific conflicts of interest policies to de-

termine whether they are adequate. Second, NIEHS developed specific language on conflicts of interest for inclusion in new contracts. Third, NTP conducted an independent review of the bisphenol-A evaluation. Fourth, a working group of NTP's Board of Scientific Counselors evaluated all 44 NTP contracts for potential or actual conflicts of interest.

In September 2008, NTP issued its report on bisphenol-A, finding that the chemical is potentially dangerous to human development and reproduction and may be linked to breast and prostate cancer.

E. HOMELAND SECURITY

Deepwater Coast Guard Program. On February 8, 2007, the Committee held a hearing that examined procurement and oversight problems in the Coast Guard's Deepwater program, a multi-year \$24 billion plan to refurbish the Coast Guard's offshore fleet. The hearing identified the Coast Guard's decision to turn over the design and production of the new ships to a private-sector entity called Integrated Coast Guard Systems (ICGS), a joint venture of defense contractors Lockheed Martin and Northrop Grumman, as a key cause of cost overruns and defective ships. In April 2007, the Coast Guard announced it was taking control of the project away from ICGS and was initiating proceedings to recoup some of the taxpayer funds ICGS had used to build the defective ships.

F. FEDERAL EMERGENCY MANAGEMENT

Formaldehyde in Federal Emergency Management Agency trailers. On July 19, 2007, the Committee held a hearing on formaldehyde levels in FEMA trailers provided to displaced evacuees from Hurricanes Katrina and Rita. The hearing revealed that FEMA officials in Washington had ignored multiple warnings about high formaldehyde exposures in FEMA trailers because testing "would imply FEMA's ownership of the issue."

The hearing and the Committee's ongoing investigation has led to multiple reforms. At the hearing, FEMA Administrator David Paulison announced that FEMA would ask the Centers for Disease Control to conduct comprehensive testing of the air quality of the trailers. Shortly after the hearing, FEMA also announced that it would discontinue deploying travel trailers for use by displaced disaster victims and would stop selling surplus units to the public.

In December 2007, Congress directed in a consolidated appropriations measure that FEMA work with the CDC to complete the testing and develop policies concerning families remaining in FEMA issued trailers. In February 2008, CDC announced the test results, which confirmed high levels of formaldehyde in trailers. On February 14, FEMA announced that it would immediately begin relocating those families living in trailers with high levels of formaldehyde.

On July 9, 2008, the Committee held a second hearing to examine the role and responsibility of the trailer manufacturers. This hearing revealed that the major manufacturer of FEMA trailers was aware of the high formaldehyde levels as early as March 2006, but failed to warn the occupants of the trailers or advise FEMA of its findings.

G. IRAQ RECONSTRUCTION AND TROOP SUPPORT

Improper Billing under the LOGCAP Contract. On February 7, 2007, the Committee held a hearing to examine the use of private military contractors in Iraq. In response to Chairman Waxman's inquiries, the Defense Department announced that KBR had improperly billed the government for private security services under the logistical support contract known as "LOGCAP" and that the Department would withhold \$19.6 million in unjustified charges. Since then, KBR has disclosed to investors that up to \$400 million in payments to the LOGCAP contract could be in jeopardy.

Deficient Electrical Systems at U.S. Facilities in Iraq. On March 19, 2008, Chairman Waxman requested documents from the Defense Department related to reports that at least 12 service members in Iraq had died as the result of accidental electrocutions attributable to faulty wiring. On July 30, 2008, the Committee held a hearing to examine electrical problems leading to the injuries and deaths of military personnel and the Defense Department's management and oversight of contractors. The hearing revealed that the Defense Department had neglected numerous warnings of widespread electrical hazards throughout Iraq because "neither LOGCAP nor DCMA have sufficient skill sets or expertise to perform adequate oversight of electrical work being performed by KBR."

The hearing and the Committee's ongoing investigation has led to increased oversight of electrical systems in Iraq. In July 2008, the Army modified the LOGCAP contract to mandate inspections and require training and certification of electricians. On September 8, 2008, the Army informed the Committee that it would reopen the investigation into the death of Staff Sergeant Ryan Maseth, a Special Forces soldier who was electrocuted while taking a shower in his living facilities. Three days later, the Army issued a Corrective Action Request to KBR, finding "serious contractual non-compliance" relating to the company's "outstanding electrical and quality issues" in Iraq.

Baghdad Embassy Construction. On July 26, 2007, the Committee held the first congressional hearing on the Baghdad Embassy construction project, examining evidence of substandard work by the prime contractor, First Kuwaiti General Trading & Contracting Company. On October 9, 2007, and February 9, 2008, Chairman Waxman disclosed additional evidence of extensive flaws in the construction of the Iraq Embassy.

These investigations have led to new oversight of the embassy construction project. In December 2007, Gen. Charles Williams, the director of the State Department's Bureau of Overseas Building Operations, resigned from his position. The Committee has also learned that the two top State Department officials in charge of the Embassy construction project, James Golden and Mary French, have also resigned. The Department of Justice is now conducting a criminal investigation into the matter.

Private Security Contractors in Iraq. The Committee held hearings on February 7, 2007, and October 2, 2007, on private military contractors in Iraq. At the October 2 hearing, Erik Prince, the Chairman of the Prince Group LLC and Blackwater USA, was questioned about the actions of Blackwater under its \$1.6 billion

contract with the State Department. A staff memorandum released by Chairman Waxman showed that Blackwater had engaged in 195 “escalation of force” incidents since 2005, including over 160 incidents in which Blackwater fired first.

Following the Committee hearings, the House passed H.R. 2740, a bill to expand the Military Extraterritorial Jurisdiction Act to provide federal criminal jurisdiction over the conduct of private military contractors working in proximity to a contingency operation, such as Blackwater personnel working for the State Department in Iraq. Congress also strengthened the Defense Department’s oversight of security contractors in the Defense Authorization Act of 2007.

Other reforms were implemented administratively. On October 24, 2007, Assistant Secretary of State Richard Griffin, a witness at the Committee’s October 2, 2007, hearing and the head of Diplomatic Security Service charged with overseeing Blackwater’s activities, resigned his position. At a hearing on October 25, 2007, Secretary of State Condoleezza Rice acknowledged that the State Department’s oversight of Blackwater had been inadequate and agreed to adopt several reforms, including (1) installing video cameras on protection detail vehicles; (2) requiring the presence of a State Department security official on each protection mission; (3) establishing investigative teams to respond to incidents; and (4) appointing an Incident Review Board to consider possible referrals to the Justice Department.

On June 30, 2008, Congress enacted the Government Contractor Accountability Act (H.R. 3928) as part of the 2008 Supplemental Appropriations Act (H.R. 2642). This legislation requires privately held government contractors like Blackwater to disclose information about the salaries of their top executives.

Care of Wounded Soldiers. Since February 2007, the Oversight Committee and its Subcommittee on National Security and Foreign Affairs have held four hearings on the care of wounded soldiers, including the first congressional hearing on conditions at Walter Reed. Multiple reforms have resulted from these hearings.

Less than a week after the National Security Subcommittee held the first hearing on the conditions at Walter Reed on March 5, 2007, the top Army officer responsible for the failures at Walter Reed, the Surgeon General of the Army, Lt. Gen. Kevin Kiley, was forced to resign.

The Committee hearings also prompted administrative reforms at the Defense Department and the Veterans Administration in 2007, including a streamlined disability evaluation process, enhanced incentives to recruit and retain qualified military medical and mental health personnel, increased reliance on independent ombudspersons to help wounded warriors cut through red tape, the expanded application of Warrior Transition Units for returning soldiers with injuries or mental health concerns, more comprehensive application of mental health and traumatic brain injury screenings, and the reduction of specious discharges for returning soldiers with mental health concerns.

In addition, the Committee’s inquiry led to changes in the application of the “A-76” outsourcing process. After the Committee’s March 5, 2007, hearing produced evidence that disruptions caused by the outsourcing process contributed to the conditions at Walter

Reed, the Army announced a freeze in the A-76 process at Walter Reed and other Army medical facilities.

H. WHITE HOUSE

Management of White House e-mail records. In March 2007, the Committee began an investigation into the use of RNC e-mail accounts by White House officials and the potential loss of presidential records. This investigation revealed that 88 White House officials held RNC e-mail accounts while serving in the White House, that these officials used the RNC e-mail accounts to conduct official government business, and that there was extensive destruction of these e-mails by the RNC. A related investigation examined the failure of the White House to properly archive millions of e-mails sent to and from its official White House servers.

In response to the Committee's investigation, the House in July 2008 passed the Electronic Communications Preservation Act (H.R. 5811). This legislation directs the Archivist to establish standards for the capture, management, and preservation of electronic messages that are presidential records.

In addition, the White House responded to the Committee's investigation with reforms that may reduce the use of political e-mail accounts for official business. Soon after the start of the Committee's investigation, the White House rewrote its staff guidance on the use of e-mail. The White House also provided official blackberries to all staff in the Office of Political Affairs.

Travel by Officials of the Office of National Drug Control Policy. A Committee investigation revealed that John Walters, the Director of the White House Office of National Drug Control Policy, and his deputies traveled to 20 events with vulnerable Republican members of Congress in the months prior to the 2006 elections. The trips were paid for entirely by federal taxpayers and several were combined with the announcement of federal grants or actions that benefited the districts of the Republican members.

As a result of this investigation, Congress reduced the travel budget for the Office of National Drug Control Policy by 25% for fiscal year 2008. The budget limitation included an express warning that travel by agency officials "should occur for official business reasons only, not for political gain."

I. OTHER WASTE, FRAUD, AND ABUSE

Defense Base Act Insurance. On May 15, 2008, the Committee held a hearing to examine the costs to taxpayers of Defense Base Act (DBA) Insurance. Federal law requires that all federal contractors working overseas obtain DBA insurance for their workers. Information obtained by the Committee revealed that from 2002 through 2007, the top four insurers made almost \$600 million in excess profits from coverage provided under the DBA program. On September 27, 2008, the House and Senate passed S. 3001, the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009. This legislation required that the Department of Defense develop a new, more cost-effective strategy for obtaining Defense Base Act insurance for agency contractors.

Alleged Misconduct at the General Services Administration. In March 2007, the Committee commenced an investigation into allegations that Lurita A. Doan, the Administrator of the General

Services Administration, had urged GSA employees to use government resources to help Republican candidates. Based on the Committee's investigation and its own fact-gathering, the Office of Special Counsel, the executive branch agency responsible for enforcing the Hatch Act, found that Administrator Doan had violated the Hatch Act. On June 8, 2007, the Special Counsel reported this finding to President Bush and recommended that he discipline her "to the fullest extent" for her actions. On April 29, 2008, President Bush asked Ms. Doan to step down from GSA. James A. Williams was nominated by President Bush to succeed Ms. Doan.

Alleged Abuses by State Department Inspector General. In August 2007, Chairman Waxman commenced an investigation into the performance of State Department Inspector General Howard J. Krongard, particularly his alleged failure to authorize investigations into waste, fraud, and abuse in State Department activities in Iraq. On November 14, 2007, the Committee held a hearing on Mr. Krongard's conduct and Chairman Waxman released a staff report that described evidence that Mr. Krongard had failed to investigate reports of wasteful spending and procurement fraud relating to Iraq and Afghanistan, failed to cooperate with Justice Department investigations relating to the Iraq War, and exhibited a lack of independence from the State Department on audits and investigations. The hearing also revealed that Mr. Krongard's brother, former CIA Executive Director Buzzy Krongard, was a member of the Advisory Board of Blackwater USA, a company that was the subject of an investigation that Mr. Krongard had temporarily halted.

In response to the Committee's investigation, the Inspector General opened investigations into fraud at the U.S. embassy. On December 7, 2007, Mr. Krongard resigned from his position as Inspector General, effective January 15, 2008. In June 2008, President Bush nominated Thomas Betro to be the new Inspector General.

Part III provides additional details on the individual oversight hearings the Committee held in the 110th Congress.

II. LEGISLATIVE ACCOMPLISHMENTS

A. BILLS AND AMENDMENTS ENACTED INTO LAW

H.R. 390, the Preservation of Records of Servitude, Emancipation, and Post-Civil War Reconstruction Act. Introduced on January 10, 2007, by Rep. Tom Lantos, this legislation requires the establishment of a national database in the National Archives to preserve and make accessible and searchable, records of servitude, emancipation, and post-Civil War reconstruction. Under H.R. 390, grants will be made available to states, colleges and universities, and genealogical associations, to preserve similar records in their possession and make them available electronically.

History: Introduced on January 10, 2007; Committee passed on January 11, 2007; House passed January 14, 2007; provisions of this bill were included in S. 3477, which was signed into law on October 13, 2008.

H.R. 401, the National Capital Transportation Amendments Act. Introduced by Rep. Tom Davis on January 11, 2007, the bill authorizes federal funding for capital improvements and critical preventive maintenance needs for the Washington Metropolitan Area

Transit Authority (WMATA) and improves accountability at WMATA.

History: Introduced January 11, 2007; Committee passed May 9, 2007; signed into law as Title VI of H.R. 2095, the Railroad Safety Enhancement Act.

H.R. 1236, To amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research. Introduced by Rep. Clay on February 28, 2007, the bill extends the sale of the Breast Cancer Research Semi-postal Stamp (BCRS) from December 31, 2007, to December 31, 2011. After the Postal Service's administrative costs are accounted for, monies raised above the regular postage rate are transferred to the National Institutes of Health (NIH) and Department of Defense (DoD) for breast cancer research efforts.

History: Introduced on February 28, 2007; Committee passed September 20, 2007; House passed October 30, 2007; a substantially similar bill, S. 597, was signed into law on December 21, 2007.

H.R. 1309, Freedom of Information Act Amendments of 2007. Introduced by Rep. Clay on March 5, 2007, the bill increases public access to government information by strengthening the Freedom of Information Act (FOIA).

History: Introduced on March 5, 2007; Committee passed March 12, 2007; House passed March 14, 2007; a substantially similar bill, S. 2488, was signed into law on December 31, 2007.

H.R. 1362, the Accountability in Contracting Act. Introduced by Rep. Waxman on March 6, 2007, H.R. 1362 required agencies to limit the use of abuse-prone contracts, to increase transparency and accountability in federal contracting, and to protect the integrity of the acquisition workforce. Provisions requiring the public disclosure of justifications for sole-source contracts and the disclosure of contractor overcharges were enacted as part of H.R. 4986, the National Defense Authorization Act for Fiscal Year 2008.

History: Introduced March 6, 2007; Committee passed March 12, 2007; House passed March 15, 2007; portions signed into law January 28, 2008.

H.R. 2635, the Carbon-Neutral Government Act. Introduced by Rep. Waxman on June 7, 2007, the Carbon-Neutral Government Act aims to freeze and dramatically reduce the federal government's greenhouse gas emissions until the government is carbon-neutral in 2050. It also includes specific requirements for agency actions to help the government meet these goals. Provisions of this bill were incorporated into H.R. 3221.

History: Introduced on June 7, 2007; Committee passed on August 3, 2007; H.R. 3221 passed the House on August 4, 2007; some of the provisions of H.R. 3221 were signed into law as part of H.R. 6 (P.L. 110-140).

H.R. 3033, the Contractors and Federal Spending Accountability Act. Introduced by Rep. Maloney on July 12, 2007, the bill requires a database of information on contractor and grantee integrity and performance.

History: Introduced on July 12, 2007; Committee passed March 13, 2008; House passed April 23, 2008; signed into law as section 872 of S. 3001, the National Defense Authorization Act for Fiscal Year 2009.

H.R. 3928, the Government Funding Transparency Act. Introduced by Rep. Christopher Murphy on October 23, 2007, the bill amends the Federal Funding Accountability and Transparency Act of 2006 to require the names and total compensation of the five most highly compensated officers, if (1) the entity in the preceding fiscal year received 80% or more of its annual gross revenues and \$25 million or more in annual gross revenues from federal awards; and (2) the public does not have access to information about the compensation of the entity's senior executives through reports filed under the Securities Exchange Act of 1934 or the Internal Revenue Code.

History: Introduced October 23, 2007; Committee passed (amended) March 13, 2008; House passed April 23, 2008; signed into law as section 6201 of H.R. 2642, the Supplemental Appropriations Act, 2008.

H.R. 4220, the Federal Food Donation Act of 2008. Introduced by Rep. Emerson on November 15, 2007, the bill would encourage the donation of excess food to nonprofit organizations that provide assistance to food-insecure people in the United States in contracts entered into by executive agencies for the provision, service, or sale of food.

History: Introduced on November 15, 2007; Committee passed December 12, 2007; House passed December 17, 2008; signed into law as S. 2420 on June 20, 2008.

H.R. 5683, the Government Accountability Office Act of 2008. Introduced by Rep. Danny K. Davis on April 2, 2008, the bill improves the oversight, administration, and pay adjustment functions at GAO.

History: Introduced on April 2, 2008; Committee passed May 22, 2008; House passed June 9, 2008; signed into law September 22, 2008.

H.R. 5712, the Close the Contractor Fraud Loophole Act. Introduced by Rep. Welch on April 3, 2008, the bill requires contractors to report violations of criminal law and overcharging on federal contracts, whether performed domestically or overseas.

History: Introduced April 23, 2008; Committee passed (amended) April 22, 2008; House passed April 23, 2008; signed into law as section 6101 of H.R. 2642, the Supplemental Appropriations Act, 2008.

B. BILLS PASSED BY THE HOUSE

H.R. 404, the Federal Customer Service Enhancement Act. Introduced by Rep. Cuellar on January 11, 2007, the bill requires the Office of Management and Budget to develop customer service standards and performance measures for federal agencies and requires the head of each agency to collect information from its customers regarding the quality of its services.

History: Introduced January 11, 2007; Committee passed June 12, 2007; House passed July 23, 2007.

H.R. 752, the Federal Electronic Equipment Donation Act. Introduced by Rep. Butterfield on January 31, 2007, the bill directs Federal agencies to donate excess and surplus Federal electronic equipment, including computers, computer components, printers, and fax machines, to qualifying small towns, counties, schools, nonprofit organizations, and libraries.

History: Introduced January 31, 2007; Committee passed April 9, 2008; House passed May 21, 2008.

H.R. 985, the Whistleblower Protection Enhancement Act. Introduced by Rep. Waxman on February 12, 2007, the bill offers improved protections to federal whistleblowers who report wrongdoing to authorities. Federal employees and contractors are privy to information that enables them to play an essential role in ensuring government accountability.

History: Introduced on February 12, 2007; Committee passed March 9, 2007; House passed March 14, 2007.

H.R. 1254, the Presidential Library Donation Reform Act. Introduced by Rep. Waxman on March 1, 2007, the bill would require the disclosure of donors to presidential libraries.

History: Introduced March 1, 2007; Committee passed March 9, 2007; House passed March 14, 2007.

H.R. 1255, the Presidential Records Act Amendments. Introduced by Rep. Waxman on March 1, 2007, the bill would nullify a 2001 presidential executive order to restore public access to presidential records.

History: Introduced March 1, 2007; Committee passed March 9, 2007; House passed March 14, 2007.

H.R. 1433, District of Columbia House Voting Rights Act. Introduced by Rep. Norton on April 18, 2007, the bill would provide District of Columbia residents a vote in the House of Representatives. The bill permanently increases the size of the House by two members. One seat will go to the District of Columbia and the other seat will go to the next state in line to get a congressional seat. Based on the 2000 decennial census and apportionment calculations, Utah will get the second seat until the reapportionment taking place after the 2010 Decennial Census.

History: Introduced March 9, 2007; Committee passed March 13; the House passed a similar measure (H.R. 1905) April 19, 2007.

H.R. 1873, the Small Business Fairness in Contracting Act. Introduced by Rep. Braley on April 17, 2007, the bill contains provisions concerning contract bundling, government procurement goals for small business contracts, and the accuracy of contracting data maintained in federal databases. As reported by the Oversight Committee, the bill expands the definition of contract bundling to ensure that small businesses have access to work previously available for small business. The bill also improves the current bundling dispute process by allowing small businesses to request that the Small Business Administration (SBA) appeal a contract award to the contracting agency on their behalf and by requiring agencies to provide written responses to SBA. In addition, the bill would provide for the establishment of appropriate limitations on the award of contracts without competition to Alaska Native Corporations and other economically disadvantaged Indian tribes.

History: Introduced on April 17, 2007; Committee passed May 1, 2007; House passed May 10, 2007.

H.R. 3548, the Plain Language in Government Communications Act. Introduced by Rep. Braley on September 17, 2007, the bill requires agencies to use plain language in government documents related to obtaining a service or a benefit. Examples of such documents include letters from the Social Security Administration about Social Security benefits or a notice from the Department of

Veterans Affairs regarding the GI bill. The bill defines plain language as “language that the intended audience can readily understand and use because it is clear, concise, well-organized, and follows other best practices of plain language writing,” and requires agencies to use plain language in any new document that explains how to obtain a benefit or service or that is relevant to obtaining such a benefit or service.

History: Introduced September 17, 2007; Committee passed March 13, 2008; House passed April 14, 2008.

H.R. 3774, the Senior Executive Service Diversity Assurance Act. Introduced by Rep. Danny Davis on October 9, 2007, the bill would promote diversity in the Senior Executive Service (SES). It requires the Office of Personnel Management (OPM) to establish an office to oversee the SES, requires agencies and OPM to consider diversity when designating members of SES candidate evaluation panels, and requires each agency to submit a plan to OPM on how the agency will enhance and maximize opportunities for the advancement and appointment of minorities, women, and individuals with disabilities to the SES.

History: Introduced October 9, 2007; Committee passed May 1, 2008; House passed June 3, 2008.

H.R. 4106, the Telework Improvements Act. Introduced by Rep. Danny Davis on November 7, 2007, the bill requires the head of each agency to establish a policy that allows authorized employees to telework. The bill provides a number of exceptions for situations such as an employee who cannot perform his or her job off-site. The bill requires the General Services Administration (GSA) to issue guidance (coordinating where appropriate with OPM and FEMA) on questions of eligibility, information security, making telework part of the agency’s goals, and continuity of operations planning.

History: Introduced November 7, 2007; Committee passed March 13, 2008; House passed June 3, 2008.

H.R. 4108, a bill to amend section 3328 of title 5, United States Code, relating to Selective Service Registration. Introduced by Rep. George Miller on November 7, 2007, the legislation would provide for exemptions from determinations of ineligibility for federal employment for individuals who have received an honorable discharge from the armed services or who have performed at least ten years of federal service.

History: Introduced on November 7, 2007; Committee passed November 8, 2007; House passed December 11, 2007.

H.R. 4791, the Federal Agency Data Protection Act. Introduced by Rep. Clay on December 18, 2007, the bill would strengthen current requirements for protecting sensitive data that is stored or transmitted by federal agency information systems.

History: Introduced December 18, 2007; Committee passed May 21, 2008; House passed June 3, 2008.

H.R. 4881, the Contracting and Tax Accountability Act. Introduced on December 19, 2007, the bill would establish a process to prevent companies with seriously delinquent federal tax debts from receiving new contracts.

History: Introduced December 19, 2007; Committee passed March 13, 2008; House passed April 14, 2008.

H.R. 5687, the Federal Advisory Committee Act Amendments. Introduced by Rep. Clay on April 3, 2008, the bill amends the Federal

Advisory Committee Act to increase the transparency and accountability of federal advisory committees.

History: Introduced April 3, 2008; Committee passed April 9, 2008; House passed June 24, 2008.

H.R. 5781, the Federal Employees Paid Parental Leave Act. Introduced by Rep. Maloney on April 14, 2008, the bill would amend Title 5 of the U.S. Code and the Congressional Accountability Act to provide four work weeks of paid parental leave for all federal employees.

History: Introduced April 14, 2008; Committee passed April 16, 2008; House passed June 19, 2008.

H.R. 5787, the Federal Real Property Disposal Enhancement Act. Introduced by Rep. Moore on April 14, 2008, the bill allows agencies to retain all of the proceeds from the sale of surplus property instead of depositing them in the Treasury. The agencies may only use these funds for real property disposal activities, subject to appropriations. The bill also directs GSA to make the initial payment for the direct and indirect costs associated with selling the surplus property.

History: Introduced April 14, 2008; Committee passed May 1, 2008; House passed May 21, 2008.

H.R. 5811, the Electronic Communications Preservation Act. Introduced by Rep. Waxman on April 15, 2008, the bill would modernize the requirements of the Presidential Records Act and the Federal Records Act to ensure that vital records, including e-mail records, are preserved.

History: Introduced April 15, 2008; Committee passed May 1, 2008; House passed July 9, 2008.

H.R. 6388, the Government Accountability Office Improvement Act. Introduced by Rep. Waxman on June 26, 2008, along with 18 other Committee Chairs, the bill would authorize the Comptroller General to sue for access to documents needed to discharge his duties. Other provisions of this bill give GAO authority to interview federal employees and administer oaths. The bill also affirms GAO's right to obtain records from three agencies that have sometimes thwarted GAO oversight by denying access to documents: the Centers for Medicare and Medicaid Services, the Food and Drug Administration, and the Federal Trade Commission.

History: Introduced June 26, 2008; Committee passed July 16, 2008; House passed July 29, 2008.

H.R. 6500, the Thrift Savings Plan Enhancement Act. Introduced by Rep. Waxman on July 15, 2008, the bill would provide for the automatic enrollment of new federal employees in the Thrift Savings Plan, and make other improvements.

History: Introduced by Rep. Waxman on July 15, 2008; Committee passed July 16, 2008; House passed July 30, 2008 as part of H.R. 1108.

H.R. 6575, the Over-Classification Reduction Act. Introduced by Rep. Waxman on July 23, 2008, the bill would address the continuing problem of over-classification of information in the federal government. The bill requires the Archivist to resolve the problem of over-classification by standardizing the use of classifications and by establishing methods to increase oversight of the classification process. These include requiring random inspector general audits of classified information; establishing a process for those challenging

classification decisions; requiring individuals to include personal identifiers when classifying information; and increased training.

History: Introduced on July 23, 2008; Committee passed July 23, 2008; House passed September 9, 2008.

H.R. 6576, the Reducing Information Control Designations Act. Introduced by Rep. Waxman on July 23, 2008, the bill would require the Archivist of the United States to promulgate regulations regarding the use of the more than 100, and growing, information control designations used by the federal government.

History: Introduced on July 23, 2008; Committee passed July 23, 2008; House passed July 30, 2008.

H.R. 6842, the National Capital Security and Safety Act. Introduced by Rep. Norton on September 9, 2008, the original bill would have required the District of Columbia to revise its laws regarding the use and possession of firearms as necessary to comply with the requirements of the Supreme Court in the case of *District of Columbia v. Heller*. A substitute amendment altered the bill on the House floor to remove the District's ban on semiautomatic weapons, weaken the ability of law enforcement to track firearms used in crimes, and allow people to obtain firearms without a criminal background check.

History: Introduced September 9, 2008; Committee passed September 10, 2008; House passed September 17, 2008.

H.R. 7217, the Federal Real Property Disposal Enhancement Act. Introduced by Rep. Moore on September 29, 2008, the bill allows the General Services Administration (GSA) to help pay the costs of other agencies' disposal activities. In particular, GSA will be able to help agencies pay costs with regard to properties that have yet to be declared excess. These costs include environmental cleanup, demolition, surveying, and life cycle costing. The bill would also allow agencies to retain the proceeds of sales of surplus property and is substantially similar to H.R. 5787.

History: Introduced September 29, 2008; House passed September 29, 2008.

H.R. 7216, a bill to amendment section 3328 of title 5, United States Code, relating to Selective Service registration. Introduced by Rep. George Miller on September 29, 2008, the bill would provide for exemptions from determinations of ineligibility for federal employment for individuals who have received an honorable discharge from the armed services and for the Selective Service System, instead of the Office of Personnel Management, to establish the process for deciding if an applicant for federal employment has knowingly and willingly failed to register.

History: Introduced on September 29, 2008; House passed September 29, 2008.

C. BILLS PASSED BY THE COMMITTEE

H.R. 984, the Executive Branch Reform Act. Introduced by Rep. Waxman on February 12, 2007, the bill would have made several changes to lobbying and lobbying disclosure laws. It would have required all political appointees and senior officials in federal agencies and the White House to report the contacts they have with private parties seeking to influence official government action. It would also have created a ban to prevent lobbyists who enter gov-

ernment services from working on issues affecting their former clients.

History: Introduced February 12, 2007; Committee passed February 14, 2007.

H.R. 1054, the District of Columbia Legislative Autonomy Act. Introduced by Rep. Norton on February 14, 2007, the bill amends the District of Columbia Home Rule Act to eliminate congressional review of newly-passed District laws.

History: Introduced February 14, 2007; Committee passed August 2, 2007.

H.R. 1433, the District of Columbia House Voting Rights Act. Introduced by Rep. Norton on March 9, 2007, the bill would provide District of Columbia residents a vote in the House of Representatives. The bill permanently increases the size of the House by two members. One seat will go to the District of Columbia and the other seat will go to the next state in line to get a congressional seat. Based on the 2000 decennial census and apportionment calculations, Utah will get the second seat until the reapportionment taking place after the 2010 Decennial Census.

History: Introduced March 9, 2007; Committee passed March 19, 2007; House debated the bill, but postponed consideration April 19, 2007.

H.R. 2081, a bill to amend the District of Columbia Home Rule Act. Introduced by Rep. Norton on May 1, 2007, the bill would amend the District of Columbia Home Rule Act to increase the salary of the Chief Financial Officer of the District of Columbia. The legislation amends the District of Columbia Home Rule Act to increase the salary of the Chief Financial Officer of the District of Columbia to 150% of the rate of basic pay for level I of the Executive Schedule.

History: Introduced May 1, 2007; Committee passed May 1, 2007.

H.R. 2780, a bill to amend title 5, United States Code, to clarify the method for computing certain annuities. Introduced by Rep. Moran on June 19, 2007, the bill would permit the use of high-three average salary computations for full- and part-time work whether the work was performed before or after 1986, eliminating the adverse effect of part-time service performed late in an employee's career, and provide a simplified annuity computation in cases involving part-time service.

History: Introduced June 19, 2007; Committee passed March 13, 2007.

H.R. 5912, a bill to make tobacco products nonmailable. Introduced by Rep. McHugh on April 29, 2008, the bill would make cigarettes, smokeless tobacco, and roll-your-own tobacco nonmailable under the Postal Code. It would permit the Postal Service to apply civil penalties for violations, and to issue and enforce orders against those who violate the provisions for commercial or money-making purposes. It would also permit states to bring civil actions to enforce the provision, with prior notice to the Postal Service.

History: Introduced April 29, 2008; Committee passed May 1, 2008.

D. RESOLUTIONS APPROVED BY THE COMMITTEE

All of the following measures except H. Res. 641 were approved by the House.

H. Con. Res. 62, supporting the goals and ideals of a National Children and Families Day, in order to encourage adults in the United States to support and listen to children and to help children throughout the nation achieve their hopes and dreams, and for other purposes.

H. Con. Res. 71, commemorating the 85th Anniversary of the founding of the American Hellenic Educational Progressive Association, a leading association for the nation's 1.3 million American citizens of Greek ancestry, and Philhellenes.

H. Con. Res. 87, supporting the goals and ideals of a world day of remembrance for road crash victims.

H. Con. Res. 88, honoring the life of Ernest Gallo.

H. Con. Res. 105, supporting the goals and ideals of a National Suffragists Day to promote awareness of the importance of the women suffragists who worked for the right of women to vote in the United States.

H. Con. Res. 117, commemorating the 400th Anniversary of the settlement of Jamestown.

H. Con. Res. 138, supporting National Men's Health Week.

H. Con. Res. 142, expressing the sense of the Congress that there should be established a National Pet Week.

H. Con. Res. 143, concurrent resolution honoring national historic landmarks.

H. Con. Res. 148, recognizing the significance of national Caribbean-American Heritage Month.

H. Con. Res. 155, recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of Congress that history should be regarded as a means for understanding the past and more effectively facing the challenges of the future.

H. Con. Res. 165, supporting the goals and ideals of National Teen Driver Safety Week.

H. Con. Res. 172, honoring the life of each of the nine fallen City of Charleston firefighters who lost their lives in Charleston, South Carolina, on June 18, 2007.

H. Con. Res. 193, recognizing all hunters across the United States for their continued commitment to safety.

H. Con. Res. 195, expressing the sense of the Congress that a National Dysphagia Awareness Month should be established.

H. Con. Res. 198, expressing the sense of Congress that the United States has a moral responsibility to meet the needs of those persons, groups and communities that are impoverished, disadvantaged or otherwise in poverty.

H. Con. Res. 205, supporting the goals and ideals of National Women's Friendship Day.

H. Con. Res. 210, supporting the goals and ideals of Sickle Cell Disease Awareness Month.

H. Con. Res. 211, supporting the goals and ideals of World Diabetes Day.

H. Con. Res. 215, supporting the designation of a week as "National Cardiopulmonary Resuscitation and Automated External Defibrillator Awareness Week."

H. Con. Res. 223, honoring professional surveyors and recognizing their contributions to society.

H. Con. Res. 254, recognizing and celebrating the centennial of Oklahoma statehood.

H. Con. Res. 273, recognizing the 50th Anniversary of the National Academy of Recording Arts & Sciences.

H. Con. Res. 281, celebrating the birth of Abraham Lincoln and recognizing the prominence the Declaration of Independence played in the development of Abraham Lincoln's beliefs.

H. Con. Res. 286, expressing the sense of Congress that Earl Lloyd should be recognized and honored for breaking the color barrier and becoming the first African American to play in the National Basketball Association League 58 years ago.

H. Con. Res. 292, honoring Margaret Truman Daniel and her lifetime of accomplishments.

H. Con. Res. 310, expressing support for a national day of remembrance for Harriet Ross Tubman.

H. Con. Res. 334, supporting the goals and objectives of a National Military Appreciation Month.

H. Con. Res. 351, honoring the 225th Anniversary of the Continental Congress meeting in Nassau Hall, Princeton, New Jersey, in 1783.

H. Con. Res. 360, recognizing the important social and economic contributions and accomplishments of the New Deal to our Nation on the 75th anniversary of legislation establishing the initial New Deal social and public works programs.

H. Con. Res. 364, recognizing the Significance of National Caribbean-American Heritage Month.

H. Con. Res. 365, honoring the life of Robert Mondavi.

H. Con. Res. 370, expressing support for designation of September 2008 as Gospel Music Heritage Month and honoring gospel music for its valuable and longstanding contributions to the culture of the United States.

H. Con. Res. 376, congratulating the 2007–2008 National Basketball Association World Champions, the Boston Celtics, on an outstanding and historic season.

H. Con. Res. 378, expressing support for designation of September 6, 2008, as Louisa Swain Day.

H. Con. Res. 386, recognizing and celebrating the 232nd anniversary of the signing of the Declaration of Independence.

H. Con. Res. 429, recognizing the importance of the United States wine industry to the American economy.

H. Res. 15, mourning the passing of President Gerald Rudolph Ford and celebrating his leadership and service to the people of the United States.

H. Res. 42, recognizing Ann Richards's extraordinary contributions to Texas and American public life.

H. Res. 49, expressing the sense of the House of Representatives that there should be established a National Letter Carriers Appreciation Day.

H. Res. 53, recognizing the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League, and the United States.

H. Res. 58, to honor Muhammad Ali, global humanitarian, on the occasion of his 65th birthday and to extend best wishes to him and his family.

H. Res. 69, recognizing and honoring Benny Parsons and expressing the condolences of the House of Representatives to his family on his death.

H. Res. 89, expressing the sense of the House of Representatives that a day should be established as Dutch-American Friendship Day to celebrate the historic ties of the United States and the Netherlands.

H. Res. 90, congratulating Lovie Smith of the Chicago Bears and Tony Dungy of the Indianapolis Colts on becoming the first African-American head coaches of National Football League teams to qualify for the Super Bowl.

H. Res. 127, recognizing and celebrating the 50th anniversary of the entry of Alaska in the Union as the 49th State.

H. Res. 130, congratulating the National Football League champion Indianapolis Colts for winning Super Bowl XLI and for bringing the City of Indianapolis and the State of Indiana their first Lombardi Trophy.

H. Res. 136, commending the Girl Scouts of the United States of America on the occasion of their 95th anniversary, for providing quality age-appropriate experiences that prepare girls to become the leaders of tomorrow and for raising issues important to girls.

H. Res. 162, recognizing the contributions of the Negro Baseball Leagues and their players.

H. Res. 179, expressing support for a National Foster Parents Day.

H. Res. 180, honoring the life and achievements of Leo T. McCarthy and expressing profound sorrow on his death.

H. Res. 189, expressing the sense of the House of Representatives that a Welcome Home Vietnam Veterans Day should be established.

H. Res. 198, recognizing the significance of Black History Month.

H. Res. 223, supporting the goals and ideals of a National Day of Remembrance for Murder Victims.

H. Res. 245, recognizing the religious and historical significance of the festival of Diwali.

H. Res. 257, supporting the goals and ideals of Pancreatic Cancer Awareness Month.

H. Res. 273, supporting the goals and ideals of Financial Literacy Month, and for other purposes.

H. Res. 291, supporting the goals and ideals of Peace Officers Memorial Day.

H. Res. 303, expressing the sense of the House of Representatives that a day ought to be established to bring awareness to the issue of missing persons.

H. Res. 307, expressing the sense of the House of Representatives that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 7 through 13, 2007.

H. Res. 345, commemorating the 200th anniversary of the Archdiocese of New York.

H. Res. 361, recognizing and honoring Jack Valenti and expressing the condolences of the House of Representatives to his family on his death.

H. Res. 389, supporting the goals and ideals of Malaria Awareness Day.

H. Res. 442, expressing the sense of the House of Representatives that a National Youth Sports Week should be established.

H. Res. 471, congratulating the National Hockey League Champions, the Anaheim Ducks, on their victory in the 2007 Stanley Cup Finals.

H. Res. 488, congratulating the Detroit Tigers for winning the 2006 American League Pennant and for bringing the City of Detroit and the State of Michigan their first trip to the World Series in 22 years.

H. Res. 490, honoring the 2007 NBA Champion San Antonio Spurs.

H. Res. 501, commending Craig Biggio of the Houston Astros for reaching 3,000 base hits as a Major League Baseball player and for his outstanding service to baseball and the Houston, Texas, region.

H. Res. 519, honoring the life and accomplishments of renowned artist Tom Lea on the 100th anniversary of his birth.

H. Res. 528, commemorating the 300th anniversary of the Town of New Milford, Connecticut.

H. Res. 537, expressing support for the designation and goals of National 9–1–1 Education Month and for other purposes.

H. Res. 544, expressing the sympathy and pledging the support of the House of Representatives and the people of the United States for the victims of the devastating thunderstorms that caused severe flooding in 20 counties in eastern Kansas beginning on June 26, 2007.

H. Res. 551, acknowledging the progress made and yet to be made to rebuild the Gulf Coast region after Hurricanes Katrina and Rita.

H. Res. 553, mourning the passing of former First Lady, Lady Bird Johnson, and celebrating her life and contributions to the people of the United States.

H. Res. 554, supporting the goals and ideals of National Passport Month.

H. Res. 578, expressing the sense of the House of Representatives that there should be established a National Watermelon Month.

H. Res. 584, supporting the goals and ideals of National Life Insurance Awareness Month.

H. Res. 588, recognizing Martha Coffin Wright on the 200th anniversary of her birth and her induction into the National Women's Hall of Fame.

H. Res. 605, supporting the goals and ideals of Gold Star Mothers Day.

H. Res. 630, congratulating the Warner Robins Little League Baseball Team from Warner Robins, Georgia, on winning the 2007 Little League World Series Championship.

H. Res. 641, acknowledging the importance of understanding the history of the United States of America and recognizing the need to foster civic responsibility in all citizens.

H. Res. 654, congratulating the Phoenix Mercury for winning the 2007 Women's National Basketball Association (WNBA) Championship.

H. Res. 663, supporting the goals and ideals of Veterans of Foreign Wars Day.

H. Res. 671, supporting the goals and ideals of National Ovarian Cancer Awareness Month.

H. Res. 684, congratulating Shawn Johnson on her victory in becoming the 2007 World Artistic Gymnastics Champion in women's gymnastics.

H. Res. 687, recognizing Reverend Theodore M. Hesburgh, C.S.C., for his contributions to the civil rights movement in the United States, his tireless work to reduce the threat of nuclear conflict, and his efforts to secure the peaceful resolution of international conflicts.

H. Res. 695, expressing the support of the House of Representatives for the designation of a National Fire Fighter Appreciation Day to honor and celebrate the fire fighters of the United States.

H. Res. 697, commending Green Bay Packers quarterback Brett Favre for establishing a National Football League record for most career touchdown passes, and for other purposes.

H. Res. 728, expressing the support and sympathy of the House of Representatives and the people of the United States for the victims of the devastating flooding that occurred across many parts of Ohio in August 2007 and commending the communities, volunteer organizations, churches and emergency response agencies for their continuing work to restore the affected areas across the state.

H. Res. 759, recognizing the 40th Anniversary of the Mass Movement for Soviet Jewish Freedom and the 20th Anniversary of the Freedom Sunday Rally for Soviet Jewry on the Mall in Washington, D.C.

H. Res. 778, honoring the first responders and supporting the victims of the Southern California wildfires.

H. Res. 782, expressing the sense of the House with respect to the Boston Red Sox victory in the 2007 Major League Baseball World Series.

H. Res. 787, expressing the support and sympathy of the House of Representatives and the people of the United States for the victims of the tragic fire that occurred on Ocean Isle Beach, North Carolina, on October 28, 2007.

H. Res. 785, recognizing the 100th Anniversary of Robstown, Texas.

H. Res. 808, commemorating the 50th Anniversary of the Metropolitan Washington Council of Governments.

H. Res. 816, congratulating the Colorado Rockies on winning the National League Championship.

H. Res. 851, honoring local and state first responders, and the citizens of the Pacific Northwest in facing the severe winter storm of December 2 and 3, 2007.

H. Res. 856, expressing heartfelt sympathy for the victims and families of the shootings in Omaha, Nebraska, on Wednesday, December 5, 2007.

H. Res. 867, commending the Houston Dynamo soccer team for winning the 2007 Major League Soccer Cup.

H. Res. 886, expressing sympathy to the victims and families of the tragic acts of violence in Colorado Springs, Colorado and Arvada, Colorado.

H. Res. 892, expressing support for designation of a National Funeral Director and Mortician Recognition Day.

H. Res. 923, recognizing the State of Minnesota's 150th anniversary.

H. Res. 931, expressing support for designation of February 17, 2008, as Race Day in America and highlighting the 50th running of the Daytona 500.

H. Res. 942, recognizing the significance of Black History Month.

H. Res. 952, expressing the sense of the House of Representatives that there should be established a National Teacher Day to honor and celebrate teachers in the United States.

H. Res. 960, congratulating the National Football League champion New York Giants for winning Super Bowl XLII and completing one of the most remarkable postseason runs in professional sports history.

H. Res. 970, expressing support for designation of June 30 as National Corvette Day.

H. Res. 984, expressing support for the designation of July 26, 2008, as National Day of the Cowboy.

H. Res. 994, expressing support for designation of a National Glanzmann's Thrombasthenia Awareness Day.

H. Res. 1000, to commemorate the 250th Anniversary of the Naming of Pittsburgh as the culmination of the Forbes Campaign across Pennsylvania and the significance this event played in the making of America, in the settlement of the continent, and in spreading the ideals of freedom and democracy throughout the world.

H. Res. 1002, expressing support for the designation of a Public Radio Recognition Month.

H. Res. 1005, supporting the goals and ideals of Borderline Personality Disorder Awareness Month.

H. Res. 1016, expressing the condolences of the House of Representatives on the death of William F. Buckley, Jr.

H. Res. 1021, supporting the goals, ideals, and history of National Women's History Month.

H. Res. 1026, recognizing the 100th anniversary of the founding of the Congressional Club.

H. Res. 1029, congratulating and recognizing Mr. Juan Antonio Chi-Chi Rodriguez for his continued success on and off of the golf course.

H. Res. 1073, expressing the sense of the House of Representatives that public servants should be commended for their dedication and continued service to the nation during Public Service Recognition Week, May 5 through 11, 2008.

H. Res. 1091, honoring the life, achievements, and contributions of Charlton Heston and extending its deepest sympathies to the family of Charlton Heston for the loss of such a great generous man, husband, and father.

H. Res. 1113, celebrating the role of mothers in the United States and supporting the goals and ideals of Mother's Day.

H. Res. 1114, supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day.

H. Res. 1122, recognizing Armed Forces Day.

H. Res. 1128, expressing support of the goals and ideals of National Carriage Driving Month.

H. Res. 1132, supporting the goals and ideals of Peace Officers Memorial Day.

H. Res. 1143, supporting the goals and ideals of the apple crunch and the nation's domestic apple industry.

H. Res. 1144, expressing support for the designation of a Frank Sinatra Day, in honor of the dedication of the Frank Sinatra commemorative stamp.

H. Res. 1152, honoring Arnold Palmer for his distinguished career in the sport of golf and his commitment to excellence and sportsmanship.

H. Res. 1153, celebrating Asian Pacific American Heritage Month.

H. Res. 1202, supporting the goals and ideals of a National Guard Youth Challenge Day.

H. Res. 1219, celebrating the symbol of the United States flag and supporting the goals and ideals of Flag Day.

H. Res. 1237, recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of the House of Representatives that history should be regarded as a means for understanding the past and more effectively facing the challenges of the future.

H. Res. 1262, expressing the sense of the House of Representatives that the Secretary of Commerce should use all reasonable measures to ensure that every person is counted in the 2010 decennial census.

H. Res. 1275, honoring the life of Timothy John Russert, Jr., public servant, political analyst, and author.

H. Res. 1283, expressing heartfelt sympathy for the victims and their families following the tornado that hit Little Sioux, Iowa, on June 11, 2008.

H. Res. 1311, expressing support for the designation of National GEAR UP Day.

H. Res. 1356, celebrating the 221st anniversary of the signing of the Constitution of the United States of America, and for other purposes.

H. Res. 1375, recognizing and supporting the goals and ideals of National Runaway Prevention Month.

H. Res. 1392, supporting the goals and ideals of National Life Insurance Awareness Month.

H. Res. 1418, congratulating Michael Phelps, 2008 Beijing Summer Olympics champion swimmer, on winning eight gold medals in the Games of the XXIX Olympiad and becoming one of the most highly decorated athletes in Olympic history.

H. Res. 1420, expressing the sense of the House of Representatives regarding the terrorist attacks launched against the United States on September 11, 2001.

H. Res. 1436, congratulating the Waipio Little League baseball team for winning the 2008 Little League World Championship.

H. Res. 1453, supporting the goals and ideals of Sickle Cell Disease Awareness Month.

H. Res. 1494, recognizing the 100th anniversary of the Christian Science Monitor newspaper.

H. Res. 1499, Designating the third week of October as "National Estate Planning Awareness Week."

E. POSTAL NAMING MEASURES

1. Enacted

H.R. 49, to designate the facility of the United States Postal Service located at 1300 North Frontage Road West in Vail, Colorado, as the “Gerald R. Ford Jr. Post Office Building.”

H.R. 335, to designate the facility of the United States Postal Service located at 152 North 5th Street in Laramie, Wyoming, as the “Gale W. McGee Post Office.”

H.R. 414, to designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the “Miguel Angel Garcia Mendez Post Office Building.”

H.R. 433, to designate the facility of the United States Postal Service located at 1700 Main Street in Little Rock, Arkansas, as the “Scipio A. Jones Post Office Building.”

H.R. 437, to designate the facility of the United States Postal Service located at 500 West Eisenhower Street in Rio Grande City, Texas, as the “Lino Perez Jr. Post Office.”

H.R. 514, to designate the facility of the United States Postal Service located at 16150 Aviation Loop Drive in Brooksville, Florida, as the “Sergeant Lea Robert Mills Brooksville Aviation Branch Post Office.”

H.R. 521, to designate the facility of the United States Postal Service located at 2633 11th Street in Rock Island, Illinois, as the “Lane Evans Post Office Building.”

H.R. 577, to designate the facility of the United States Postal Service located at 3903 South Congress Avenue in Austin, Texas, as the “Sergeant Henry Ybarra III Post Office Building.”

H.R. 625, to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the “Atanacio Haro-Marin Post Office.”

H.R. 954, to designate the facility of the United States Postal Service located at 365 West 125th Street in New York, New York, as the “Percy Sutton Post Office Building.”

H.R. 988, to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the “Lieutenant Todd Jason Bryant Post Office.”

H.R. 1260, to designate the facility of the United States Postal Service located at 6301 Highway 58 in Harrison, Tennessee, as the “Claude Ramsey Post Office.”

H.R. 1335, to designate the facility of the United States Postal Service located at 508 East Main Street in Seneca, South Carolina, as the “S/Sgt Lewis G. Watkins Post Office Building.”

H.R. 1384, to designate the facility of the United States Postal Service located at 118 Minner Street in Bakersfield, California, as the “Buck Owens Post Office.”

H.R. 1402, to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the “Sergeant Dennis J. Flanagan Lecanto Post Office Building.”

H.R. 1425, to designate the facility of the United States Postal Service located at 4551 East 52nd Street in Odessa, Texas, as the “Staff Sergeant Marvin ‘Rex’ Young Post Office Building.”

H.R. 1434, to designate the facility of the United States Postal Service located at 896 Pittsburgh Street in Springdale, Pennsylvania, as the “Rachel Carson Post Office Building.”

H.R. 1617, to designate the facility of the United States Postal Service located at 561 Kingsland Avenue in University City, Missouri, as the “Harriett F. Woods Post Office Building.”

H.R. 1722, to designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the “Leonard W. Herman Post Office.”

H.R. 2025, to designate the facility of the United States Postal Service located at 11033 South State Street in Chicago, Illinois, as the “Willye B. White Post Office Building.”

H.R. 2077, to designate the facility of the United States Postal Service located at 20805 State Route 125 in Blue Creek, Ohio, as the “George B. Lewis Post Office Building.”

H.R. 2078, to designate the facility of the United States Postal Service located at 14536 State Route 136 in Cherry Fork, Ohio, as the “Staff Sergeant Omer T. ‘O.T.’ Hawkins Post Office.”

H.R. 2089, to designate the facility of the United States Postal Service located at 701 Loyola Avenue in New Orleans, Louisiana, as the “Louisiana Armed Services Veterans Post Office.”

H.R. 2127, to designate the facility of the United States Postal Service located at 408 West 6th Street in Chelsea, Oklahoma, as the “Clem Rogers McSpadden Post Office Building.”

H.R. 2276, to designate the facility of the United States Postal Service located at 203 North Main Street in Vassar, Michigan, as the “Corporal Christopher E. Eskelson Post Office Building.”

H.R. 2309, to designate the facility of the United States Postal Service located at 3916 Milgen Road in Columbus, Georgia, as the “Frank G. Lumpkin Jr. Post Office Building.”

H.R. 2467, to designate the facility of the United States Postal Service located at 69 Montgomery Street in Jersey City, New Jersey, as the “Frank J. Guarini Post Office Building.”

H.R. 2563, to designate the facility of the United States Postal Service located at 309 East Linn Street in Marshalltown, Iowa, as the “Major Scott Nisely Post Office.”

H.R. 2570, to designate the facility of the United States Postal Service located at 301 Boardwalk Drive in Fort Collins, Colorado, as the “Dr. Karl E. Carson Post Office Building.”

H.R. 2587, to designate the facility of the United States Postal Service located at 555 South 3rd Street Lobby in Memphis, Tennessee, as the “Kenneth T. Whalum, Sr., Post Office Building.”

H.R. 2654, to designate the facility of the United States Postal Service located at 202 South Dumont Avenue in Woonsocket, South Dakota, as the “Eleanor McGovern Post Office Building.”

H.R. 2688, to designate the facility of the United States Postal Service located at 103 South Getty Street in Uvalde, Texas, as the “Dolph S. Briscoe Jr. Post Office Building.”

H.R. 2765, to designate the facility of the United States Postal Service located at 44 North Main Street in Hughesville, Pennsylvania, as the “Master Sergeant Sean Michael Thomas Post Office.”

H.R. 2778, to designate the facility of the United States Postal Service located at 3 Quaker Ridge Road in New Rochelle, New York, as the “Robert Merrill Postal Station.”

H.R. 2825, to designate the facility of the United States Postal Service located at 326 South Main Street in Princeton, Illinois, as the “Owen Lovejoy Princeton Post Office Building.”

H.R. 3052, to designate the facility of the United States Postal Service located at 954 Wheeling Avenue in Cambridge, Ohio, as the “John Herschel Glenn Jr. Post Office Building.”

H.R. 3106, to designate the facility of the United States Postal Service located at 805 Main Street in Ferdinand, Indiana, as the “Staff Sergeant David L. Nord Post Office.”

H.R. 3196, to designate the facility of the United States Postal Service located at 20 Sussex Street in Port Jervis, New York, as the “E. Arthur Gray Post Office Building.”

H.R. 3233, to designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods, Mississippi, as the “Laurence C. and Grace M. Jones Post Office Building.”

H.R. 3297, to designate the facility of the United States Postal Service located at 950 West Trenton Avenue in Morrisville, Pennsylvania, as the “Nate DeTample Post Office Building.”

H.R. 3307, to designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the “Dennis P. Collins Post Office Building.”

H.R. 3308, to designate the facility of the United States Postal Service located at 216 East Main Street in Atwood, Indiana, as the “Lance Corporal David K. Fribley Post Office.”

H.R. 3325, to designate the facility of the United States Postal Service located at 235 Mountain Road in Suffield, Connecticut, as the “Corporal Stephen R. Bixler Post Office.”

H.R. 3382, to designate the facility of the United States Postal Service located at 200 North William Street in Goldsboro, North Carolina, as the “Philip A. Baddour Sr. Post Office.”

H.R. 3446, to designate the facility of the United States Postal Service located at 202 East Michigan Avenue in Marshall, Michigan, as the “Michael W. Schragg Post Office Building.”

H.R. 3468, to designate the facility of the United States Postal Service located at 1704 Weeksville Road in Elizabeth City, North Carolina, as the “Dr. Clifford Bell Jones Sr. Post Office.”

H.R. 3470, to designate the facility of the United States Postal Service located at 744 West Oglethorpe Highway in Hinesville, Georgia, as the “John Sidney ‘Sid’ Flowers Post Office Building.”

H.R. 3511, to designate the facility of the United States Postal Service located at 2150 East Hardtner Drive in Urania, Louisiana, as the “Murphy A. Tannehill Post Office Building.”

H.R. 3518, to designate the facility of the United States Postal Service located at 1430 South Highway 29 in Cantonment, Florida, as the “Charles H. Hendrix Post Office Building.”

H.R. 3530, to designate the facility of the United States Postal Service located at 1400 Highway 41 North in Inverness, Florida, as the “Chief Warrant Officer Aaron Weaver Post Office Building.”

H.R. 3532, to designate the facility of the United States Postal Service located at 5815 McLeod Street in Lula, Georgia, as the “Private Johnathon Millican Lula Post Office.”

H.R. 3569, to designate the facility of the United States Postal Service located at 16731 Santa Ana Avenue in Fontana, California, as the “Beatrice E. Watson Post Office Building.”

H.R. 3572, to designate the facility of the United States Postal Service located at 4320 Blue Parkway in Kansas City, Missouri, as the “Wallace S. Hartsfield Post Office Building.”

H.R. 3720, to designate the facility of the United States Postal Service located at 424 Clay Avenue in Waco, Texas, as the “Army PFC Juan Alonso Covarrubias Post Office Building.”

H.R. 3721, to designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the “Marine Gunnery Sgt. John D. Fry Post Office Building.”

H.R. 3803, to designate the facility of the United States Postal Service located at 3100 Cashwell Drive in Goldsboro, North Carolina, as the “John Henry Wooten Sr. Post Office Building.”

H.R. 3936, to designate the facility of the United States Postal Service located at 116 Helen Highway in Cleveland, Georgia, as the “Sgt. Jason Harkins Post Office Building.”

H.R. 3974, to designate the facility of the United States Postal Service located at 797 Sam Bass Road in Round Rock, Texas, as the “Marine Corps Corporal Steven P. Gill Post Office Building.”

H.R. 3988, to designate the facility of the United States Postal Service located at 3701 Altamesa Boulevard in Fort Worth, Texas, as the “Master Sergeant Kenneth N. Mack Post Office Building.”

H.R. 4009, to designate the facility of the United States Postal Service located at 567 West Nepessing Street in Lapeer, Michigan, as the “Turrill Post Office Building.”

H.R. 4010, to designate the facility of the United States Postal Service located at 100 West Percy Street in Indianola, Mississippi, as the “Minnie Cox Post Office Building.”

H.R. 4166, to designate the facility of the United States Postal Service located at 701 East Copeland Drive in Lebanon, Missouri, as the “Steve W. Allee Carrier Annex.”

H.R. 4185, to designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the “Marisol Heredia Post Office Building.”

H.R. 4203, to designate the facility of the United States Postal Service located at 3035 Stone Mountain Street in Lithonia, Georgia, as the “Specialist Jamaal RaShard Addison Post Office Building.”

H.R. 4210, to designate the facility of the United States Postal Service located at 401 Washington Avenue in Weldon, North Carolina, as the “Dock M. Brown Post Office Building.”

H.R. 4211, to designate the facility of the United States Postal Service located at 725 Roanoke Avenue in Roanoke Rapids, North Carolina, as the “Judge Richard B. Allsbrook Post Office.”

H.R. 4240, to designate the facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, as the “Felix Sparks Post Office Building.”

H.R. 4454, to designate the facility of the United States Postal Service located at 3050 Hunsinger Lane in Louisville, Kentucky, as the “Iraq and Afghanistan Fallen Military Heroes of Louisville Memorial Post Office Building” in honor of the servicemen and women from Louisville Kentucky who died in service during Operation Enduring Freedom and Operation Iraqi Freedom.

H.R. 5135, to designate the facility of the United States Postal Service located at 201 West Greenway Street in Derby, Kansas, as the “Sergeant Jamie O. Maugans Post Office Building.”

H.R. 5168, to designate the facility of the United States Postal Service located at 19101 Cortez Boulevard in Brooksville, Florida, as the “Cody Grater Post Office Building.”

H.R. 5220, to designate the facility of the United States Postal Service located at 3800 SW. 185th Avenue in Beaverton, Oregon, as the “Major Arthur Chin Post Office Building.”

H.R. 5395, to designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the “William ‘Bill’ Clay Post Office Building.”

H.R. 5400, to designate the facility of the United States Postal Service located at 160 East Washington Street in Chagrin Falls, Ohio, as the “Sgt. Michael M. Kashkoush Post Office Building.”

H.R. 5472, to designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, as the “Julia M. Carson Post Office Building.”

H.R. 5477, to designate the facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, as the “Chi Mui Post Office Building.”

H.R. 5479, to designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the “Alonzo Woodruff Post Office Building.”

H.R. 5483, to designate the facility of the United States Postal Service located at 10449 White Granite Drive in Oakton, Virginia, as the “Private First Class David H. Sharrett II Post Office Building.”

H.R. 5489, to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the “Congresswoman Jo Ann S. Davis Post Office.”

H.R. 5517, to designate the facility of the United States Postal Service located at 7231 FM 1960 in Humble, Texas, as the “Texas Military Veterans Post Office.”

H.R. 5528, to designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the “Rocky Marciano Post Office Building.”

H.R. 5631, to designate the facility of the United States Postal Service located at 1155 Seminole Trail in Charlottesville, Virginia, as the “Corporal Bradley T. Arms Post Office Building.”

H.R. 5975, to designate the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the “Cpl. John P. Sigsbee Post Office.”

H.R. 6061, to designate the facility of the United States Postal Service located at 219 East Main Street in West Frankfort, Illinois, as the “Kenneth James Gray Post Office Building.”

H.R. 6085, to designate the facility of the United States Postal Service located at 42222 Rancho Las Palmas Drive in Rancho Mirage, California, as the “Gerald R. Ford Post Office Building.”

H.R. 6092, to designate the facility of the United States Postal Service located at 101 Tallapoosa Street in Bremen, Georgia, as the “Sergeant Paul Saylor Post Office Building.”

H.R. 6150, to designate the facility of the United States Postal Service located at 14500 Lorain Avenue in Cleveland, Ohio, as the “John P. Gallagher Post Office Building.”

H.R. 6197, to designate the facility of the United States Postal Service located at 7095 Highway 57 in Counce, Tennessee, as the “Pickwick Post Office Building.”

H.R. 6199, to designate the facility of the United States Postal Service located at 245 North Main Street in New City, New York, as the “Kenneth Peter Zebrowski Post Office Building.”

H.R. 6229, to designate the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the “Mayor William ‘Bill’ Sandberg Post Office Building.”

H.R. 6338, to designate the facility of the United States Postal Service located at 4233 West Hillsboro Boulevard in Coconut Creek, Florida, as the “Army SPC Daniel Agami Post Office Building.”

H.R. 6437, to designate the facility of the United States Postal Service located at 200 North Texas Avenue in Odessa, Texas, as the “Corporal Alfred Mac Wilson Post Office.”

H.R. 6558, to designate the facility of the United States Postal Service located at 1750 Lundy Avenue in San Jose, California, as the “Gordon N. Chan Post Office Building.”

H.R. 6681, to designate the facility of the United States Postal Service located at 300 Vine Street in New Lenox, Illinois, as the “Jacob M. Lowell Post Office Building.”

H.R. 6834, to designate the facility of the United States Postal Service located at 4 South Main Street in Wallingford, Connecticut, as the “CWO Richard R. Lee Post Office Building.”

H.R. 6847, to designate the facility of the United States Postal Service located at 801 Industrial Boulevard in Ellijay, Georgia, as the “First Lieutenant Noah Harris Ellijay Post Office Building.”

H.R. 6859, to designate the facility of the United States Postal Service located at 1501 South Slappey Boulevard in Albany, Georgia, as the “Dr. Walter Carl Gordon, Jr. Post Office Building.”¹

H.R. 6874, to designate the facility of the United States Postal Service located at 156 Taunton Avenue in Seekonk, Massachusetts, as the “Lance Corporal Eric Paul Valdepenas Post Office Building.”

H.R. 6902, to designate the facility of the United States Postal Service located at 513 6th Avenue in Dayton, Kentucky, as the “Staff Sergeant Nicholas Ray Carnes Post Office.”

H.R. 6982, to designate the facility of the United States Postal Service located at 210 South Ellsworth Avenue in San Mateo, California, as the “Leo J. Ryan Post Office Building.”

S. 171, to designate the facility of the United States Postal Service located at 301 Commerce Street in Commerce, Oklahoma, as the “Mickey Mantle Post Office Building.”

S. 1352, to designate the facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the “Dr. Francis Townsend Post Office Building.”

S. 2174, to designate the facility of the United States Postal Service located at 175 South Monroe Street in Tiffin, Ohio, as the “Paul E. Gillmor Post Office Building.”

S. 2272, to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John “Marty” Thiels Southpark Station, in honor and memory of Thiels, a Louisiana postal worker who was killed in the line of duty on October 4, 2007.

S. 2478, to designate the facility of the United States Postal Service located at 59 Colby Corner in East Hampstead, New Hampshire, as the “Captain Jonathan D. Grassbaugh Post Office.”

¹ Cleared for White House 11/20/2008 but not yet signed.

S. 3015, to designate the facility of the United States Postal Service located at 18 S. G Street, Lakeview, Oregon, as the “Dr. Bernard Daly Post Office Building.”

S. 3082, to designate the facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, as the “Reverend Earl Abel Post Office Building.”

S. 3241, to designate the facility of the United States Postal Service located at 1717 Orange Avenue in Fort Pierce, Florida, as the “CeeCee Ross Lyles Post Office Building.”

2. Approved by the House

H.R. 1734, to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the “Dr. Martin Luther King Jr. Post Office.”

H.R. 3034, to designate the facility of the United States Postal Service located at 127 South Elm Street in Gardner, Kansas, as the “Private First Class Shane R. Austin Post Office.”

H.R. 3911, to designate the facility of the United States Postal Service located at 95 Church Street in Jessup, Pennsylvania, as the “Lance Corporal Dennis James Veater Post Office.”

H.R. 4342, to designate the facility of the United States Postal Service located at 824 Manatee Avenue West in Bradenton, Florida, as the “Dan Miller Post Office Building.”

H.R. 4774, to designate the facility of the United States Postal Service located at 10250 John Saunders Road in San Antonio, Texas, as the “Cyndi Taylor Krier Post Office Building.”

H.R. 5506, to designate the facility of the United States Postal Service located at 369 Martin Luther King Jr. Drive in Jersey City, New Jersey, as the “Bishop Ralph E. Brower Post Office Building.”

H.R. 5932, to designate the facility of the United States Postal Service located at 2801 Manhattan Boulevard in Harvey, Louisiana, as the “Harry Lee Post Office Building.”

H.R. 6168, to designate the facility of the United States Postal Service located at 112 South 5th Street in Saint Charles, Missouri, as the “Lance Corporal Drew W. Weaver Post Office Building.”

H.R. 6169, to designate the facility of the United States Postal Service located at 15455 Manchester Road in Ballwin, Missouri, as the “Specialist Peter J. Navarro Post Office Building.”

H.R. 6198, to designate the facility of the United States Postal Service located at 1700 Cleveland Avenue in Kansas City, Missouri, as the “Reverend Earl Abel Post Office Building.” Companion bill *S. 3082* was enacted into law.

H.R. 6208, to designate the facility of the United States Postal Service located at 1100 Town and Country Commons in Chesterfield, Missouri, as the “Lance Corporal Matthew P. Pathenos Post Office Building.”

H.R. 6226, to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the “Stan Lundine Post Office Building.”

H.R. 6489, to designate the facility of the United States Postal Service located at 501 4th Street in Lake Oswego, Oregon, as the “Judie Hammerstad Post Office Building.”

H.R. 6585, to designate the facility of the United States Postal Service located at 311 Southwest 2nd Street in Corvallis, Oregon, as the “Helen Berg Post Office Building.”

H.R. 6772, to designate the facility of the United States Postal Service located at 1717 Orange Avenue in Fort Pierce, Florida, as the “CeeCee Ross Lyles Post Office Building.” Companion bill S. 3241 was enacted into law.

H.R. 6837, to designate the facility of the United States Postal Service located at 7925 West Russell Road in Las Vegas, Nevada, as the “Private First Class Irving Joseph Schwartz Post Office Building.”

3. Approved by Committee

H.R. 706, to redesignate the facility of the United States Postal Service located at 2777 Logan Avenue in San Diego, California, as the “Cesar E. Chavez Post Office.”

H.R. 915, to designate the facility of the United States Postal Service located at 110 East Alexander Street in Three Rivers, Texas, as the “Veterans Memorial Post Office.”

H.R. 2300, to designate the facility of the United States Postal Service located at 127 East Locust Street in Fairbury, Illinois, as the “Dr. Francis Townsend Post Office Building.” Companion bill S. 1352 was enacted into law.

H.R. 3729, to designate the facility of the United States Postal Service located at 427 North Street in Taft, California, as the “Larry S. Pierce Post Office.” Companion bill S. 2110 was enacted into law.

H.R. 3744, to designate the facility of the United States Postal Service located at 411 Mount Holly Road in Fairdale, Kentucky, as the “Lance Corporal Robert A. Lynch Post Office Building.”

H.R. 3952, to designate the facility of the United States Postal Service located at 901 Pleasant Street in Attleboro, Massachusetts, as the “Max Volterra Post Office Building.”

H.R. 4284, to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John “Marty” Thiels Southpark Station in honor and memory of Mr. Thiels, a Louisiana postal worker who was killed in the line of duty on October 4 2007. Companion bill S. 2272 was enacted into law.

H.R. 4826, to designate the facility of the United States Postal Service located at 88–40 164th Street in Jamaica, New York, as the “Clarence L. Irving Sr. Post Office Building.”

H.R. 5601, to designate the facility of the United States Postal Service located at 7925 West Russell Road in Las Vegas, Nevada, as the “Sergeant Irving Joseph Schwartz Post Office Building.”

H.R. 5933, to designate the facility of the United States Postal Service located at 5351 Laplace Boulevard in Marrero, Louisiana, as the “Lionel R. Collins Sr. Post Office Building.”

H.R. 5978, to designate the facility of the United States Postal Service located at 76 Brookside Avenue in Chester, New York, as the “1st Lieutenant Louis Allen Post Office.”

H.R. 6187, to designate the facility of the United States Postal Service located at 4244 University Way NE. in Seattle, Washington, as the “Jacob Lawrence Post Office Building.”

H.R. 6265, to designate the facility of the United States Postal Service located at 41 Purdy Avenue in Rye, New York, as the “Caroline O’Day Post Office Building.”

H.R. 6286, to designate the facility of the United States Postal Service located at 1025 Nevin Avenue in Richmond, California, as the “Harold D. McCraw, Sr. Post Office Building.”

H.R. 6342, to designate the facility of the United States Postal Service located at 440 2nd Avenue in Gallipolis, Ohio, as the “Bob Evans Post Office Building.”

H.R. 6584, to designate the facility of the United States Postal Service located at 19300 South Molalla Avenue in Oregon City, Oregon, as the “Alice Norris Post Office Building.”

H.R. 6586, to designate the facility of the United States Postal Service located at 3624 Commercial Street Southeast in Salem, Oregon, as the “Sue Miller Post Office Building.”

H.R. 6836, to designate the facility of the United States Postal Service located at 140 Merriman Road in Garden City, Michigan, as the “John J. Shivnen Post Office Building.”

H.R. 6956, to designate the facility of the United States Postal Service located at 12877 Broad Street in Sparta, Georgia, as the “Yvonne Ingram-Ephraim Post Office Building.”

H.R. 7286, to designate the facility of the United States Postal Service located at 46-02 21st Street in Long Island City, New York, as the “Geraldine Ferraro Post Office Building.”

III. CHRONOLOGY OF FULL COMMITTEE PROCEEDINGS

Business meeting to approve the committee’s rules of procedure, establish subcommittee jurisdictions, and approve member assignments (January 18, 2007).

Hearing on “Allegations of Political Interference with the Work of Government Climate Change Scientists” (January 30, 2007). Witnesses: Dr. Francesca Grifo, Senior Scientist and Director of the Union of Concerned Scientists, Scientific Integrity Program; Rick Piltz, Director of Climate Science Watch; Dr. Drew Shindell, atmospheric physicist at NASA’s Goddard Institute for Space Studies; Dr. Roger Pielke, political scientist and University of Colorado professor.

Hearing on the “Impact of CPA Decision-making on Iraq Reconstruction” (February 6, 2007). Witnesses: Ambassador L. Paul Bremer, Former Administrator, Coalition Provisional Authority; Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction; David Oliver, Former Director of Management and Budget, Coalition Provisional Authority; Ambassador Timothy Carney, Coordinator for Economic Transition in Iraq, U.S. Department of State (State Department refused to allow him to testify).

Hearing on “Iraq Reconstruction: Reliance on Private Military Contractors” (February 7, 2007). Witnesses: Kristal Batalona, Daughter of Wesley Batalona; Kathryn Helvenston-Wettengel, Mother of Stephen Helvenston; Rhonda Teague, Wife of Michael Teague; Donna Zovko, Mother of Jerry Zovko; The Honorable Tina Ballard, Deputy Assistant Secretary for Policy and Procurement, U.S. Army; Andrew G. Howell, General Counsel, Blackwater USA; R. Timothy Tapp, Managing Director, Business Operations, Regency Hotel & Hospital Co.; W. Steve Murray Jr., Director of Contracting, ESS Support Services Worldwide; George Seagle, Director of Security, Government and Infrastructure Division, KBR; Tom Flores, Senior Director, Corporate Security, Fluor Corporation;

Alan Chvotkin, Senior Vice President and Counsel, Professional Services Council.

Hearing on “Management of Large Homeland Security Contracts: Deepwater and SBInet” (February 8, 2007). Witnesses: Richard Skinner, Inspector General, U.S. Department of Homeland Security; David Walker, Comptroller General of the United States, Government Accountability Office; Elaine Duke, Chief Procurement Officer, Department of Homeland Security; Greg Giddens, Director, SBI Program Executive Office, Department of Homeland Security; Admiral Thad Allen, Commandant, U.S. Coast Guard; Rear Admiral Gary Blore, Deepwater Executive Officer, U.S. Coast Guard; Jerry W. McElwee, Vice President, Boeing SBInet Program, Boeing Advanced Systems; Leo Mackay, President, Integrated Coast Guard Solutions (Lockheed Martin); Philip Teel, President, Northrop Grumman Ship Systems.

Hearing on “Allegations of Waste, Fraud, and Abuse in Pharmaceutical Pricing: Financial Impacts on Federal Health Programs and the Federal Taxpayer” (February 9, 2007). Witnesses: Dr. Steven Schondelmeyer, PharmD, PhD., Professor and Head, Department of Pharmaceutical Care and Health Systems, University of Minnesota College of Pharmacy; Gerard F. Anderson, Ph.D., Professor, Department of Health Policy and Management Director, Center for Hospital Finance and Management, Johns Hopkins Bloomberg School of Public Health; James W. Moorman, President and CEO, Taxpayers Against Fraud; Lew Morris, Counsel, Office of the Inspector General, U.S. Department of Health and Human Services; John Dicken, Director, Health Care, U.S. Government Accountability Office; Patrick J. O’Connell, Chief, Civil Medicaid Fraud, Attorney General of Texas; Ron Tenpas, Associate Deputy Attorney General, U.S. Department of Justice.

Business meeting to mark up H.R. 895, The Whistleblower Protection Enhancement Act, H.R. 984, The Executive Branch Reform Act, and H. Res. 42, recognizing Ann Richards’s extraordinary contributions to Texas and American public life (February 14, 2007).

Hearing on “Iraq Reconstruction: An Overview” (February 15, 2007). Witnesses: David M. Walker, Comptroller General of the United States, Government Accountability Office; Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction; William H. Reed, Director, Defense Contract Audit Agency.

Hearing on “Reform to the Presidential Library Donation Disclosure Process” (February 28, 2007). Witnesses: Sharon Fawcett, National Archives and Records Administration; Celia Viggo Wexler, Common Cause; Sheila Krumholz, Center for Responsive Politics.

Business meeting to consider views and estimates on the FY 2008 budget, H. Con. Res. 62, supporting the goals and ideals of a National Children and Families Day, in order to encourage adults in the United States to support and listen to children and to help children throughout the nation achieve their hopes and dreams, and for other purposes, and H. Res. 162, recognizing the contributions of the Negro Baseball Leagues and their players (February 28, 2007).

Business meeting to consider H.R. 1254, The Presidential Library Donation Reform Act, H.R. 1255, The Presidential Records Act Amendments, H.R. 1309, The Freedom of Information Act Amendments, H.R. 1362, the Accountability in Contracting Act, H.

Res. 89, expressing the sense of the House of Representatives that a day should be established as Dutch-American Friendship Day to celebrate the historic ties of the United States and the Netherlands, H. Res. 136, commending the Girl Scouts of the United States of America on the occasion of their 95th anniversary, for providing quality age-appropriate experiences that prepare girls to become the leaders of tomorrow and for raising issues important to girls, and H. Res. 198, recognizing the significance of Black History Month (March 8, 2007).

Business meeting to consider the District of Columbia House Voting Rights Act of 2007, and H.R. 2780, a bill to amend title 5, United States Code, to clarify the method for computing certain annuities (March 13, 2007).

Hearing on "White House Procedures for Safeguarding Classified Information" (March 16, 2007). Witnesses: Ms. Valerie Plame Wilson, former employee, Central Intelligence Agency; Dr. James Knodell, Director, Office of Security, The White House; Mr. Bill Leonard, Director, Information Security Oversight Office, National Archives and Records Administration; Mr. Mark Zaid, Attorney; Ms. Victoria Toensing, diGenova & Toensing, LLP.

Hearing on "Allegations of Political Interference with Government Climate Change Science" (March 19, 2007). Witnesses: Philip Cooney, former chief of staff of the White House Council on Environmental Quality; Dr. James Hansen, director of NASA's Goddard Institute for Space Studies; George Deutsch, former NASA public affairs officer; James Connaughton, Chairman of the White House Council on Environmental Quality; Dr. Roy Spencer, Principal Resident Scientist and the University of Alabama.

Hearing on "Safe and Affordable Biotech Drugs: The Need for a Generic Pathway" (March 26, 2007). Witnesses: Dr. Janet Woodcock, M.D., Food and Drug Administration; Ganesh Venkataraman, Ph.D., Research Momenta Pharmaceuticals, Inc.; Geoffrey Allan, Ph.D., Insmad Incorporated; Bill Schwieterman, M.D., Tekgenics Corporation (formerly with FDA's Center for Biologics); Theresa Lee Gerrard, Ph.D., TLG Consulting, Inc. (formerly with Amgen and FDA's Center for Biologics); Inger Mollerup, Novo Nordisk A/S; Nelda Barnett, AARP; Scott D. McKibbin, State of Illinois; Mary Nathan, National Organization for Rare Disorders (NORD); Yvonne Brown, National Multiple Sclerosis Society; Jonah Houts, Express Scripts, Inc.; Priya Mathur, California Public Employees' Retirement System (CalPERS); Henry Grabowski, Ph.D., Duke University.

Hearing on "Allegations of Misconduct at the General Services Administration" (March 28, 2007). Witnesses: The Honorable Chuck Grassley, U.S. Senator; The Honorable Lurita Doan, Administrator, General Services Administration; Brian D. Miller, Inspector General, GSA.

Business meeting to consider H.R. 1124, the DC Tuition Assistance Grant program, H. Con. Res. 71, commemorating the 85th Anniversary of the founding of the American Hellenic Educational Progressive Association, a leading association for the nation's 1.3 million American citizens of Greek ancestry, and Philhellenes, H. Con. Res. 88, honoring the life of Ernest Gallo, H. Res. 179, expressing support for a National Foster Parents Day, H. Res. 273, supporting the goals and ideals of Financial Literacy Month, and

for other purposes, H.R. 625, to designate the facility of the United States Postal Service located at 4230 Maine Avenue in Baldwin Park, California, as the “Atanacio Haro-Marin Post Office,” H.R. 988, to designate the facility of the United States Postal Service located at 5757 Tilton Avenue in Riverside, California, as the “Lieutenant Todd Jason Bryant Post Office,” H.R. 1402, to designate the facility of the United States Postal Service located at 320 South Lecanto Highway in Lecanto, Florida, as the “Sergeant Dennis J. Flanagan Lecanto Post Office Building,” H.R. 1425, to designate the facility of the United States Postal Service located at 4551 East 52nd Street in Odessa, Texas, as the “Staff Sergeant Marvin ‘Rex’ Young Post Office Building,” and H.R. 1434, to designate the facility of the United States Postal Service located at 896 Pittsburgh Street in Springdale, Pennsylvania, as the “Rachel Carson Post Office Building” (March 29, 2007).

Business meeting to consider H.R. 401, the National Capital Transportation Amendments Act (April 18, 2007).

Hearing on “Misleading Information from the Battlefield” (April 24, 2007). Witnesses: Mary Tillman, mother of Cpl. Pat Tillman; Kevin Tillman, brother of Cpl. Pat Tillman; Jessica Lynch, former Private, U.S. Army; Dr. Gene Bolles, former Chief of Neurosurgery, Landstuhl Regional Medical Center, Germany; Hon. Thomas F. Gimble, Acting Inspector General, Department of Defense; Brigadier General Rodney Johnson, Army Criminal Investigative Command; Specialist Bryan O’Neal, U.S. Army; Senior Chief Petty Officer Stephen White, Navy SEAL; Lt. Col. John Robinson, formerly of U.S. Army Central Command (CENTCOM).

Business meeting to consider a motion to subpoena the Executive Office of the President for contracts and contacts between the White House and MZM, Inc (April 25, 2007).

Hearing on “The Food and Drug Administration’s Critical Mission and Challenges for the Future (May 1, 2007). Witnesses: Donald Kennedy, Ph.D., former FDA Commissioner (1977–1979); Frank Young, M.D., Ph.D., former FDA Commissioner (1984–1989); David Kessler, M.D., J.D., former FDA Commissioner (1990–1997); Andrew C. von Eschenbach, M.D., FDA Commissioner.

Business meeting to consider H.R. 1873, the Small Business Fairness in Contracting Act, H.R. 3772, the Senior Executive Service Diversity Assurance Act, H.R. 5787, the Federal Real Property Disposal Enhancement Act, H.R. 5811, the Electronic Communications Preservation Act, H.R. 2081, a bill to amend the District of Columbia Home Rule Act, H. Con. Res. 105 supporting the goals and ideals of a National Suffragists Day to promote awareness of the importance of the women suffragists who worked for the right of women to vote in the United States, H. Con. Res. 117, commemorating the 400th Anniversary of the settlement of Jamestown, H. Res. 53, recognizing the life of Lamar Hunt and his outstanding contributions to the Kansas City Chiefs, the National Football League, and the United States, H. Res. 291, supporting the goals and ideals of Peace Officers Memorial Day, H. Res. 307, expressing the sense of the House of Representatives that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 7 through 13, 2007, H.R. 1260, to designate the facility of the United States Postal Service located at 6301 Highway 58 in Harrison, Tennessee,

as the “Claude Ramsey Post Office,” H.R. 1335, to designate the facility of the United States Postal Service located at 508 East Main Street in Seneca, South Carolina, as the “S/Sgt Lewis G. Watkins Post Office Building,” H.R. 1617, to designate the facility of the United States Postal Service located at 561 Kingsland Avenue in University City, Missouri, as the “Harriett F. Woods Post Office Building,” H.R. 1722, to designate the facility of the United States Postal Service located at 601 Banyan Trail in Boca Raton, Florida, as the “Leonard W. Herman Post Office,” and H.R. 2025, to designate the facility of the United States Postal Service located at 11033 South State Street in Chicago, Illinois, as the “Willye B. White Post Office Building” (May 1, 2007).

Hearing on “Waste, Fraud, and Abuse in the Federal Crop Insurance Program” (May 3, 2007). Witnesses: Eldon Gould, Administrator of USDA’s Risk Management Agency; Michael Hand, Deputy Administrator for Compliance, USDA Risk Management Agency; Phyllis Fong, USDA Inspector General; Lisa Shames, Acting Director for Natural Resources and the Environment, GAO; Bruce Babcock, Director of Iowa State University’s Center for Agricultural and Rural Development; Dr. Bruce Gardner, University of Maryland College of Agriculture and Natural Resources; Steve Ellis, Vice President, Taxpayers for Common Sense.

Hearing on the “Montreal Protocol and Global Warming” (May 23, 2007). Witnesses: Dr. Guus Velders, Senior Scientist on Ozone Layer Depletion, Climate Change, and Air Quality, Netherlands Environmental Assessment Agency; Allan Thornton, Executive Director of the Environmental Investigation Agency; Dr. Mack McFarland, Global Environmental Manager, DuPont.

Hearing on “Invisible Casualties: The Incidence and Treatment of Mental Health Problems by the U.S. Military” (May 24, 2007). Witnesses: Army Specialist Thomas Smith; Richard and Carol Coons, Parents of Army Master Sergeant James Coons; Tammie LeCompte, Wife of Army Specialist Ryan LeCompte; Army Specialist Michael Bloodworth; Dr. Thomas Insel, Director, National Institute of Mental Health; Dr. Michael E. Kilpatrick, Department of Defense, Deputy Director, Deployment Health Support, accompanied by Dr. Jack Smith, Acting Deputy Assistant Secretary of Defense for Clinical and Program Policy; Dr. Antonette Zeiss, Department of Veterans Affairs, Deputy Chief Consultant, Office of Mental Health Services, accompanied by Dr. Al Batres, Chief Officer, Office of Readjustment Counseling; Dr. John A. Fairbank, Duke University, Member, Institute of Medicine Committee on Veterans’ Compensation for Post-Traumatic Stress Disorder; Major General Gale S. Pollock, Army Surgeon General.

Hearing on “FDA’s Role in the Evaluation of Avandia’s Safety” (June 6, 2007). Witnesses: Andrew C. von Eschenbach, M.D., Commissioner, FDA; Steven Nissen, M.D., Chairman, Department of Cardiovascular Medicine; Bruce M. Psaty, M.D., Ph.D., Professor of Medicine, Epidemiology and Health Services; Co-director, Cardiovascular Health Research Unit, University of Washington; John B. Buse, M.D., Ph.D., Professor of Medicine and Chief, Division of Endocrinology, University of North Carolina School of Medicine; Moncef Slaoui, Ph.D., Chairman, Research and Development, GlaxoSmithKline.

Business meeting to consider H.R. 2635, the Carbon Neutral Government Act, H.R. 404, the Federal Customer Service Enhancement Act, H. Con. Res. 87, supporting the goals and ideals of a world day of remembrance for road crash victims, H. Con. Res. 142, expressing the sense of the Congress that there should be established a National Pet Week, H. Con. Res. 148, recognizing the significance of national Caribbean-American Heritage Month, H. Con. Res. 155, recognizing the historical significance of Juneteenth Independence Day, and expressing the sense of Congress that history should be regarded as a means for understanding the past and more effectively facing the challenges of the future, H. Con. Res. 195, expressing the sense of the Congress that a National Dysphagia Awareness Month should be established, H. Res. 189, expressing the sense of the House of Representatives that a Welcome Home Vietnam Veterans Day should be established, H. Res. 257, supporting the goals and ideals of Pancreatic Cancer Awareness Month, and H. Res. 361, recognizing and honoring Jack Valenti and expressing the condolences of the House of Representatives to his family on his death (June 12, 2007).

Hearing on “New Allegations Against GSA Administrator Lurita Doan: Retaliation Against Government Officials Cooperating with Investigators” (June 13, 2007). Witness: Lurita Doan, head of the General Services Administration.

Hearing on the “Response of the Department of Health and Human Services to the Nation’s Emergency Care Crisis” (June 22, 2007). Witnesses: Dr. William Schwab, professor and chief, department of traumatology and surgical critical care, University of Pennsylvania; Dr. Ray Johnson, associate director of the department of emergency medicine, Mission Hospital Regional Medical Center; Dr. Bob O’Connor, professor and chairman, department of emergency medicine, University of Virginia; Dr. Kevin Yeskey, Director of the Office of Preparedness and Emergency Operations and Acting Deputy Assistant Secretary in the Office of the Assistant Secretary for Preparedness and Response at HHS; Dr. Walter Koroshetz, Deputy Director, National Institute of Neurological Diseases and Stroke, National Institutes of Health, Department of Health and Human Services.

Hearing on “Waste, Fraud, and Abuse at K-Town: How Mismanagement Has Derailed DOD’s Largest Single Facility Construction Project (June 28, 2007). Witnesses: Mr. Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; Mr. Terrell G. Dorn, Director, Physical Infrastructure, Government Accountability Office; Mr. Bruce A. Causseaux, Senior Level Contract and Procurement Fraud Specialist, Forensic Audits and Special Investigations, Government Accountability Office; Brigadier Gen. Danny K. Gardner, Director of Installations and Mission Support, United States Air Forces in Europe.

Hearing on “The Surgeon General’s Vital Mission: Challenges for the Future” (July 10, 2007). Witnesses: Dr. Richard Carmona, former Surgeon General; Dr. C. Everett Koop, former Surgeon General, Dr. David Satcher, former Surgeon General.

Hearing on FEMA’s Toxic Trailers (July 19, 2007). Witnesses: Dr. Scott Needle, Pediatrician, American Academy of Pediatrics; Ms. Mary DeVany, Industrial Hygienist, DeVany Industrial Con-

sultants; Mr. Paul Stewart, Travel Trailer Occupant, December 2005–March 2006; Mrs. Lindsay Huckabee, Mobile Home Occupant, December 2005–Current; Mr. James Harris, Jr., Travel Trailer Occupant, April 2006–Current; The Honorable R. David Paulison, Administrator, Federal Emergency Management Agency.

Hearing on “Inadvertent File Sharing over Peer-to-Peer Networks” (July 24, 2007). Witnesses: Ms. Mary Koelbel Engle, Associate Director for Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission; Mr. Thomas D. Sydnor, II, Attorney-Advisor, Copyright Group, Office of International Relations, U.S. Patent and Trademark Office; Mr. Daniel G. Mintz, Chief Information Officer, U.S. Department of Transportation; Mr. M. Eric Johnson, Professor of Operations Management, Director, Glassmeyer/McNamee Center for Digital Strategies, Tuck School of Business, Dartmouth College; General Wesley K. Clark, Chairman and CEO, Wesley K. Clark & Associates, Board Member—Tiversa, Inc.; Mr. Robert Boback, CEO, Tiversa, Inc.; Mr. Mark Gorton, Chief Executive Officer, The Lime Group.

Hearing on “Allegations of Waste, Fraud, and Abuse at the New U.S. Embassy in Iraq” (July 26, 2007). Witnesses: Mr. John Owens, Former Employee, First Kuwaiti Trading & Contracting Company; Mr. Rory Mayberry, Former Subcontractor Employee, First Kuwaiti Trading & Contracting Company; Mr. Karl Demming, KBR; Major General (Retired) Charles E. Williams, Director, Office of Overseas Building Operations, Department of State; Mr. William Moser, Deputy Assistant Secretary for Acquisitions, Department of State; Hon. Patrick Kennedy, Director, Office of Management Policy, Department of State; Mr. Howard J. Krongard, Inspector General, Department of State.

Hearing on FEMA Preparedness in 2007 and Beyond (July 31, 2007). Witnesses: Mr. R. David Paulison, Administrator, Federal Emergency Management Agency; Major General Terry Scherling, Director of the Joint Staff, National Guard Bureau; Mr. Matt Jadacki, Deputy Inspector General, Office of the Inspector General, Department of Homeland Security; Mr. Al Ashwood, Director, Oklahoma State Emergency Management Agency, President, National Emergency Management Agency; Mr. Christopher Geldart, Director, Office of National Capitol Region Coordination; Mr. Dewayne West, Director of Emergency Management for Johnston County, North Carolina, National Association of Counties, the International Association of Emergency Managers; Mr. Darrell Darnell, Director, District of Columbia Homeland Security and Emergency Management Agency; Mr. William Jenkins, Director, Homeland Security & Justice Issues, Government Accountability Office; Ms. Kathleen Tierney, Director, Natural Hazards Center, University of Colorado-Boulder.

Hearing on “The Tillman Fratricide: What the Leadership of the Department of Defense Didn’t Know” (August 1, 2007). Witnesses: The Honorable Donald Rumsfeld, former Secretary of Defense; Gen. John P. Abizaid (Retired), Former Commander, U.S. Central Command; Gen. Richard B. Myers (Retired), Former Chair, Joint Chiefs of Staff; Gen. Bryan Douglas Brown (Retired), Former Commander, U.S. Special Operations Command; Lt. Gen. Philip R. Kensinger, Jr. (Retired), Former Commander, U.S. Army Special Operations Command.

Business meeting to consider H.R. 1054, the District of Columbia Legislative Autonomy Act, H. Res. 544, expressing the sympathy and pledging the support of the House of Representatives and the people of the United States for the victims of the devastating thunderstorms that caused severe flooding in 20 counties in eastern Kansas beginning on June 26, 2007, H. Res. 554, supporting the goals and ideals of National Passport Month, H.R. 2778, to designate the facility of the United States Postal Service located at 3 Quaker Ridge Road in New Rochelle, New York, as the "Robert Merrill Postal Station," and H.R. 3106, to designate the facility of the United States Postal Service located at 805 Main Street in Ferdinand, Indiana, as the "Staff Sergeant David L. Nord Post Office" (August 2, 2007).

Business meeting to consider H.R. 1236, To amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, H. Con. Res. 193, recognizing all hunters across the United States for their continued commitment to safety, H. Con. Res. 210, supporting the goals and ideals of Sickle Cell Disease Awareness Month, H. Res. 291, supporting the goals and ideals of Peace Officers Memorial Day, H. Res. 584, supporting the goals and ideals of National Life Insurance Awareness Month, H. Res. 605, supporting the goals and ideals of Gold Star Mothers Day, H. Res. 641, acknowledging the importance of understanding the history of the United States of America and recognizing the need to foster civic responsibility in all citizens, H. Res. 663, supporting the goals and ideals of Veterans of Foreign Wars Day, H.R. 2089, to designate the facility of the United States Postal Service located at 701 Loyola Avenue in New Orleans, Louisiana, as the "Louisiana Armed Services Veterans Post Office," H.R. 2276, to designate the facility of the United States Postal Service located at 203 North Main Street in Vassar, Michigan, as the "Corporal Christopher E. Esckelson Post Office Building," H.R. 3233, to designate the facility of the United States Postal Service located at Highway 49 South in Piney Woods, Mississippi, as the "Laurence C. and Grace M. Jones Post Office Building," H.R. 3297, to designate the facility of the United States Postal Service located at 950 West Trenton Avenue in Morrisville, Pennsylvania, as the "Nate DeTample Post Office Building," H.R. 3307, to designate the facility of the United States Postal Service located at 570 Broadway in Bayonne, New Jersey, as the "Dennis P. Collins Post Office Building," H.R. 3308, to designate the facility of the United States Postal Service located at 216 East Main Street in Atwood, Indiana, as the "Lance Corporal David K. Fribley Post Office," H.R. 3325, to designate the facility of the United States Postal Service located at 235 Mountain Road in Suffield, Connecticut, as the "Corporal Stephen R. Bixler Post Office," H.R. 3382, to designate the facility of the United States Postal Service located at 200 North William Street in Goldsboro, North Carolina, as the "Philip A. Baddour Sr. Post Office," H.R. 3518, to designate the facility of the United States Postal Service located at 1430 South Highway 29 in Cantonment, Florida, as the "Charles H. Hendrix Post Office Building," and H.R. 3530, to designate the facility of the United States Postal Service located at 1400 Highway 41 North in Inverness, Florida, as the "Chief

Warrant Officer Aaron Weaver Post Office Building” (September 20, 2007).

Hearing on “Private Security Contracting in Iraq and Afghanistan” (October 2, 2007). Witnesses: Erik Prince, Chairman, the Prince Group, LLC and Blackwater USA; Ambassador David M. Satterfield, Special Adviser, Coordinator for Iraq, Department of State; Ambassador Richard J. Griffin, Assistant Secretary, Bureau of Diplomatic Security and Director of the Office of Foreign Missions, Department of State; William H. Moser, Deputy Assistant Secretary for Logistics Management, Department of State.

Hearing on “Assessing the State of Iraqi Corruption” (October 4, 2007). Witnesses: Judge Radhi Hamza al-Radhi, former head of the Iraqi Commission on Public Integrity; Mr. David Walker, Comptroller General of the United States; Mr. Stuart Bowen, Special Inspector General for Iraq Reconstruction; Ambassador Lawrence Butler, Deputy Assistant Secretary for Near East Affairs, U.S. Department of State; Ms. Claudia Rosett, Journalist-in-Residence, Foundation for Defense of Democracies.

Hearing on “EPA Black Carbon and Global Warming” (October 18, 2007). Witnesses: Dr. Mark Z. Jacobson, Prof. of Civil and Environmental Engineering, Atmosphere/Energy Program, Stanford University; Dr. Tami C. Bond, Asst. Prof. of Civil and Environmental Engineering, University of Illinois at Urbana-Champaign; Dr. V. Ramanathan, Prof. of Climate and Atmospheric Sciences, Scripps Institute of Oceanography, University of San Diego; Dr. Charles Zender, Assoc. Prof. of Earth System Science, University of California at Irvine; Dr. Joel Schwartz, Professor of Environmental Epidemiology, Harvard University.

Hearing on “The Health and Environmental Impacts of Uranium Contamination in the Navajo Nation” (October 23, 2007). Witnesses: The Hon. George Arthur, Chairman, Resources Committee, Navajo Nation Council; The Hon. Stephen Etsitty, Director, Navajo Nation Environmental Protection Agency; Dr. Doug Brugge, Associate Professor, Tufts University School of Medicine; Mr. Larry King, Gallup, New Mexico; Ms. Edith Hood, Church Rock, New Mexico; Mr. Phil Harrison, Window Rock, Arizona; Mr. Ray Manygoats, Tuba City, Arizona; The Hon. Wayne Nastri, Regional Administrator, Region 9, U.S. Environmental Protection Agency; Mr. David Geiser, Deputy Director, Office of Legacy Management, U.S. Department of Energy; Dr. Charles L. Miller, Director, Office of Federal and State Materials and Environmental Management Programs, U.S. Nuclear Regulatory Commission; Mr. Robert G. McSwain, Acting Director, Indian Health Service; Mr. Jerry Gidner, Director, Bureau of Indian Affairs.

Hearing on the State Department and the Iraq War (October 25, 2007). Witness: Condoleezza Rice, Secretary of State.

Hearing on “Oil and Gas Exemptions in Federal Environmental Protections” (October 31, 2007). Witnesses: Ms. Amy Mall, Senior Policy Analyst, Natural Resources Defense Council; Mr. Kendrick Neubecker, on behalf of Trout Unlimited, Carbondale, Colorado; Dr. Theo Colborn, President, the Endocrine Disruption Exchange; Dr. Daniel Teitelbaum, M.D., P.C., Medical Toxicologist, President, Medical Toxicology and Occupational Medicine, Denver, Colorado; Mr. Steve Mobaldi, Grand Junction, Colorado; Ms. Susan Wallace-Babb, Winnsboro, Texas; Dr. David E. Bolin, Deputy Director,

State Oil and Gas Board, State of Alabama; Mr. Robert Anderson, Deputy Assistant Director for Minerals, Realty and Resource Protection, Bureau of Land Management, U.S. Department of the Interior; Mr. Benjamin H. Grumbles, Assistant Administrator for Water, U.S. Environmental Protection Agency.

Hearing on “The Administration’s Regulatory Actions on Medicaid: The Effects on Patients, Doctors, Hospitals, and States” (November 1, 2007). Witnesses: David Parrella, director of the Connecticut Medicaid program; Barbara Miller, Maryland resident and former Medicaid beneficiary; Twila Costigan, foster care worker from Montana; Denise Herrmann, school nurse from Minnesota; Dr. Sheldon Retchin, Vice President for Health Sciences at Virginia Commonwealth University in Richmond; Dr. Angela Gardner, Vice President of the American College of Emergency Physicians and an emergency doctor from Galveston, Texas; Dr. Marjorie Kanof, Managing Director of the Health Care Division at the Government Accountability Office (GAO); Dennis Smith, Director of the CMS Center on Medicaid and State Operations.

Hearing on “Drug-Resistant Infections in the Community: Consequences for Public Health” (November 7, 2007). Witnesses: Dr. Julie Louise Gerberding, M.D., M.P.H., Director, Centers for Disease Control and Prevention; Dr. James Burns, M.D., M.B.A., Chief Deputy Commissioner for Public Health, Virginia Department of Health, Richmond, Virginia; Dr. Elizabeth A. Bancroft, M.D., S.M., Medical Epidemiologist, Los Angeles County Department of Health Services, Los Angeles, California; Dr. Robert S. Daum, M.D., Professor of Pediatrics, University of Chicago, Chicago, Illinois; Mr. Steven L. Walts, Ed.D., Superintendent of Schools, Prince William County Schools, Manassas, Virginia; Dr. Eric Gale, M.D., Bronx Regional Medical Director, Institute for Family Health.

Hearing on “EPA Approval of New Power Plants: Failure to Address Global Warming Pollutants” (November 8, 2007). Witnesses: The Honorable Stephen L. Johnson, Administrator, Environmental Protection Agency; Mr. Ron Curry, Secretary, New Mexico Environment Department; Mr. David Doniger, Policy Director, Climate Center, Natural Resources Defense Council; Dr. Daniel M. Kammen, Director, Renewable and Appropriate Energy Laboratory, University of California, Berkeley; Mr. John Cline, Partner, Troutman Sanders LLP.

Hearing on “Assessing the State Department Inspector General” (November 14, 2007). Witness: The Honorable Howard J. Krongard, Inspector General, U.S. Department of State.

Hearing on “One Year Later: Have TSA Airport Security Checkpoints Improved?” (November 15, 2007). Witnesses: Mr. Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; Mr. John Cooney, Assistant Director, Forensic Audits and Special Investigations, Government Accountability Office; The Honorable Edmund “Kip” Hawley, Administrator, Transportation Security Administration.

Hearing on “Executive Pay: The Role of Compensation Consultants” (December 5, 2007). Witnesses: Charles Elson, John L. Weinberg Center for Corporate Governance, University of Delaware; Meredith Miller, Assistant Treasurer for Policy, Connecticut State Treasurer’s Office; Daniel F. Pedrotty, Director, Office of Investment, AFL-CIO; Houman Shadab, Senior Research Fellow,

Mercatus Center, George Mason University; James F. Reda, Managing Director, James F. Reda & Associates; Donald Lowman, Managing Director, Towers Perrin; Michael Powers, Global Practice Leader for Executive Compensation and Corporate Governance, Hewitt Associates; George Paulin, Chairman and CEO, Frederick W. Cook & Co.; Charles Scott, President of Human Capital Consulting, Mercer Human Resources Consulting.

Business meeting to consider H.R. 4220, the Federal Food Donation Act of 2008, H. Con. Res. 198, Expressing the sense of Congress that the United States has a moral responsibility to meet the needs of those persons, groups and communities that are impoverished, disadvantaged or otherwise in poverty, H. Con. Res. 254, recognizing and celebrating the centennial of Oklahoma statehood, H. Res. 816, congratulating the Colorado Rockies on winning the National League Championship, H.R. 3468, to designate the facility of the United States Postal Service located at 1704 Weeksville Road in Elizabeth City, North Carolina, as the "Dr. Clifford Bell Jones Sr. Post Office," H.R. 3720, to designate the facility of the United States Postal Service located at 424 Clay Avenue in Waco, Texas, as the "Army PFC Juan Alonso Covarrubias Post Office Building," H.R. 3721, to designate the facility of the United States Postal Service located at 1190 Lorena Road in Lorena, Texas, as the "Marine Gunnery Sgt. John D. Fry Post Office Building," H.R. 3803, to designate the facility of the United States Postal Service located at 3100 Cashwell Drive in Goldsboro, North Carolina, as the "John Henry Wooten Sr. Post Office Building," H.R. 3988, to designate the facility of the United States Postal Service located at 3701 Altamesa Boulevard in Fort Worth, Texas, as the "Master Sergeant Kenneth N. Mack Post Office Building," H.R. 4210, to designate the facility of the United States Postal Service located at 401 Washington Avenue in Weldon, North Carolina, as the "Dock M. Brown Post Office Building," H.R. 4211, to designate the facility of the United States Postal Service located at 725 Roanoke Avenue in Roanoke Rapids, North Carolina, as the "Judge Richard B. Allsbrook Post Office," H.R. 4240, to designate the facility of the United States Postal Service located at 10799 West Alameda Avenue in Lakewood, Colorado, as the "Felix Sparks Post Office Building," S. 2174, to designate the facility of the United States Postal Service located at 175 South Monroe Street in Tiffin, Ohio, as the "Paul E. Gillmor Post Office Building," H.R. 3911, to designate the facility of the United States Postal Service located at 95 Church Street in Jessup, Pennsylvania, as the "Lance Corporal Dennis James Veater Post Office," and H.R. 4342, to designate the facility of the United States Postal Service located at 824 Manatee Avenue West in Bradenton, Florida, as the "Dan Miller Post Office Building" (December 12, 2007).

Hearing on "Assessing Veterans" Charities" (December 13, 2007). Witnesses: The Honorable Charles Grassley, United States Senator; Ed Edmundson, Father of a wounded veteran; Bonnie Carroll, Executive Director, Tragedy Assistance Program for Survivors; Tracy L. McCurdy, Director, Pennsylvania Bureau of Charitable Organizations; Daniel Borochoff, President, American Institute of Philanthropy; Bennett Weiner, Chief Operating Officer, Better Business Bureau; Robert M. Friend, President, American Veterans

Coalition; Pamela L. Seman, Executive Director, Disabled Veterans Association.

Hearing on “The Mitchell Report: The Illegal Use of Steroids in Major League Baseball” (January 15, 2008). Witnesses: The Honorable George Mitchell, former United States Senator; Mr. Bud Selig, Commissioner, Major League Baseball; Mr. Donald M. Fehr, Executive Director, Major League Baseball Players Association.

Hearing on “Assessing Veteran’s Charities—Part Two” (January 17, 2008). Witnesses: Roger Chapin, President, Help Hospitalized Veterans, Inc. and Coalition to Support America’s Heroes Foundation; Richard Viguerie, President, American Target Advertising; Geoff Peters, President, Creative Direct Response; Belinda J. Johns, Senior Assistant Attorney General, California Attorney General’s Office.

Hearing on “Addressing the Screening Gap: The National Breast and Cervical Cancer Early Detection Program” (January 29, 2008). Witnesses: Rosemarie Henson, Deputy Director, National Center for Chronic Disease Prevention and Health Promotion, U.S. Centers for Disease Control and Prevention; Lisa Mariani, Assistant Branch Chief, Program Services Branch, Division of Cancer Prevention and Control, National Center for Chronic Disease Prevention and Health Promotion, U.S. Centers for Disease Control and Prevention; Gail Carey, recipient of Breast and Cervical Cancer Early Detection Program benefits and volunteer, American Cancer Society; Dr. Otis Brawley, Medical Director, American Cancer Society; Shelley Fuld Nasso, Director, Public Policy, Susan G. Komen for the Cure Advocacy Alliance; Pama Joyner, PhD, Director, Breast and Cervical Health Program, Washington State Department of Health; Dr. Thomas Hoerger, Director, RTI–UNC Center for Excellence in Health Promotion Economics and RTI Health Economics and Financing Program.

Business meeting to consider H. Con. Res. 273, recognizing the 50th Anniversary of the National Academy of Recording Arts & Sciences, H. Res. 867, commending the Houston Dynamo soccer team for winning the 2007 Major League Soccer Cup, H.R. 3532, to designate the facility of the United States Postal Service located at 5815 McLeod Street in Lula, Georgia, as the “Private Johnathon Millican Lula Post Office,” H.R. 3936, to designate the facility of the United States Postal Service located at 116 Helen Highway in Cleveland, Georgia, as the “Sgt. Jason Harkins Post Office Building,” H.R. 4203, to designate the facility of the United States Postal Service located at 3035 Stone Mountain Street in Lithonia, Georgia, as the “Specialist Jamaal RaShard Addison Post Office Building,” H.R. 4454, to designate the facility of the United States Postal Service located at 3050 Hunsinger Lane in Louisville, Kentucky, as the “Iraq and Afghanistan Fallen Military Heroes of Louisville Memorial Post Office Building” in honor of the servicemen and women from Louisville Kentucky who died in service during Operation Enduring Freedom and Operation Iraqi Freedom, H.R. 5135, to designate the facility of the United States Postal Service located at 201 West Greenway Street in Derby, Kansas, as the “Sergeant Jamie O. Mougans Post Office Building,” S. 2272, to designate the facility of the United States Postal Service known as the Southpark Station in Alexandria, Louisiana, as the John “Marty” Thiels Southpark Station, in honor and memory of Thiels, a Louisiana

postal worker who was killed in the line of duty on October 4, 2007, and S. 2478, to designate the facility of the United States Postal Service located at 59 Colby Corner in East Hampstead, New Hampshire, as the “Captain Jonathan D. Grassbaugh Post Office” (January 29, 2008).

Hearing on “Myths and Facts About Human Growth Hormone, B-12, and Other Substances” (February 12, 2008). Witnesses: Dr. Susan Shurin, Deputy Director, National Heart, Lung and Blood Institute, National Institutes of Health; Dr. Thomas T. Perls, MD, MPH, Associate Professor of Medicine and Director, New England Centenarian Study, Boston University School of Medicine; Dr. Alan D. Rogol, MD, Ph.D, Professor of Clinical Pediatrics, University of Virginia; Professor of Clinical Pediatrics, Indiana University School of Medicine, also representing the Endocrine Society; Dr. Todd Schlifstein, Department of Rehabilitation Medicine, Hospital for Joint Diseases.

Hearing on “The Mitchell Report: The Illegal Use of Steroids in Major League Baseball, Day 2” (February 13, 2008). Witnesses: Roger Clemens, Major League Baseball player; Brian McNamee, Former Major League Baseball Strength and Conditioning Coach; Charlie Scheeler, Investigator on Senator Mitchell’s staff.

Hearing on “Electronic Records Preservation at the White House” (February 26, 2008). Witnesses: Alan R. Swendiman, Director, Office of Administration; Theresa Payton, Chief Information Officer, Office of Administration; The Honorable Allen Weinstein, Archivist of the United States; Gary M. Stern, General Counsel, National Archives and Records Administration; Sharon Fawcett, Assistant Archivist for Presidential Libraries.

Hearing on “Executive Compensation II: CEO Pay and the Mortgage Crisis” (March 7, 2008). Witnesses: Dr. Susan M. Wachter, Richard B. Worley Professor of Financial Management, The Wharton School, University of Pennsylvania; The Honorable William F. Galvin, Secretary of State, the Commonwealth of Massachusetts; The Honorable Brenda L. Lawrence, Mayor, City of Southfield, MI; Dr. Anthony Yezer, Professor of Economics, The George Washington University; Ms. Nell Minow, Editor and Co-Founder, The Corporate Library; Mr. Charles Prince, Former Chairman and CEO, Citigroup; Mr. Richard D. Parsons, Chair, Personnel and Compensation Committee, Citigroup; Mr. E. Stanley O’Neal, Former Chairman and CEO, Merrill Lynch; Mr. John D. Finnegan, Chair, Management Development & Compensation Committee, Merrill Lynch; Mr. Angelo R. Mozilo, Founder and CEO, Countrywide Financial Corporation; Mr. Harley W. Snyder, Chair, Compensation Committee, Countrywide Financial Corporation.

Business meeting to consider H.R. 2780, a bill to amend title 5, United States Code, to clarify the method for computing certain annuities, H.R. 3033, the Contractors and Federal Spending Accountability Act, H.R. 3548, the Plain Language in Government Communications Act, H.R. 4106, the Telework Improvements Act, H.R. 4881, the Contracting and Tax Accountability Act, H.R. 3928, the Government Funding Transparency Act, H. Con. Res. 310, expressing support for a national day of remembrance for Harriet Ross Tubman, H. Res. 578, expressing the sense of the House of Representatives that there should be established a National Watermelon Month, and H. Res. 886, expressing sympathy to the victims

and families of the tragic acts of violence in Colorado Springs, Colorado and Arvada, Colorado, H. Res. 892, expressing support for designation of a National Funeral Director and Mortician Recognition Day, H. Res. 952, expressing the sense of the House of Representatives that there should be established a National Teacher Day to honor and celebrate teachers in the United States, and H. Res. 994, expressing support for designation of a National Glanzmann's Thrombasthenia Awareness Day, H. Res. 1005, supporting the goals and ideals of Borderline Personality Disorder Awareness Month, H. Res. 1016, expressing the condolences of the House of Representatives on the death of William F. Buckley, Jr., H. Res. 1021, supporting the goals, ideals, and history of National Women's History Month, H.R. 4185, to designate the facility of the United States Postal Service located at 11151 Valley Boulevard in El Monte, California, as the "Marisol Heredia Post Office Building," H.R. 5395, to designate the facility of the United States Postal Service located at 11001 Dunklin Drive in St. Louis, Missouri, as the "William 'Bill' Clay Post Office Building," H.R. 5472, to designate the facility of the United States Postal Service located at 2650 Dr. Martin Luther King Jr. Street, Indianapolis, Indiana, as the "Julia M. Carson Post Office Building," H.R. 5479, to designate the facility of the United States Postal Service located at 117 North Kidd Street in Ionia, Michigan, as the "Alonzo Woodruff Post Office Building," H.R. 5483, to designate the facility of the United States Postal Service located at 10449 White Granite Drive in Oakton, Virginia, as the "Private First Class David H. Sharrett II Post Office Building," H.R. 5489, to designate the facility of the United States Postal Service located at 6892 Main Street in Gloucester, Virginia, as the "Congresswoman Jo Ann S. Davis Post Office," H.R. 5517, to designate the facility of the United States Postal Service located at 7231 FM 1960 in Humble, Texas, as the "Texas Military Veterans Post Office," H.R. 5528, to designate the facility of the United States Postal Service located at 120 Commercial Street in Brockton, Massachusetts, as the "Rocky Marciano Post Office Building" (March 13, 2008).

Hearing on the 2010 Census (April 9, 2008). Witnesses: The Honorable Steven H. Murdock, Director, U.S. Census Bureau; The Honorable Preston Jay Waite, Deputy Director, U.S. Census Bureau; Mathew Scirè, Director, Strategic Issues, Government Accountability Office; David Powner, Director, Information Technology Management Issues, Government Accountability Office; Dr. Jason F. Providakes, Senior Vice President and General Manager, Center for Enterprise Modernization, The MITRE Corporation; Ms. Cheryl L. Janey, President, Civil Programs, Harris Corporation.

Business meeting to consider H.R. 752, the Federal Electronic Equipment Donation Act, and H.R. 5687, the Federal Advisory Committee Act Amendments, H. Res. 1026, recognizing the 100th anniversary of the founding of the Congressional Club, H.R. 5631, to designate the facility of the United States Postal Service located at 1155 Seminole Trail in Charlottesville, Virginia, as the "Corporal Bradley T. Arms Post Office Building," and H.R. 1734, to designate the facility of the United States Postal Service located at 630 Northeast Killingsworth Avenue in Portland, Oregon, as the "Dr. Martin Luther King Jr. Post Office" (April 9, 2008).

Hearing on “Healthcare-Associated Infections: A Preventable Epidemic” (April 16, 2008). Witnesses: Don Wright, MD, MPH, Principal Deputy Assistant Secretary for Health, U.S. Department of Health and Human Services; Cynthia Bascetta, Director for Health Care Issues, Government Accountability Office; Peter J. Pronovost, MD, PhD, Medical Director, Center for Innovation in Quality Patient Care and Assistant Professor, Department of Anesthesiology and Critical Care Medicine at Johns Hopkins University’s School of Medicine; John Labriola, Senior Vice President and Hospital Director, William Beaumont Hospital-Royal Oak; Leah Binder, Chief Executive Officer, The Leapfrog Group; Edward Lawton, a survivor of hospital-acquired infections; Betsy McCaughey, PhD, Founder and Chairman, the Committee to Reduce Infection Deaths.

Business meeting to consider H.R. 5781, the Federal Employees Paid Parental Leave Act, H. Res. 49, expressing the sense of the House of Representatives that there should be established a National Letter Carriers Appreciation Day, H. Res. 127, recognizing and celebrating the 50th anniversary of the entry of Alaska in the Union as the 49th State, H. Res. 1073, expressing the sense of the House of Representatives that public servants should be commended for their dedication and continued service to the nation during Public Service Recognition Week, May 5 through 11, 2008, H. Res. 1091, honoring the life, achievements, and contributions of Charlton Heston and extending its deepest sympathies to the family of Charlton Heston for the loss of such a great generous man, husband, and father, and H.R. 5477, to designate the facility of the United States Postal Service located at 120 South Del Mar Avenue in San Gabriel, California, as the “Chi Mui Post Office Building” (April 16, 2008).

Hearing on “Domestic Abstinence-Only Programs: Assessing the Evidence” (April 23, 2008). Witnesses: The Honorable Lois Capps, U.S. Representative (CA-23); The Honorable Sam Brownback, U.S. Senator (KS); Ms. Shelby Knox, Youth Speaker; Mr. Max Siegel, Policy Associate, AIDS Alliance for Children, Youth, and Families; Dr. Georges Benjamin, M.D., Executive Director, American Public Health Association; Dr. Margaret Blythe, M.D., Chair, Committee on Adolescence, American Academy of Pediatrics; Dr. John Santelli, M.D., M.P.H., Department Chair, Professor of Clinical Population and Family Health, Mailman School of Public Health and Professor of Clinical Pediatrics, College of Physicians and Surgeons, Columbia University; Dr. Stan Weed, Ph.D., Director, Institute for Research and Evaluation; Mr. Charles Keckler, Acting Deputy Assistant Secretary for Policy, Administration for Children and Families, U.S. Department of Health and Human Services; Dr. Harvey Fineberg, M.D., Ph.D., President, Institute of Medicine of the National Academies; Dr. Marcia Crosse, Director, Healthcare, U.S. Government Accountability Office.

Hearing on “Oversight of Defense Department Acquisitions” (April 29, 2008). Witnesses: Michael J. Sullivan, Director, Acquisition and Sourcing Management, Government Accountability Office; James Finley, Deputy Undersecretary for Acquisition and Technology; David Patterson, Principle Deputy Undersecretary of Defense for Comptroller.

Business meeting to consider H.R. 5787, the Federal Real Property Disposal Enhancement Act, H.R. 3772, the Senior Executive

Service Diversity Assurance Act, H.R. 5912, a bill to make tobacco products nonmailable, H.R. 5811, the Electronic Communications Preservation Act, H. Res. 923, recognizing the State of Minnesota's 150th anniversary, H. Res. 1113, celebrating the role of mothers in the United States and supporting the goals and ideals of Mother's Day, H. Res. 1114, supporting the goals and ideals of the Arbor Day Foundation and National Arbor Day, H. Res. 1122, recognizing Armed Forces Day, and H. Res. 1132, supporting the goals and ideals of Peace Officers Memorial Day (May 1, 2008).

Hearing on "The Lack of Hospital Emergency Surge Capacity: Will the Administration's Medicaid Regulations Make It Worse?" (May 5-6, 2008). Witnesses: Bruce Hoffman, Ph.D., Professor, Edmund A. Walsh School of Foreign Service, Security Studies Program, Georgetown University; Lisa Kaplowitz, M.D., Deputy Commissioner for Emergency Preparedness and Response, Virginia Department of Health; Roger Lewis, M.D., Ph.D., Department of Emergency Medicine, Harbor-UCLA Medical Center; Jay Wayne Meredith, M.D., Professor and Chairman, Department of General Surgery, Wake Forest University Baptist Medical Center; Colleen Conway Welsh, Ph.D., Dean, Vanderbilt School of Nursing; The Honorable Michael O. Leavitt, Secretary, Department of Health and Human Services; The Honorable Michael Chertoff, Secretary, Department of Homeland Security.

Hearing on "Should FDA Drug and Medical Device Regulation Bar State Liability Claims?" (May 14, 2008). Witnesses: Dennis and Kimberly Quaid, parents of newborn twins, Thomas Boone Quaid and Zoe Grace Quaid, who were victims of a heparin overdose; William H. Maisel, M.D., M.P.H., Director, Medical Device Safety Institute, Department of Medicine, Beth Israel Deaconess Medical Center, Boston; Aaron S. Kesselheim, M.D., J.D., Harvard Medical School, Division of Pharmacoepidemiology; David A. Kessler, M.D., J.D., Professor of Pediatrics and Epidemiology and Biostatistics, School of Medicine, University of California, San Francisco; David Vladeck, J.D., Professor of Law, Georgetown University Law Center; Gregory Curfman, M.D., Editor, New England Journal of Medicine; Christine Ruther, President & Chief Engineer, C&R Engineering, Inc.; State Representative David Clark (R-Utah), National Conference of State Legislatures (NCSL); John E. Calfee, Ph.D., American Enterprise Institute; Randall Lutter, Ph.D., Deputy Commissioner for Policy, Food and Drug Administration.

Hearing on "Defense Base Act Insurance: Are Taxpayers Paying Too Much?" (May 15, 2008). Witnesses: Mr. Richard Ginman, Deputy Director of Defense Procurement and Acquisition Policy, U.S. Department of Defense; Mr. Shelby Hallmark, Director of Workers' Compensation Programs, U.S. Department of Labor; Mr. William H. Moser, Deputy Assistant Secretary, Bureau for Administration Logistics Management, U.S. Department of State; Mr. James Dalton, P.E., Chief, Engineering and Construction, U.S. Corps of Engineers; Mr. Joseph P. Mizzoni, Deputy Auditor General for Acquisition and Logistics; Mr. John K. Needham, Director, Acquisition and Sourcing Management Issues, Government Accountability Office.

Business meeting to consider H. Con. Res. 334, supporting the goals and objectives of a National Military Appreciation Month, H. Res. 1144, expressing support for the designation of a Frank Si-

natra Day, in honor of the dedication of the Frank Sinatra commemorative stamp, H. Res. 1152, honoring Arnold Palmer for his distinguished career in the sport of golf and his commitment to excellence and sportsmanship, and H. Res. 1153, celebrating Asian Pacific American Heritage Month (May 15, 2008).

Hearing on “EPA’s New Ozone Standards” (May 20, 2008). Witnesses: Stephen L. Johnson, Administrator of the Environmental Protection Agency; Susan E. Dudley, Administrator of OMB’s Office of Information and Regulatory Affairs; Dr. Rogene Henderson, Chair, Clean Air Scientific Advisory Committee; Dr. Francesca Grifo, Senior Scientist, Union Of Concerned Scientists; Michael Goo, Climate Legislative Director, Natural Resources Defense Council; Dr. Roger O. McClellan, Advisor, Toxicology and Human Health Risk Analysis; Alan Charles Raul, Partner, Sidley Austin, LLP.

Hearing on “Accountability Lapses in Multiple Funds for Iraq” (May 22, 2008). Witness: Mary L. Ugone, Deputy Inspector General for Auditing, U.S. Department of Defense, Office of the Inspector General.

Hearing on “Examining Grantmaking Practices at the Department of Justice” (June 19, 2008). Witness: Mr. J. Robert Flores, Administrator, Office of Juvenile Justice and Delinquency Prevention.

Business meeting to consider H. Con. Res. 365, honoring the life of Robert Mondavi (June 20, 2008).

Hearing on “Examination of AEY Contracts with the U.S. Government” (June 24, 2008). Witnesses: Brigadier General William N. Phillips, U.S. Army, Commanding General, Picatinny Arsenal, Commander, Joint Munitions and Lethality Life Cycle Management Command; Mitchell A. Howell, Executive Director, Ground Systems and Munitions Division, Defense Contract Management Agency, U.S. Department of Defense; Stephen D. Mull, Acting Assistant Secretary of State, Bureau of Political Military Affairs, U.S. Department of State; Jeffrey Parsons, Executive Director, Army Contracting Command.

Hearing on “Waste, Fraud, and Abuse at K-Town: One Year Later” (June 25, 2008). Witnesses: Mr. Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, Government Accountability Office; Mr. Terrell G. Dorn, Director, Physical Infrastructure, Government Accountability Office; Mr. Bruce A. Casseaux, Senior Level Contract and Procurement Fraud Specialist, Forensic Audits and Special Investigations, Government Accountability Office; Maj. Gen. Mark Rogers, Vice Commander, United States Air Forces in Europe; Judith Garber, Deputy Assistant Secretary of State, Bureau of European and Eurasian Affairs, U.S. Department of State.

Hearing on “Governance and Financial Accountability of Rural Cooperatives: The Pedernales Experience” (June 26, 2008). Witnesses: The Honorable Troy Fraser, Chair, Business and Commerce Committee, Texas Senate; The Honorable Patrick Rose, Texas House of Representatives; Mr. John Watson, member of Pedernales Electric Cooperative; Mr. Carlos Higgins, member of Pedernales Electric Cooperative; Mr. Juan Garza, current General Manager of Pedernales Electric Cooperative; Mr. Glenn English, CEO of National Rural Electric Cooperative Association.

Hearing on “Manufacturers of FEMA Trailers and Elevated Formaldehyde Levels” (July 9, 2008). Witnesses: Dr. Michael McGeehin, Director, Environmental Hazards and Health Effects, National Center for Environmental Health, Centers for Disease Control and Prevention; Mr. Jim Shea, Chairman, Gulf Stream Coach, Inc.; Mr. Steve Bennett, President, Pilgrim International, Inc.; Mr. Ronald J. Fenech, President, Keystone RV, Inc.; Mr. Peter Liegl, President and Chief Executive Officer, Forest River, Inc.

Business meeting to consider H.R. 6388, the Government Accountability Office Improvement Act, H.R. 6500, the Thrift Savings Plan Enhancement Act, H. Con. Res. 364, recognizing the Significance of National Caribbean-American Heritage Month, H. Res. 1128, expressing support of the goals and ideals of National Carriage Driving Month, H. Res. 1143, supporting the goals and ideals of the apple crunch and the nation’s domestic apple industry, H. Res. 1202, supporting the goals and ideals of a National Guard Youth Challenge Day, H. Res. 1262, expressing the sense of the House of Representatives that the Secretary of Commerce should use all reasonable measures to ensure that every person is counted in the 2010 decennial census, H. Res. 1311, expressing support for the designation of National GEAR UP Day, H.R. 6229, to designate the facility of the United States Postal Service located at 2523 7th Avenue East in North Saint Paul, Minnesota, as the “Mayor William ‘Bill’ Sandberg Post Office Building,” H.R. 6338, to designate the facility of the United States Postal Service located at 4233 West Hillsboro Boulevard in Coconut Creek, Florida, as the “Army SPC Daniel Agami Post Office Building,” H.R. 6437, to designate the facility of the United States Postal Service located at 200 North Texas Avenue in Odessa, Texas, as the “Corporal Alfred Mac Wilson Post Office,” and H.R. 6226, to designate the facility of the United States Postal Service located at 300 East 3rd Street in Jamestown, New York, as the “Stan Lundine Post Office Building” (July 16, 2008).

Hearing on “Business Practices in the Individual Health Insurance Market: Terminations of Coverage” (July 17, 2008). Witnesses: Keith and Heidi Bleazard, Logan, Utah; Dale Bonner, California Secretary of Business, Transportation and Housing Agency; Kevin Lembo, Connecticut State Healthcare Advocate; Abby Block, Director, Center for Drug and Health Plan Choice, Centers for Medicare and Medicaid Services; Stephanie W. Kanwit, Special Counsel and Healthcare Consultant.

Business meeting to consider H.R. 6575, the Over-Classification Reduction Act (July 23, 2008).

Hearing on “The Medicare Drug Benefit: Are Private Insurers Getting Good Discounts for the Taxpayer?” (July 24, 2008). Witnesses: Stephen Schondelmeyer, Pharm.D., Ph.D., Professor and Head, Department of Pharmaceutical Care and Health Systems, University of Minnesota; Gerard Anderson, Ph.D., Professor and Director, Center for Hospital Finance and Management, Bloomberg School of Public Health, Johns Hopkins University; Fiona M. Scott Morton, Ph.D., Professor of Economics, Yale School of Management, Yale University; Kerry Weems, Acting Administrator, Center for Medicare and Medicaid Services, Department of Health and Human Services; Mark Merritt, President and Chief Executive Officer, Pharmaceutical Care Management Association; Rick Smith,

Senior Vice President for Policy, Pharmaceutical Research and Manufacturers Association (PhRMA); Paul Precht, Director of Policy and Communications, Medicare Rights Center; Judith Stein, Executive Director, Center for Medicare Advocacy.

Hearing on “Deficient Electrical Systems at U.S. Facilities in Iraq” (July 30, 2008). Witnesses: U.S. Senator Bob Casey, (D-PA); Gordon S. Heddell, Acting Inspector General, U.S. Department of Defense; Don Horstman, Deputy Inspector General for Policy and Oversight, U.S. Department of Defense; Charlie E. Williams, Jr., Director, Defense Contract Management Agency; Keith Ernst, Former Director, Defense Contract Management Agency; Jeffrey P. Parsons, Executive Director, Army Contracting Command, U.S. Army; Tom Bruni, Theater Engineering and Construction Manager, KBR, Inc.

Hearing on “Impact of Proposed Legislation on the District of Columbia’s Gun Laws” (September 9, 2008). Witnesses: Cathy Lanier, Chief, District of Columbia Police Department; Phillip D. Morse, Sr., Chief, United States Capitol Police; Kevin C. Hay, Deputy Chief, United States Park Police; Robert Campbell, Director of Security, Washington Nationals Baseball Club.

Business meeting to consider H.R. 6842, the National Capital Security and Safety Act, H. Con. Res. 223, honoring professional surveyors and recognizing their contributions to society, H. Con. Res. 351, honoring the 225th Anniversary of the Continental Congress meeting in Nassau Hall, Princeton, New Jersey, in 1783, H. Con. Res. 376, congratulating the 2007–2008 National Basketball Association World Champions, the Boston Celtics, on an outstanding and historic season, H. Con. Res. 386, recognizing and celebrating the 232nd anniversary of the signing of the Declaration of Independence, and H.R. 6199, to designate the facility of the United States Postal Service located at 245 North Main Street in New City, New York, as the “Kenneth Peter Zebrowski Post Office Building” (September 10, 2008).

Hearing on “The Domestic Epidemic is Worse than We Thought: A Wake-Up Call for HIV Prevention” (September 16, 2008). Witnesses: Julie Gerberding, M.D., M.P.H., Director, Centers for Disease Control and Prevention; Kevin Fenton, M.D., Ph.D., Director, National Center for HIV/AIDS, Viral Hepatitis, STD, and TB Prevention, Centers for Disease Control and Prevention; Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, National Institutes of Health; David Holtgrave, Ph.D., Professor and Chair, Department of Health, Behavior & Society, Johns Hopkins Bloomberg School of Public Health; Adaora Adimora, M.D., M.P.H., Division of Infectious Diseases, UNC School of Medicine; George Ayala, Psy.D., RTI International and AIDS Project Los Angeles; Heather Hauck, M.S.W., LICSW, Director, Maryland AIDS Administration, and Chair-Elect, National Alliance of State and Territorial AIDS Directors; Frank J. Oldham, Jr., President, National Association of People with AIDS.

Hearing on “The Causes and Effects of the Lehman Brothers Bankruptcy” (October 6, 2008). Witnesses: Dr. Luigi Zingales, Professor of Finance, University of Chicago; Dr. Robert F. Wescott, President, Keybridge Research LLC; Nell Minow, Chairman of the Board and Editor, The Corporate Library; Gregory W. Smith, General Counsel, Colorado Public Employees’ Retirement Association;

Peter J. Wallison, Arthur F. Burns Fellow in Financial Policy Studies, American Enterprise Institute; Richard S. Fuld, Jr., Chairman and Chief Executive Officer, Lehman Brothers Holdings.

Hearing on the “Causes and Effects of the AIG Bailout” (October 7, 2008). Witnesses: Eric R. Dinallo, Superintendent, New York State Insurance Department; Lynn E. Turner, former chief accountant, Securities and Exchange Commission; Robert B. Willumstad, former Chief Executive Officer, AIG; Martin J. Sullivan, former Chief Executive Officer, AIG.

Hearing on “Credit Rating Agencies and the Financial Crisis” (October 22, 2008). Witnesses: Jerome Fons, former executive, Moody’s Corporation; Frank Raiter, former executive, Standard & Poor’s; Sean Egan, Managing Director, Egan-Jones Ratings; Deven Sharma, President, Standard & Poor’s; Raymond W. McDaniel, Chairman and Chief Executive Officer, Moody’s Corporation; Stephen Joynt, President and Chief Executive Officer, Fitch Ratings.

Hearing on “The Role of Federal Regulators in the Financial Crisis” (October 23, 2008). Witnesses: Alan Greenspan, former Chairman, Federal Reserve; John Snow, former Secretary of the Treasury; Christopher Cox, Chairman, Securities and Exchange Commission.

Hearing on “Hedge Funds and the Financial Market” (November 13, 2008). Witnesses: Professor David Ruder, Northwestern University School of Law, Former Chairman, U.S. Securities and Exchange Commission; Professor Andrew Lo, Director, MIT Laboratory for Financial Engineering, Massachusetts Institute of Technology, Sloan School of Management; Professor Joseph Bankman, Stanford University Law School; Houman Shadab, Senior Research Fellow, Mercatus Center, George Mason University; John Alfred Paulson, President, Paulson & Co., Inc.; George Soros, Chairman, Soros Fund Management, LLC; James Simons, President, Renaissance Technologies, LLC; Philip A. Falcone, Senior Managing Partner, Harbinger Capital Partners; Kenneth C. Griffin, Chief Executive Officer and President, Citadel Investment Group, LLC.

Hearing on the Collapse of Fannie Mae and Freddie Mac (December 9, 2008). Witnesses: Leland Brendsel, former CEO, Freddie Mac; Daniel Mudd, former CEO, Fannie Mae; Franklin Raines, former CEO, Fannie Mae; Richard Syron, former CEO, Freddie Mac.

IV. SUBCOMMITTEE ACTIVITIES

A. SUBCOMMITTEE ON DOMESTIC POLICY

The Subcommittee on Domestic Policy has jurisdiction over domestic policies, including matters relating to energy, labor, education, criminal justice, and the economy. The Subcommittee also has legislative jurisdiction over the Office of National Drug Control Policy. During the 110th Congress, Dennis Kucinich served as Chairman and Darrell Issa as Ranking Member.

1. Overview by Issue Area

The Domestic Policy Subcommittee’s jurisdiction is broad. As such, in the 110th Congress, the Subcommittee held oversight hearings covering eleven discrete policy areas. The Subcommittee concentrated its efforts in four of these areas, holding seven hear-

ings and publishing four major letters concerning housing and finance; three hearings and three major letters on a health-related issue; four hearings and two major letters on a tax-related topic; and three hearings, one major letter and one report on an environmental topic.

a. Housing and Finance

The Subcommittee devoted six hearings to the foreclosure crisis. According to recent figures, nearly one million subprime borrowers have failed to make their mortgage payments for 60 days or more. In the third quarter of 2008 alone, 264,000 foreclosure proceedings were brought against subprime borrowers. There could be as many as one million new foreclosure starts on subprime loans this year, which would represent a 13% increase over the previous year.²

The meltdown of the subprime mortgage market and the deflation of the housing price bubble, which have dominated recent national economic news, actually began earlier than 2008. Its worst consequences were apparent in certain regions of the country (e.g., the Great Lakes) and certain low-income neighborhoods in cities across the nation. Cities such as Cleveland, Ohio, Detroit, Michigan, and Buffalo, New York, which have large concentrations of low-income residents as well as stagnant economic growth, were the first large cities to be affected by a wave of subprime mortgage lending and by widespread borrower default on those loans. The seeds for the current national crisis were present in the earlier regional crises. Large numbers of subprime and other risky loans continued to be made all across the country in 2005, 2006, and 2007, as relatively low national default averages masked the warning signs from these early regional crises.

The Subcommittee began its examination of the foreclosure problem in 2007 with two hearings that focused on subprime lending and bank regulation.³ The Subcommittee paid particular attention to Cleveland, Ohio. At the time, a number of hearing witnesses testified that the local crisis was a harbinger of a national problem. Indeed, a wave of foreclosures did erupt in the past twelve months across the South, Southwest, and California. It has caused the failure of large lending institutions (Washington Mutual, IndyMac) and investment banks (Bear Stearns, Lehman Brothers) with large subprime exposures.

However, the problems characterizing subprime mortgages are not limited to those loans. Other kinds of mortgages are vulnerable to widespread default. Alt-A loans are expected to experience similar vulnerability. Both Alt-A and subprime loans were originated in large numbers without verification of income or assets.⁴ The prob-

²See Appendix: *Mortgage Loss Mitigations Statistics Industry Extrapolations (Quarterly for 2007 and 2008)* (derived from HOPE NOW Loss Mitigation National Data) (online at: <http://www.hopenow.com/upload/data/files/HOPE%20NOW%20Loss%20Mitigation%20National%20Data%20July%2007%20to%20September%2008.pdf>).

³See Domestic Policy Subcommittee, Oversight and Government Reform Committee, *Hearings on Foreclosure, Predatory Mortgage and Payday Lending in America's Cities*, 110th Cong. (Mar. 21, 2007) (online at: http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_house_hearings&docid=f:37416.pdf); and *Foreclosure at the Front Step of the Federal Reserve Bank of Cleveland*, 110th Cong. (May 21, 2007) (http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_house_hearings&docid=f:40152.pdf).

⁴Amy Crews Cutts and William A. Merrill, *Interventions in Mortgage Default: Policies and Practices to Prevent Home Loss and Lower Costs*, Freddie Mac Working Paper #08-01, at 22

lems facing Alt-A loans are especially significant for loans made in the West, where housing price deflation puts many borrowers significantly “under water,” meaning that their loans far exceed the market value of the house.

The Subcommittee held two more hearings in May 2008 on the phenomenon of vacant and abandoned houses caused by the foreclosure crisis.⁵ The first hearing examined the negative spill-over effects from the concentrations of vacant houses and the victims of this trend. These effects include: Declining property values of surrounding houses, loss of equity held by neighbors in these houses, loss of rental income to neighborhood landlords and sales to neighborhood merchants, increases in crime rates, increases in municipal costs for policing, a greater incidence of fire (due to vandalism and arson), increased demolition and building inspection costs, increased legal expenses, increased demand on city social service programs, and a direct loss of property tax revenues.⁶ The second hearing considered how to allocate federal aid to cities and localities to address the problems caused by vacant and abandoned houses.

In July 2008, Congress enacted H.R. 3221, the Housing and Economic Recovery Act which, among other things, authorized \$3.9 billion in new federal funds to enable state and local governments to acquire and rehabilitate homes made vacant by the foreclosure crisis. The Subcommittee’s oversight was instrumental in the development of the final allocation formula adopted by HUD.⁷ In Fall 2007, the Subcommittee also held a hearing on the inadequate enforcement of the Community Reinvestment Act (CRA) by bank regulators.⁸ Lack of CRA enforcement contributed to the need for, and emergence of, poor credit options.

In October 2008, Congress enacted the Emergency Economic Stabilization Act of 2008. The Act authorized creation of the Troubled Asset Relief Program (TARP), a \$700 billion fund to address the slowdown in lending and to increase foreclosure prevention efforts.⁹ The Act envisaged the purchase of various kinds of assets and the promulgation of rules by Treasury on an emergency basis to address these problems. On November 12, 2008, Secretary of Treasury Henry M. Paulson, Jr. announced that he would not use the

(Mar. 2008) (estimating that 80% of Alt-A’s made in 2006 and 2007 were made without verification).

⁵See Domestic Policy Subcommittee, Oversight and Government Reform Committee, *Hearing on Neighborhoods: The Blameless Victims of the Subprime Mortgage Crisis*, 110th Cong. (May 21, 2008) (online at: <http://domesticpolicy.oversight.house.gov/story.asp?ID=1961>) and *Joint Hearing with Housing & Community Opportunity Subcommittee, Financial Services Committee, Targeting Federal Aid to Neighborhoods Distressed by the Subprime Mortgage Crisis*, 110th Cong. (May 22, 2008) (online at <http://domesticpolicy.oversight.house.gov/story.asp?ID=1968>).

⁶William C. Apgar, Mark Duda, and Rochelle Nawrocki Gorey, *The Municipal Cost of Foreclosures: A Chicago Case Study*, Homeownership Preservation Foundation, Housing Finance Policy Research Paper Number 2005-1, at 10-11 (Feb. 27, 2005) (online at www.995hope.org/content/pdf/Apgar_Duda_Study_Full_Version.pdf).

⁷Letter from Dennis J. Kucinich to Steve Preston, Secretary, U.S. Department of Housing and Urban Development (July 31, 2008). Chairman Kucinich’s letter argued that HUD had discretion to interpret H.R. 3221’s allocation formula, and that HUD had already performed the necessary research to craft an allocation formula in preparing its testimony before the Subcommittee on May 22, 2008. Namely, HUD’s testimony emphasized the importance of using US Postal Service data to determine actual vacancy rates and rates of actual increase in vacancies, as well as utilizing a small unit of analysis (census tract) for comparing jurisdictions’ needs. HUD’s final allocation formula reflected these Subcommittee priorities.

⁸See Domestic Policy Subcommittee, Oversight and Government Reform Committee, *Hearing on Upholding the Spirit of the CRA: Do CRA Ratings Accurately Reflect Bank Practices*, 110th Cong. (Oct. 24, 2007).

⁹See Emergency Economic Stabilization Act of 2008, Pub. L. 110-343.

authorized funds to purchase troubled mortgage assets and implement a plan to reduce foreclosures on those mortgages.

On November 14, 2008, the Subcommittee held a hearing with the top Treasury official in charge of the TARP. After receiving testimony confirming that Treasury had not, and would not, use TARP funds for foreclosure prevention despite unequivocal congressional intent and statutory language, Chairman Kucinich sent a letter to Representative Barney Frank, Chairman of the House Financial Services Committee. The letter relayed the Subcommittee's findings and recommended that Congress inform the White House that it will withhold the second installment of funding for the TARP pending a new Administration.

The Subcommittee also examined risks to small investors posed by new hedge fund offerings. In 2007, a new financial investment became available to small investors. The management entities of two hedge funds, Fortress Investment Group and Blackstone Group L.P. (Blackstone), opened the door to direct investment by small investors in entities that had previously been limited only to large, mostly institutional investors, and extremely wealthy individuals.

In multiple meetings between Subcommittee staff and staff from the U.S. Securities and Exchange Commission (SEC), it became clear that the SEC was planning on allowing the initial public offering (IPO) of Blackstone to proceed without further considering whether the partnership should be considered an investment company pursuant to the Investment Company Act of 1940,¹⁰ without demanding adequate disclosure of Blackstone's financial holdings, and without further considering the national security and tax implications of the IPO. On July 21, 2008, Chairman Kucinich and Chairman Waxman of the Oversight and Government Reform Committee jointly issued a letter to SEC Chairman Christopher Cox requesting that the SEC delay approval of the IPO until the SEC reviewed the issues further and congressional hearings were held.¹¹ The SEC refused to delay the IPO.

The Subcommittee subsequently held a hearing, "After Blackstone: Should Small Investors Be Exposed to Risks of Hedge Funds," which focused on the nature of the new risks presented to investors by the public offerings of shares in alternate asset management entities and the adequacy of existing investment company regulations. The concerns raised at the hearing proved to be prescient: Blackstone Group LP has lost over 80% of its value after going public, and the federal regulatory deficiencies that allowed for inadequate disclosure to investors and the use of under-regulated and overly leveraged financial instruments are now recognized as prime contributors to the ongoing financial crisis.

b. Health

At the request of Subcommittee member Representative Elijah E. Cummings, the Subcommittee examined the provision of dental care to children under Medicaid. In February, 2007, a twelve-year-old Maryland boy named Deamonte Driver died from a brain infection caused by untreated tooth decay. He was enrolled in Medicaid

¹⁰ 15 U.S.C. §§ 80a-1-a-64.

¹¹ Letter from Rep. Dennis J. Kucinich and Rep. Henry A. Waxman to Christopher Cox, Chairman, U.S. Securities and Exchange Commission (July 21, 2008).

and had been assigned to United HealthCare, a national Managed Care Organization with a large presence in the State of Maryland.

On May 2, 2007, the Subcommittee held a hearing entitled “Evaluating Pediatric Dental Care under Medicaid” to question the director of Medicaid, the Maryland State Medicaid Director and United HealthCare (United). The Subcommittee expanded its examination of the case by analyzing thousands of records produced by United. The Subcommittee concluded: (1) Deamonte was one of 10,780 Medicaid-enrolled children who had not seen a dentist in four or more years, (2) most of the dental services provided by the MCO were delivered by only seven dentists, (3) and the MCO’s directory of providers was virtually useless. In response, the MCO conceded that the Subcommittee’s findings were correct and committed to rectifying its own operational shortcomings.

In 2008, the Subcommittee held two additional hearings on pediatric dental care. On February 14, 2008—a year after the death of Deamonte and nine months after the Subcommittee’s first hearing on the matter—the Subcommittee held a hearing to evaluate the Centers for Medicare & Medicaid Services’s (CMS) reforms in pediatric dental care under Medicaid. The hearing revealed the inadequacy of CMS’s reforms, prompting the Subcommittee to encourage CMS to do more to achieve greater access to, and utilization of, pediatric dental care.¹² The hearing, “One Year Later: Medicaid’s Response to System Problems Revealed by the Death of Deamonte Driver,” exposed a failure of leadership at Medicaid.

Shortly after the hearing, the Director of Medicaid resigned. The Subcommittee sent his replacement a detailed list of policy priorities. These included:

(1) Conduct an EPSDT compliance review of the Medicaid dental programs in the states and the District of Columbia that had less than a 30% utilization rate in 2006.

(2) Ensure that every state has a periodicity schedule and therefore met the federal requirement mandated by the OBRA 1989.¹³

(3) Locate the findings of the Oral Health Technical Advisory Group (TAG), convened between 1999 and 2000, which addressed reimbursement rates as a policy matter and were redacted from CMS’s Dental Guide in 2004. If appropriate, publish those policy recommendations now.

(4) Conduct an audit of Georgia’s Medicaid dental program and assess whether or not actions taken by the state’s MCOs in 2006 threatened access to dental care for Medicaid-eligible children in violation of federal law.

(5) Identify more promising dental practices to highlight on CMS’s nascent web page dedicated to outstanding models for increasing access to dental care. Additionally, encourage the commitment of additional funding to launch dental demonstration programs in a select number of states.

(6) Make the Form CMS-416 more reliable to facilitate proper assessment of the efficacy of each State’s EPSDT program.¹⁴

¹²See Domestic Policy Subcommittee, Oversight and Government Reform Committee, *Hearing on Medicaid’s Response to Systemic Problems Revealed by the Death of Deamonte Driver*, 110th Cong. (Feb. 14, 2008).

¹³Omnibus Budget and Reconciliation Act of 1989, Pub. L. No. 101-239.

¹⁴Letter from Dennis J. Kucinich to Dennis Smith, Director, CMS (Apr. 1, 2008).

Medicaid notified the Subcommittee that they would adopt all of the Subcommittee's recommendations as policy priorities.

Shortly after the release of its investigatory findings in October 2007, the Subcommittee expanded its investigation. The Subcommittee sought to evaluate whether United's dismal provider network in Prince George's County and its utilization rate throughout Maryland were unique. The Subcommittee expanded its review of United to include Apache County, Arizona; Essex County, New Jersey; Philadelphia County, Pennsylvania; and Providence County, Rhode Island. In addition to evaluating United's performance in these jurisdictions, the Subcommittee also evaluated the performance of three other MCOs with presences in those counties and states, including: HealthChoice in Arizona, Keystone Mercy in Pennsylvania, and Amerigroup in New Jersey and Maryland.¹⁵

The Subcommittee reviewed the dental claims in FY 2006 for each of these MCOs and found that:

(1) The percentage of children enrolled in Medicaid without dental services for four consecutive years between 2003 and 2006 ranged between 25% and 31% across all states and MCOs;

(2) In all jurisdictions and among all MCOs examined, between two and nine dentists performed 50% of all services rendered to children enrolled in Medicaid in FY 2006; and

(3) The dental provider networks among United and the other MCOs are better than United's network in Prince George's County but still far from adequate.

On September 23, 2008, the Subcommittee held its fourth hearing, entitled, "Necessary Reforms to Improve Access to, and Utilization of Pediatric Dental Care Under Medicaid." The new acting director of Medicaid reported significant progress in the implementation of reforms sought by the Subcommittee, such as locating the findings of the Oral Health Technical Advisory Group (TAG) convened between 1999 and 2000, which addressed reimbursement rates as a policy matter and were redacted from CMS's Dental Guide in 2004. CMS empowered a new Oral Health TAG to review, edit, and republish those findings.

The new acting director also heeded the Subcommittee's call to identify the most promising dental practices nationwide and to promote those as models for other state Medicaid programs in conferences as well as on the Agency's website. Perhaps most importantly, CMS's new leadership conducted an Early and Periodic Screening and Diagnosis Treatment compliance review of the Medicaid dental program in the states and the District of Columbia that had less than a 30% utilization rate in 2006. CMS has also followed up with the District of Columbia and state programs to address their poor performance and ensure that they increase access to pediatric dental care.

c. Veterans

The Subcommittee examined the effects of privatization on the delivery of timely and accurate payments to veterans by the De-

¹⁵ Document Request from Dennis J. Kucinich to United (Jan. 8, 2008); Document Request from Dennis J. Kucinich to HealthChoice (Apr. 28, 2008); Document Request from Dennis J. Kucinich to Amerigroup; (Apr. 28, 2008); Document Request from Dennis J. Kucinich to Keystone Mercy (Apr. 28, 2008).

fense Finance and Accounting Service (DFAS). Retroactive pay awards to eligible retired veterans with disabilities were enacted by Congress in 2003 and 2004, but delays in delivering the new benefit were significant. DFAS determined that more than 133,000 potentially eligible veterans were waiting for adjudication of their claims three years after Congress enacted the laws. The backlog grew to over 217,000 veterans as the delays compounded.

To determine the causes of the delays in the VA Retro program, the Subcommittee staff reviewed a total of 16,000 pages of documents produced separately by DFAS and Lockheed Martin, the contractor, and also interviewed disabled veterans whose VA Retro payments had been delayed or denied. The investigation found that DFAS awarded a no-bid, cost plus fixed fee contract to Lockheed for the work to compute the retroactive pay awards, known as the VA Retro program. Lockheed originally agreed to a deadline of November 2007 to work through the backlog of VA Retro cases. But Lockheed missed that deadline and every succeeding one. By March 1, 2008, over 60,000 eligible veterans still had not had their cases reviewed for payment.

For its part, Lockheed was unable to automate calculation of VA Retro claims, as both Lockheed and the federal government had intended. The reasons were several: the individual circumstances of the disabled veterans were complicated and difficult to translate into reliable computer programming rules, and the databases necessary to automate did not exist at the project's inception. The government also bore responsibility. The VA and the military services were slow to put the data in the necessary form for automation.

While Lockheed moved to hire more staff to perform the calculations manually, productivity remained low and top DFAS managers were concerned about the high number of errors their quality control auditors were detecting. But the federal government was powerless to hold the contractor accountable because the contract did not provide for penalties for poor contractor performance.

In an effort to rescue the program from further delay, DFAS suspended its own quality control procedures, effectively allowing Lockheed to verify the accuracy of its own calculations. This, in combination with assigning federal workers to augment Lockheed's workforce, finally had the desired effect: By the end of June 2008, DFAS and Lockheed announced the VA Retro backlog had been eliminated, and Lockheed had received \$18.74 million for the VA Retro program.

One of those veterans whose eligibility was initially denied struggled for one year to get DFAS to reevaluate his denial. Eventually, he prevailed after producing documentation that would have also been available to Lockheed, and was ultimately awarded a \$15,000 retroactive payment. He told the Subcommittee, "Most guys who get a letter saying they get zero money would never challenge it. They wouldn't know how. I'd be surprised if they understand what they get in the mail. And lots of guys will just trust their government. I get sad to the point of crying seeing the guys in worse shape than me. [But] DFAS wants us to die or just give up trying [to get our benefits]."

On July 15, 2008, the Subcommittee released the following findings in a report:¹⁶

- Delays in the implementation and execution of the VA Retro program were significant. Government mismanagement and poor performance by Lockheed resulted in a delay of five and one-half years to review the claims of eligible disabled veterans after Congress created new benefits for retired veterans with combat-related and service-related disabilities.
- Up to 8,763 disabled veterans died before their cases were reviewed for VA Retro eligibility.
- DFAS found Lockheed's performance deficient but was unable to assess penalties by the contract's terms.
- DFAS cut back quality control and used federal workers to supplement Lockheed's workforce to decrease payment backlog.
- DFAS bypassed GAO regulations on statistical sampling in federal quality-control procedures.
- Lockheed applied a weaker standard to quality assurance than the standard mandated by GAO.
- Up to 60,051 payments to veterans were issued after a suspension of quality control measures went into effect on March 1, 2008.
- At least 28,283 veterans were denied retroactive pay based on determinations made wholly without quality assurance review.

On, July 16, 2008, the Subcommittee held a hearing entitled "Examining Contractor Performance and Government Management of Retroactive Pay for Retired Veterans with Disabilities." This hearing examined the reasons for the significant delay in delivering the retroactive pay award to disabled retired veterans and assessed the government's management of the program. Zack E. Gaddy, the director of the Defense Finance and Accounting Service, and Joseph Cipriano, President, Lockheed Martin Business Process Solutions, testified at the hearing.

The hearing and report produced significant changes at DFAS and the VA Retro program: DFAS agreed to conduct a comprehensive review of all "No Pay Due" determinations and all payments in excess of \$2,500 to determine if errors were made. DFAS recently reported to the Subcommittee that an internal audit had found significant rates of error by Lockheed in both "No Pay Due" determinations and payments made in excess of \$2,500.

d. Tax

The Subcommittee examined the circumstances and policy justifications surrounding the use of tax-exempt financing for private uses, notably the construction of professional sports stadiums. State and local officials have frequently agreed to finance construction of professional sports stadiums, and the cost is high. Often, proposals to publicly finance construction of professional sports stadiums are packaged as economic development or revitalization strategies.

By 2001, taxpayers had spent about \$17.5 billion on 99 major league sports facilities. Taxpayers also assume a large share of costs for new professional sports facilities. Among new professional

¹⁶Domestic Policy Subcommittee, Oversight and Government Reform Committee, Report on "Die or Give Up Trying": How Poor Contractor Performance, Government Mismanagement and the Erosion of Quality Controls Denied Thousands of Disabled Veterans Timely and Accurate Retroactive Retired Pay Awards, 110th Cong. (July 15, 2008).

sports facilities built since 1990, the average public share of costs is estimated to be 80%. The subsidy includes outright building costs, which average \$124 million per facility; \$48 million in foregone tax collections per stadium; and \$24 million in land and infrastructure per stadium. Taxpayer expenditures on sports stadiums often occur in cities with significantly disintegrating public infrastructure. For example, in Cleveland there are five structurally deficient bridges and three publicly financed professional sports stadiums. In Minneapolis—the site of the August 1, 2007 I–35W bridge collapse that killed 13 people—there are 10 structurally deficient bridges. Just a year before the tragic bridge collapse, taxpayers financed a new stadium for the Minnesota Twins.

The Subcommittee held two hearings in 2007 to evaluate the promises made to cities which finance professional sports stadiums, as well as the extent to which public infrastructure funding is diverted toward professional sports stadiums.¹⁷ The hearings also examined federal enforcement of Treasury Department regulations pertaining to issuance of tax-exempt bonds for professional sports stadiums. The Subcommittee's hearings on stadium financing established the following: (1) local, state, and federal authorities massively subsidize the construction of professional sports stadiums; (2) on a federal level, the subsidization primarily takes the form of allowing municipalities to issue federally tax-exempt bonds that are used for the construction of the stadiums; (3) professional sports franchises have great leverage in negotiations with municipalities for new sports stadiums because the franchises themselves are able to leverage their monopoly status to threaten to move unless their demands are met; (4) the weight of economic analysis has established that, even from the perspective of municipalities, the public subsidization of professional sports stadiums is not an efficient mechanism to foster economic growth; and (5) federal subsidization in effect means that the federal taxpayer is abetting municipalities in bidding wars among themselves to keep or lure franchises from other cities.

The Subcommittee examined Treasury regulations pertaining to the public financing of sports stadiums with Payments-In-Lieu-of-Taxes (PILOT). Chairman Kucinich sent a letter to the Treasury Department expressing concern about Treasury's interpretation of its PILOT regulations. The Subcommittee also investigated allegations that the City of New York misrepresented the actual value of land and stadium in its application for permission to finance the new Yankee Stadium with PILOT-backed tax exempt bonds. The Subcommittee's investigation revealed serious discrepancies and questionable assertions in the City's petition, and Chairman Kucinich wrote to New York City Mayor Michael Bloomberg to report the preliminary results of the Subcommittee majority staff's investigation.

¹⁷ Domestic Policy Subcommittee, House Committee on Oversight and Government Reform, *Build It and They Will Come: Do Taxpayer-Financed Sports Stadiums, Convention Centers and Hotels Deliver as Promised for America's Cities?*, 110th Cong. (Mar. 29, 2007) (online at frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_house_hearings&docid=f:38037.pdf) and Professional Sports Stadiums: Do they Divert Public Funds from Critical Public Infrastructure?, 110th Cong. (Oct. 10, 2007).

The Subcommittee held two additional hearings on the topic in September and October 2008.¹⁸ The hearings examined whether the use of the federal tax code to subsidize the construction of professional sports stadiums and arenas furthers the public interest, and examined alleged improprieties in the financing process. The Subcommittee's investigation into alleged improprieties in the appraisal of the new Yankee Stadium is ongoing.

e. Environment

At the request of Subcommittee member Representative Diane E. Watson, the Subcommittee examined the environmental risks of dental mercury amalgam.

Dental mercury amalgam, also known as "silver fillings," is largely comprised of mercury. Dental offices are the third-largest user of mercury, after wiring device/switch makers and manufacturers of measuring and control instruments. Mercury contained in the existing dental fillings of U.S.-based patients comprises over half of all mercury in use today, amounting to over 1000 tons.

Dental amalgam is a significant source of mercury waste in the environment, especially in wastewater. The dental industry uses about approximately 40 tons of mercury per year.¹⁹ The mercury is used in the formation of dental amalgams. Of these 40 tons, it is estimated that approximately 6.5 tons are disposed of by being washed down the drain.²⁰ A 2005 study by the World Health Organization concluded that mercury from amalgam and laboratory devices accounts for 53% of total mercury emissions to water worldwide, and that one-third of the mercury in the sewage system comes from dental amalgam flushed down the drain.²¹

Another study conducted by the Association of Metropolitan Sewerage Agencies (AMSA) in 2002 found that dental uses were "by far" the greatest contributors of mercury load to municipal wastewater, on average contributing 40%, over 3 times the next greatest contributor.²² For example, the Central Contra Costa County Sanitary District estimates that each dental practice contributes 0.4 to 0.5 ounces of mercury per year totaling approximately 50% of the mercury in its wastewater. Mercury that settles in wastewater eventually finds its way into the air and water, where it may become a serious environmental and public health issue.²³ In the New England region alone, over 10,000 lakes, ponds, and res-

¹⁸See Domestic Policy Subcommittee, House Committee on Oversight and Government Reform, *Hearing on Gaming the Tax Code: the New York Yankees and the City of New York Respond to Questions About the New Yankee Stadium*, 110th Cong. (Oct. 24, 2008); *Hearing on Gaming the Tax Code: Public Subsidies, Private Profits, and Big League Sports in New York*, 110th Cong. (Sept. 18, 2008).

¹⁹Domestic Policy Subcommittee, Oversight and Government Reform Committee, Testimony of Dr. Richard D. Fischer, *Hearing on Assessing State and Local Regulation to Reduce Dental Mercury Emissions*, 110th Cong. (July 8, 2008).

²⁰Jay A. Vandeven, and Steve. L. McGinnis, *An Assessment of Mercury in the Form of Amalgam in Dental Wastewater in the United States*, Water, Air, and Soil Pollution, at 349–366 (2005).

²¹World Health Organization, *Mercury in Health Care* (Aug. 2005) (online at www.who.int/water_sanitation_health/medicalwaste/mercurypolpaper.pdf).

²²Association of Metropolitan Sewerage Agencies, *Evaluation of Domestic Sources of Mercury, Household Mercury Poses National Clean Water Compliance Concerns* (Aug. 2002).

²³Domestic Policy Subcommittee, Oversight and Government Reform Committee, Testimony of Dr. Richard D. Fischer, *Hearing on Assessing State and Local Regulation to Reduce Dental Mercury Emissions*, 110th Cong. (July 8, 2008).

ervoirs, and over 46,000 miles of river are listed as impaired for fish consumption due to mercury.²⁴

Mercury from dental amalgams is also a source of airborne emissions, though the amount is not known precisely. EPA estimates airborne mercury attributable to sludge incineration to be 0.6 tons per year annually. This figure may significantly undercount sludge-related mercury pollution, however. For example, the Northeast States for Coordinated Air Use Management estimated that mercury emissions in the northeast amount to 0.5 tons per year. EPA estimates that total mercury emitted as a byproduct of cremation of human remains is about 0.3 tons per year. However, EPA's estimate might significantly understate the magnitude of mercury emissions from this source. A newly published article by an EPA environmental scientist estimates mercury emissions from cremation to be ten times more than the EPA estimate, at about three tons per year. The total amount of mercury emissions attributable to dental offices could be as high as nine to ten tons per year.

At the request of Subcommittee member Representative Diane E. Watson, the Subcommittee held one hearing in 2007, "Environmental Risks of and Regulatory Response to Mercury Dental Fillings," which assessed the government's regulatory response to mercury in dental fillings. In 2008, the Subcommittee conducted a national survey of local and state regulatory responses to dental mercury followed by a hearing on July 8, 2008, "Assessing State and Local Regulations to Reduce Dental Mercury Emissions."

The Subcommittee found that nearly all state and local governments have existing water quality standards that set a limit for the acceptable level of mercury in discharge concentrations. For example, King County, Washington's limit is 0.2 milligrams parts per million, and Madison, Wisconsin, has a limit of 1.3 milligrams parts per trillion. To meet such limits, state and local governments must either prevent the mercury from being discharged or treat the wastewater before releasing it into the effluent. The most economical way to achieve the standard is through the installation of mercury amalgam separators in dentists' offices.

Most state and local governments have adopted either a voluntary or a mandatory approach to the installation of separators. The survey found that successful voluntary programs were incentivized programs that offered less cumbersome compliance requirements and were underpinned with the threat of a mandatory program. The Subcommittee found that the exception to this rule was Duluth, Minnesota, where the small number of dentists and dental offices allowed the Western Lake Superior Sanitary District to have a hands-on approach not possible in larger cities.²⁵

Most of the state or local governments the Subcommittee surveyed initiated a voluntary program before enacting regulations, ordinances, or statutes mandating the installation of amalgam separators and a recycling program. Governments tend to switch to a mandatory program only when their voluntary programs fail to achieve their desired compliance goals. The disparity in compliance

²⁴ Domestic Policy Subcommittee, Oversight and Government Reform Committee, Testimony of Dr. C. Mark Smith, *Hearing on Assessing State and Local Regulation to Reduce Dental Mercury Emissions*, 110th Cong. (July 8, 2008).

²⁵ Phone conversation between Subcommittee staff and Tim Tuominen, Lead Chemist, Western Lake Superior Sanitary District. (June 2, 2008).

achieved between voluntary and mandatory programs is illustrated in the chart below. Note that the chart also indicates the impact that the separators have had on dental mercury emissions in wastewater.

CHART: EFFICACY OF STATE AND LOCAL GOVERNMENT MANDATORY PROGRAMS

Name of state, county, or municipality	Date of program implementation	Compliance deadline	Offices with separators installed before program	Offices with separators installed after program	Reduction in mercury contamination levels
Washington State (Excluding King County)	August of 2003	August of 2005	< 5%	≈ 80%	Too early to tell
Massachusetts	April of 2006	June of 2007	≈ 70–75%	≈ 95%	47.6%
King County, WA	July of 2001	July of 2003	≈ 3%	≈ 97%	51.1% to 57.0%
Central Contra Costa County, CA	April of 2006	February of 2008	≈ 15%	≈ 98%	69.8%
Narragansett Bay Commission Area of Rhode Island	July of 2004	July of 2005	≈ 0%	≈ 100%	32.0%
Milwaukee, WI	January of 2004	February of 2008	≈ 1%	≈ 91%	72.6%
Wichita, KS	April of 2000	July of 2003	≈ 2%	≈ 98%	42.6%
Solon, OH	August of 2004	August of 2005	≈ 0%	≈ 100%	52.7% to 73.2%

The Subcommittee survey and hearing culminated in the publication of a federal guide to assist local and state regulators in their efforts to reduce dental mercury emissions. The report concluded that dental mercury emissions were most successfully curtailed by mandatory requirements to install and use mercury separation technology or voluntary programs enforced by the threat of a mandatory provision.²⁶

The Subcommittee also examined the environmental effects of the water bottling industry on rural communities. The consumption of bottled water is expanding both domestically and globally. The demand for bottled water has put new stresses on groundwater supplies and on associated wetlands, watersheds, and riparian environments, and on the environment of rural communities. On aggregated levels, the United States leads the world in total bottled water consumption. In 2002, 6,018.5 million gallons of bottled water were consumed in the United States. Since 1992, the annual percentage increases have ranged from 8.2% to 18.4%, which translates to 21.1 gallons per person per year.

The domestic water bottling industry has traditionally been comprised of a number of corporations, including many local entities. In recent years, however, the industry has undergone significant consolidation. The largest bottler of water in the United States is Nestle Waters of North America, a subsidiary of Nestle, the largest food manufacturer in the world, which has a 32% domestic market share.

The environmental impacts of the bottled water industry are often highly concentrated in rural communities. The Subcommittee held a hearing on December 12, 2007, entitled "Assessing the Environmental Risks of the Water Bottling Industry's Extraction of Groundwater." The hearing examined the broader policy context of the water bottling industry; the impact on communities of water bottling plants; the geological/hydrological dynamics and environmental effects of extraction on the surrounding watersheds, wetlands, and riparian systems; the growth, practices, and policies of the water bottling industry; and the adequacy of state property rights, state permitting systems, and federal regulations in addressing these issues.

f. Emergency Preparedness

At the request of Subcommittee Ranking Minority Member Darrell E. Issa, on December 10, 2007, the Subcommittee held a hearing, "What the October Wildfires Reveal about Preparedness in Southern California," to examine Southern California's preparation for future wildfires. The hearing was in response to a wildfire that began on October 21, 2007, in Witch Creek, a rural area in the foothills of San Diego. Three days after the commencement of the fire, the Governor declared a state of emergency. President George W. Bush issued a major disaster declaration for the State of California and ordered federal aid to supplement state and local response efforts. At the height of the disaster, 23 fires were burning. By the time all the fires were contained, 368,000 acres of land had

²⁶ Domestic Policy Subcommittee, Oversight and Government Reform Committee, *Report on Reducing Dental Mercury Emissions: Installing Amalgam Separators and Achieving Compliance*, 110th Cong. (Sept. 10, 2008).

been burned, 1,700 homes were destroyed, and 10 people lost their lives.

According to testimony received at the hearing, the frequency and ferocity of wildfires in California is on the rise due to global warming, wildland-urban interface, and dry shrub. Southern California previously endured significant fires in 1970, 1977, 1980, 1985, 1987, 1993, and 2003. Both the 2003 and 2007 fires were considered “100 year” fires for their unusual ferocity and extent. The hearing revealed that the damage caused by the Witch Creek fire could have been much worse were it not for the capable response efforts of local, state, and federal emergency responders. However, the absence of additional fires in San Diego’s surrounding counties and in Northern California significantly helped to make the story of the October 2007 wildfires a success.

g. Agriculture

The Subcommittee examined the adequacy of United States Department of Agriculture (USDA) regulations and oversight to protect farmers and consumers. On March 13, 2008, the Subcommittee held a hearing, “Is USDA Accounting for Costs to Farmers caused by Contamination from Genetically Engineered Plants?” The hearing questioned the adequacy of USDA’s enforcement of a provision of the National Environmental Policy Act of 1969 (NEPA), which requires consideration of the effects on farmers from contamination by genetically engineered (GE) plants that occurs before the plants are approved for testing or when they are deregulated by USDA’s Animal and Plant Inspection Service.

Contamination of conventional crops by GE plants can occur in several ways. First, GE plants can pollinate non-genetically engineered plant species if allowed to flower. Second, GE plants can grow as “volunteers” from a seed that was unintentionally left in soil from a previous growing season. Finally, GE plants can be mixed together with non-genetically engineered product in the grain-handling and/or food-processing system. Both field tests of regulated GE plant varieties as well as planting of deregulated varieties pose risks of contaminating non-GE crops. Although USDA points out that incidents of contamination are rare,²⁷ when contamination has occurred, the consumer market—both domestic and international—has responded immediately, and farmers have incurred large costs.

NEPA requires the federal government to consider the environmental impacts of proposed government actions in the federal decision-making process.²⁸ The Act requires federal agencies to prepare an Environmental Assessment (EA) or Environmental Impact Statement (EIS) for proposed federal actions that have a “significant” effect on the environment.²⁹ NEPA defines “significance” with ten characteristics, codified at 40 C.F.R. § 1508.27. The Act also created the Council on Environmental Quality (CEQ) to coordinate government-wide compliance.

²⁷ USDA, *Report of LibertyLink Rice Incidents* (Oct. 5, 2007) (online at www.aphis.usda.gov/newsroom/content/2007/10/content/printable/RiceReport10-2007.pdf).

²⁸ 42 U.S.C. §§ 4321–45.

²⁹ 42 U.S.C. § 4332. NEPA requires that all agencies of the federal government report on the environmental effects of all proposed government actions “significantly affecting the quality of the human environment.”

NEPA does not require that the federal government undertake the least environmentally harmful action, only that the federal government account for the potential harm caused by the proposed action. Additionally, NEPA mandates that federal government evaluate alternatives to the proposed action. As the Supreme Court explained in *Robertson v. Methow Valley Citizens Council*, “NEPA itself does not mandate particular results, but simply prescribes the necessary process.”³⁰ The Court further explained that “NEPA merely prohibits uninformed—rather than unwise—agency action.”³¹

NEPA requires federal agencies to report on the *economic* impact of proposed federal actions when those economic impacts are caused by the environmental impact. CEQ NEPA regulations state, “[W]hen an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment.”³²

In the entire 20-year history of its biotech crop program, the Animal and Plant Health Inspection Service (APHIS) has only conducted four EISs. Two of the EISs were ordered by courts in 2007. The third and fourth were programmatic EISs initiated by the USDA in 2007 in connection with promulgation of new Genetically Modified Organism regulations. According to APHIS, the reason for the small number of EISs—in contrast to its issuance of thousands of notifications, permits, and deregulations—is that APHIS determined in nearly all cases that its proposed action, whether a notification or permit, did not have a “significant” impact as defined by NEPA.³³ However, in two recent cases, federal district courts reviewed APHIS’s determination of “no significant impact” for proposed actions related to two GE plants, Roundup Ready alfalfa and creeping bentgrass; held that APHIS’s interpretation was inconsistent with the Act; and ordered APHIS to prepare EISs.

The Subcommittee also examined USDA’s regulation of food inspection. On January 30, 2008, the Humane Society of the United States released to the media video obtained by an undercover investigator at the Hallmark/Westland Meat Packing Company of Chino, California. The video documented inhumane handling of non-ambulatory, or downed, cattle and raised questions regarding the possibility of tainted meat being introduced into the food supply. In response to the Humane Society’s allegations, Agriculture Secretary Ed Schafer issued a statement expressing the USDA’s confidence in the “inspection system and the food safety regulations that ensure the safety and wholesomeness of the food supply.”

Secretary Schafer called for an investigation by the Office of the Inspector General in conjunction with the USDA’s Food Safety and Inspection Service (FSIS) and the Agricultural Marketing Service (AMS). Hallmark/Westland voluntarily suspended operations on February 1, 2008, prior to issuance of a Notice of Suspension by FSIS. On February 17, 2008, Hallmark/Westland voluntarily recalled 143 million pounds of fresh and frozen beef dating back to February 1, 2006. The meat recall was the nation’s largest ever.

³⁰ 490 U.S. 332, 350 (1989).

³¹ *Id.* at 351.

³² 40 C.F.R. § 1508.14

³³ Conversation between Subcommittee majority staff and APHIS staff (Feb. 29, 2008).

Approximately 50 million pounds had been distributed to federal nutrition programs in at least 45 states under the National School Lunch Program and programs for the poor and elderly. In press briefings concerning the beef recall, USDA officials repeatedly affirmed that the incidents at Westland/Hallmark represented an aberration in the meat industry.³⁴ Dr. Kenneth Petersen said, “FSIS believes this to be an isolated incident of egregious violations to humane handling requirements and the prohibition of non-ambulatory disabled cattle from entering the food supply.”³⁵

The Subcommittee discovered, however, that USDA had conducted two audits at Westland/Hallmark in the previous three years—once in 2005 and again in 2007. The 2005 audit cited minimal infractions—namely that the plant used its electronic prod excessively. The plant responded that the excessive use was due to a lack of battery power in the equipment and immediately rectified the shortcoming.³⁶ In 2007, the USDA audit noted no infractions and instead gave Westland/Hallmark glowing reports.³⁷ Only a few months later, a Humane Society undercover investigation revealed that the USDA’s findings were a poor reflection of the dismal reality of operations at Hallmark/Westland.

The contrast between the Humane Society’s investigation and the USDA audits raises a significant question: if the USDA did not know of the egregious practices that took place at Westland/Hallmark before the dissemination of the Humane Society video, then how could it be confident that similar practices are not taking place at slaughter plants nationally? In addition to alerting food safety authorities of possible risk resulting from beef contamination, the Humane Society video also made clear that USDA oversight is not infallible.

On April 17, 2008, the Subcommittee held a hearing entitled “After the Beef Recall: Exploring Greater Transparency in the Meat Industry” to examine that question. Subsequently, the Subcommittee expanded its investigation to include issues of agency treatment of whistleblowers. That investigation is ongoing.

h. Drug Policy and Crime

The Subcommittee held two oversight hearings in the 110th Congress in its exercise of its oversight and legislative responsibility for drug policy and the Office of National Drug Control Policy (ONDCP).

On September 30, 2007, the Subcommittee held a field hearing in Baltimore, “Combating Drug Abuse and Drug-related Crime: What Is Working in Baltimore,” to study the provision and coordi-

³⁴ See, e.g., USDA, *Press Briefing on Humane Handling Procedures of Hallmark/Westfield Company* (Feb. 8, 2008) (online at www.usda.gov/wps/portal/ut/p/s.7_0_A/7_0_1OB?contentidonly=true&contentid=2008/02/0037.xml); USDA, *Questions and Answers Regarding the Humane Society of the United States’ Handling Allegations*, (Feb. 6, 2008) (online at www.usda.gov/wps/portal/ut/p/s.7_0_A/7_0_1OB?contentidonly=true&contentid=InhumaneFAQs.xml); USDA, *Technical Briefing Regarding Inhumane Handling Allegations* (Jan. 31, 2008) (online at www.usda.gov/wps/portal/ut/p/s.7_0_A/7_0_1OB?contentidonly=true&contentid=2008/02/0028.xml).

³⁵ USDA, *Questions and Answers Hallmark/Westland Meat Packing Co.* (Feb. 17, 2008) (online at www.fmi.org/foodsafety/usdaqawestland.pdf).

³⁶ Interview of Steven Mendell, Owner, Hallmark/Westland Meat Packing Co., by Subcommittee Staff (Mar. 28, 2008); see also FSIS, *Report of Human Handling Verification Visit of Hallmark/Westland Meat Packing Company FSIS Form 6000-31* (Dec. 8, 2005).

³⁷ See FSIS, *Report of Human Handling Verification Visit of Hallmark/Westland Meat Packing Company FSIS Form 6000-31* (May 18, 2005).

nation of multiple services to at-risk juveniles and young adults, including mental health and substance abuse treatment, job training and housing. The City of Baltimore has struggled with significant drug abuse and drug-related violence problems for many years. Recently, Baltimore has undertaken innovative steps to address these problems, including drug courts and treatment modalities. Drug courts utilize a multidisciplinary and integrated approach that incorporates collaboration among courts, government, and community organizations.

The challenges still facing Baltimore's drug-control efforts provide a lens through which to assess ONDCP and federal drug policy priorities. Because of inadequate federal funding for treatment and drug courts, many of the slots in Baltimore's innovative programs are reserved for those who already have had multiple encounters with the criminal justice system. Thus, first-time offenders who are easier to reach are not offered the type of intensive monitoring, treatment, and array of services that have been found to be most effective. In Baltimore as in the rest of the country, there is a huge treatment gap: many drug abusers in need of treatment cannot get it.

Substance Abuse and Mental Health Services Administration (SAMHSA) funding through block grants to states forms an important component of federal assistance to local treatment programs, and has declined in recent years. With respect to the overall drug control budget, treatment is disproportionately under-funded given the treatment gap and treatment's demonstrated cost-effectiveness compared to other drug-control strategies like drug interdiction, source country eradication, and enforcement. Baltimore's experience also highlights the need for the federal government to foster and fund greater service coordination and for extensive monitoring of outcomes to determine which broad strategies and specific programs work. Finally, Baltimore's effective and innovative incorporation of harm reduction programs into its drug-control strategy—including methadone provision, needle exchange, and buprenorphine to combat heroin addiction—demonstrates that scientifically tested harm reduction programs have the potential to reduce drug-related harms without increasing drug abuse.

On March 12, 2008, the Subcommittee held a hearing, "The National Drug Control Strategy for 2008, the Fiscal Year 2009 National Drug Control Budget, and Compliance with ONDCP Reauthorization Act of 2006: Priorities and Accountability at ONDCP," which addressed priorities in the nation's drug policy. On December 29, 2006, Congress passed the ONDCP Reauthorization Act of 2006, Pub. L. 109-469 (Reauthorization Act), which authorized certain funding levels of ONDCP's proprietary programs (High Intensity Drug Trafficking Areas, National Youth Antidrug Media Campaign, and Drug Free Communities Support Program) and set numerous reporting requirements to ensure ONDCP's accountability. ONDCP Reauthorization was the product of a long bipartisan effort with a key role played by this Committee.

Hearing witnesses suggested that ONDCP was funding and supporting supply-side drug-control programs, such as source-country eradication and interdiction at the expense of demand-side initiatives, such as drug use prevention and treatment. This balance has been criticized by those who cite social scientific research dem-

onstrating that, per dollar spent, demand-side initiatives, especially drug treatment, are more effective at combating drug abuse. Second, the hearing adduced serious questions about ONDCP's transparency and accountability. At the hearing, much of the data presented by ONDCP in its publications was challenged as inaccurate or misleading, and the progress that ONDCP has attributed to federal drug control operations was criticized as overstated and a product of cherry-picked data and shifting objectives. ONDCP also was criticized for being out of compliance with either the Reauthorization Act's reporting requirements or its obligation to revert to a more inclusive National Drug Control budget.

Since the hearing, Subcommittee staff has continued to work with the relevant congressional appropriations staff to ensure that ONDCP remains accountable to congressional oversight and has met with ONDCP staff and relevant stakeholders to help improve ONDCP's operation and federal drug policy priorities.

On May 10, 2007, the Subcommittee held a hearing, "Lethal Loopholes: Deficiencies in State and Federal Gun Purchase Laws," which assessed the adequacy of a federal database used for checking the criminal and mental health records of gun purchasers. In 2004, nearly 30,000 Americans died by gunfire and more than twice that number were treated in emergency rooms for non-lethal firearm injuries. Social science has demonstrated that violence levels are related to the relative availability of firearms to high-risk individuals.

Forty years after the passage of the Gun Control Act, individuals who are prone to use guns illegally are still getting guns legally. This pattern was repeated in the shooting on the campus of Virginia Tech, which took the lives of 32 people. The Subcommittee examined loopholes and deficiencies in firearm purchasing prohibitions, the quality of the federal databases used in background checks prior to legal purchase of guns, and state efforts to stop illegal sales of guns. The hearing also looked at inconsistencies among the states in their supplemental gun prohibition laws.

i. Science

The Subcommittee examined a controversial leadership initiative at the National Institute of Environmental Health Sciences (NIEHS). NIEHS, one of the National Institutes of Health's (NIH) 27 institutes and centers, researches the links between environment and human health and reports its results to improve public health. NIEHS also hosts the peer-reviewed *Environmental Health Perspectives* (EHP), the leading environmental sciences journal and the National Toxicology Program (NTP), which evaluates chemicals and other agents that may harm human health.

Soon after becoming the director of NIEHS on April 4, 2005, Dr. David Schwartz set in motion a new set of research priorities for NIEHS. His primary goal was to shift significant resources toward clinical research that was focused on discoveries that would contribute to treating or curing disease once the patient was already afflicted. There was also an effort to shift resources away from projects or programs that represented anything other than scientific research.

In March, 2007, the Subcommittee, in conjunction with the Oversight and Government Reform Committee, began an inquiry into

Dr. Schwartz's conduct as Director. Several similar investigations by House and Senate committees were subsequently launched. The inquiries looked into several allegations, including conflicts of interest, financial misconduct, profiting from his title as Director, and extremely low morale and lack of confidence among NIEHS employees. In August 2007, Dr. Schwartz was asked to temporarily step down as director of NIEHS while the NIH conducted its own internal investigation. The Subcommittee held a hearing entitled "Will NIEHS's New Direction Protect Public Health?"

The Subcommittee also began an investigation into the health dangers posed by cell phone use. On September 25, 2008, the Subcommittee held a hearing on the status of medical research on the connection between cell phone use and human health effects. The hearing, "Tumors and Cell Phone Use: What the Science Says," examined potential links between mobile phone use and health effects.

The scientific evidence linking cell phones to health effects is inconclusive. There is neither enough evidence to say there is a link nor enough to rule it out. The CTIA, an international industry trade group representing all wireless communication sectors, maintains that "when it comes to your wireless device you can rest assured the scientific evidence states wireless devices do not pose a risk to you or your loved one."³⁸ Other scientists are less certain. A recent study summarizing the evidence of negative health effects of prolonged cell phone use found a higher frequency of occurrence of two types of brain cancers: glioma, a cancer of glial cells in the brain, and acoustic neuroma, a rare cancer of a nerve in the inner ear.³⁹

Evidence was also found to be growing for links to neurodegenerative diseases like Alzheimer's and Amyotrophic Lateral Sclerosis (ALS) (also known as Lou Gehrig's Disease). The evidence for associations with other health effects is not as strong. They include "spontaneous abortion, shifts in red and white blood cell counts, increased mutations in lymphocytes (white blood cells), and changes in brainwave activity," "reduced male fertility," parotid gland tumors, and "behavioral problems of emotion and hyperactivity around the age of school entry" with prenatal and postnatal exposure.

j. Labor

The Subcommittee examined the enforcement of labor laws in New Orleans after Hurricane Katrina. Following the devastation caused by Hurricane Katrina on August 29, 2005, President Bush suspended numerous labor laws and employee immigration documentation requirements. The stated intent of these actions was to encourage the speedy clean-up and reconstruction of New Orleans. The Subcommittee found that the Administration's policies helped to create an environment of widespread workplace law violations.

The Subcommittee held two hearings on the topic: "Evaluating the Labor Department in New Orleans: DOL's Performance in In-

³⁸CTIA, (online at www.etia.org/consumer_info/safety/index.cfm/AID/10371) (accessed on Sept. 23, 2008).

³⁹David O. Carpenter and Cindy Sage, *Setting Prudent Public Health Policy for Electromagnetic Field Exposures*, Reviews on Environmental Health, at 91-117 (Apr.-June 2008) (online at www.scribd.com/doc/4090137/Setting-Prudent-Public-Health-Policy-for-Electromagnetic-Field-Exposures):

investigating and Prosecuting Wage and Hour Violations and Protecting Guest Workers” (field hearing in New Orleans) and “The Adequacy of Labor Law Enforcement in New Orleans.”

Over the course of its investigation, the Subcommittee discovered a significant legal loophole that left non-agricultural guest workers, or H-2B visa holders, vulnerable to egregious exploitation including trafficking. The Subcommittee has made several attempts to rectify this loophole, including submitting comments to the Department of Labor’s proposed rulemaking and advocating on behalf of a group of Indian workers who are victims of such trafficking. The Subcommittee continues to examine this matter in its effort to provide better protections for non-agricultural guest workers.

Chairman Kucinich and Ranking Member Darrell Issa introduced H.R. 3875, a bipartisan bill that seeks to provide greater protection to workers in New Orleans who have been denied the wages they earned during the clean-up and reconstruction effort of the ravaged city.

k. Energy

At the request of full Committee Ranking Member Tom Davis, on April 25, 2007, the Subcommittee held a hearing, “Federal Electric Transmission Corridors: Consequences for Public and Private Property,” on implementation of a controversial provision relating to the siting of electric transmission lines. Section 1221 of the Energy Policy Act of 2005 granted the federal government new powers to authorize the siting of electric transmission lines and eminent domain authority to energy companies seeking to construct those transmission lines.⁴⁰ Traditionally, this was the exclusive authority of the states. The hearing examined implementation of Section 1221 by the Department of Energy (DOE) and its upcoming designation of regions of the country as National Interest Electric Transmission Corridors (NIETCs). DOE’s designations could have a profound impact on property owners and citizens living within the corridors, the country’s energy infrastructure, and the environment.

The Subcommittee also examined a controversy in gasoline measurement standards. The amount of gasoline by weight in a gallon pumped during the hot summer months is less than the same gallon pumped during cold winter months. This is due to a physical phenomenon known as thermal expansion. Oil companies have been aware of the thermal expansion of gasoline for over 100 years, and since the 1920s they have compensated for this variation in transactions at the wholesale level. Compensation is applied by mathematically adjusting a given volume of gasoline at a given temperature to a standard temperature and volume.

However, oil companies have not compensated for temperature at the retail level. The result is that the oil companies can buy gasoline at one temperature and sell it at another, thereby creating an opportunity for arbitrage, also known as the “hot fuel premium.” Existing technology that can correct for temperature at the retail level (known as Automatic Temperature Compensation or ATC) has been available for sale in Canada since the 1980s, and recently, the State of California certified it for use there. The oil industry opposes the deployment of this technology in the United States.

⁴⁰ Energy Policy Act of 2005, Pub. L. 109–58.

The Subcommittee held two hearings and issued two reports. The reports estimated the national hot fuel premium to be about \$1.5 billion in summer 2007. The hearings were entitled “Hot Fuel: Big Oil’s Double Standard for Measuring Gasoline” and “ExxonMobil and Shell Answer Questions About Hot Fuel.”

2. Key Letters and Reports

a. Housing and Finance

Letter from Rep. Dennis J. Kucinich to Barney Frank, Chairman, House Financial Services Committee (Apr. 22, 2008). This letter suggested a number of modifications to the funding allocation formula contained in H.R. 5818, the Neighborhood Stabilization Act of 2008, including targeting neighborhoods with high concentrations of vacant properties.

Letter from Rep. Dennis J. Kucinich to Steve Preston, Secretary, Housing and Urban Development Department (July 31, 2008). This letter suggested that HUD had statutory discretion to improve upon the targeting formula in H.R. 3221, and suggested that HUD develop an allocation formula based on its testimony before a Domestic Policy Subcommittee hearing on May 22, 2008. That testimony discussed how federal aid could be targeted based on concentrations of vacant properties.

Letter from Rep. Dennis J. Kucinich to Editor, New York Times (Oct. 26, 2008). This letter commented that principal reductions on at-risk mortgage loans have a higher rate of preventing redefault than other kinds of loan modifications, and warned that the Treasury Department was not using properly funds that Congress had authorized to promote foreclosure prevention.

Letter from Rep. Dennis J. Kucinich to Barney Frank, Chairman, House Financial Services Committee (Nov. 17, 2008). This letter relayed findings from a November 14, 2008, hearing of the Domestic Policy Subcommittee with Mr. Neel Kashkari, Interim Assistant Secretary for Financial Stabilization and the top Treasury official at the TARP. The letter discussed the ways in which Treasury was failing to use the TARP as Congress intended, and suggested that Congress should inform the White House that it would withhold the second installment of \$350 billion in funds for the TARP until a new Administration takes office.

b. Health

Letter from Rep. Dennis J. Kucinich and Rep. Elijah E. Cummings to Jonathan Dinesman, United HealthCare Group, and Susan Tucker, (Maryland) Department of Health and Mental Hygiene (Oct. 2, 2007). This letter presents the findings of a Subcommittee majority staff investigation into the adequacy of access to dental care for Medicaid beneficiaries in the State of Maryland and the circumstances of Deamonte Driver’s death due to untreated tooth decay. Those findings include: Deamonte Driver was one of over 10,780 Medicaid-eligible children in Maryland who had not seen a dentist in four or more consecutive years, and most of United HealthCare’s dental provider network was inactive, for a variety of reasons, making access to dental care for United HealthCare-enrolled beneficiaries difficult.

Letter from Rep. Dennis J. Kucinich, to Dennis Smith, Director, Center for Medicaid & State Operations (Apr. 14, 2008). This letter outlines a number of policy recommendations for improving access to pediatric dental care under Medicaid, as well as a number of recommendations at improving federal oversight of the Medicaid program.

Letter from Rep. Dennis J. Kucinich to Herb Kuhn, Acting Director, Center for Medicaid & State Operations (Sept. 19, 2008). This letter presented findings from the Subcommittee's majority staff's investigation of Medicaid pediatric dental care in several states. Those findings were: a high percentage of children enrolled in Medicaid did not receive dental care for four or more consecutive years; few dentists provided the majority of care to Medicaid enrollees who are children; and that dental provider networks are characterized by inaccuracies, making access to dental care difficult. Similar letters were sent to every State Medicaid Director, as well as the Medicaid Managed Care Organizations surveyed.

c. Veterans

Report, *"Die or Give Up Trying": How Poor Contractor Performance, Government Mismanagement and the Erosion of Quality Controls Denied Thousands of Disabled Veterans Timely and Accurate Retroactive Retired Pay Awards*, 110th Cong. (July 15, 2008). This report found a pattern of mismanagement and inadequate contractor performance in the calculation and distribution of payments to veterans eligible for combat-related special compensation and concurrent retired and disability pay.

d. Tax

Letter from Rep. Dennis J. Kucinich to Eric Solomon, Assistant Secretary for Tax Policy, Department of Treasury, and Douglas Shulman, Commissioner, Internal Revenue Service (May 23, 2008). This letter raised concerns about Treasury's interpretation of regulations pertaining to the use of payments in lieu of taxes (PILOTs) to finance tax-exempt bonds for construction of professional sports stadiums.

Letter from Rep. Dennis J. Kucinich to Michael R. Bloomberg, Mayor, City of New York (Oct. 14, 2008). This letter presents evidence of inaccuracies and possible material misrepresentations made by the City of New York to IRS in pursuit of PILOT-backed tax-exempt bonds for construction of a new Yankee Stadium.

e. Environment

Letter from Rep. Dennis J. Kucinich to Dr. Andrew von Eschenbach, Commissioner, Food and Drug Administration (July 28, 2008). This letter details findings of Subcommittee's investigation into FDA compliance with the National Environmental Policy Act (NEPA) with respect to its classification of dental mercury as a medical device. The letter stressed that there was no evidence in the FDA administrative record that FDA had ever considered environmental impacts of classification or reclassification of mercury-related dental devices before foregoing an EA or EIS.

Report, *Reducing Dental Mercury Emissions: Installing Amalgam Separators and Achieving Compliance*, 110th Cong. (Sept. 10, 2008). This report, from a Subcommittee majority staff survey of

state and local authorities, found that dental mercury emissions were most successfully curtailed by mandatory requirements to install and use mercury separation technology, or voluntary programs underpinned with the threat of a mandatory provision.

f. Energy

Report, *American Consumers Will Pay a Hot Fuel Premium*, 110th Cong. (June 7, 2007). This report found that 513.8 million gallons of gasoline sold in the summer of 2007 would be attributable to the thermal expansion of gasoline, and that consumers would pay a hot fuel premium during the summer in the range of \$1.5 billion.

3. Hearings

In the 110th Congress, the Domestic Policy Subcommittee held 31 hearings, receiving testimony from 217 witnesses.

“Foreclosure, Predatory Mortgage & Payday Lending in America’s Cities” (March 21, 2007). Witnesses: Mr. James Rokakis, Cuyahoga County Treasurer, Cleveland, OH; Ms. Inez Killingsworth, President, East Side Organizing Project, Cleveland, OH; Mr. Bill Rinehart, Vice President and Chief Risk Officer, Ocwen Financial Corp., West Palm Beach, FL; Mr. Josh Nassar, Vice President, Center for Responsible Lending, Washington, DC; Professor Dan Immergluck, Georgia Institute of Technology, Atlanta, GA; and Mr. Harry Dinham, President, National Association of Mortgage Brokers, Mclean, VA; Ms. Rita L. Haynes, CEO, Faith Community United Credit Union, Cleveland, OH; Mr. Ed Jacob, Northside Community Federal Credit Union, Chicago, IL; Mr. David Rothstein, Policy Matters Ohio, Cleveland, OH; Ms. Fran Grossman, ShoreBank Corp., Chicago, IL; Ms. Jean Ann Fox, Consumer Federation of America, Washington, DC; Mr. Calvin Bradford, National Training & Information Center, Chicago, IL; Mr. Thomas FitzGibbon, Jr., MB Financial Bank, Rosemount, IL; Mr. Jim McCarthy, President, Miami Fair-Housing, Dayton, OH; Professor Michael T. Maloney, Department of Economics, Clemson, SC.

“Build It and They Will Come: Do Taxpayer-Financed Sports Stadiums, Convention Centers and Hotels Deliver as Promised for America’s Cities?” (March 29, 2007). Witnesses: Ms. Joyce Hogi, Bronx, NY; Mr. Frank Rashid, Detroit, MI; Mr. Nick Licata, President, Seattle City Council, Seattle, WA; Mr. Neil de Mause, author, Brooklyn, NY; Mr. Brad Humphreys, Ph.D., University of Illinois Urbana-Champaign, Champaign, IL; Heywood Sanders, Ph.D., University of Texas, San Antonio, San Antonio, TX; Mr. Dennis Zimmerman, Falls Church, VA; Mr. Bob Murphy, President, Dayton Dragons, Dayton, OH; Mr. Michael Decker, Senior Managing Director, Research and Public Policy, The Securities Industry and Financial Markets Association, Washington, DC; Mr. Donald Korb, Chief Counsel, Internal Revenue Service.

“Federal Electric Transmission Corridors: Consequences for Public and Private Property” (April 25, 2007). Witnesses: Representative Bill DeWeese, Majority Leader, Pennsylvania House of Representatives; Assemblyman Paul D. Tonko, Chair, Committee on Energy, New York State Assembly; Mr. Kurt Adams, Chairman, Maine Public Utilities Commission; Ms. Elizabeth Merritt, Deputy General Counsel, National Trust for Historic Preservation; Mr.

Paul D. Koonce, Chief Executive Officer, Dominion Resources, Inc.; Mr. Chris Miller, President, Piedmont Environmental Council; Mr. Kevin Kolevar, Director, Office of Electricity Delivery and Energy Reliability, Department of Energy.

“Evaluating Pediatric Dental Care Under Medicaid” (May 2, 2007). Witnesses: Ms. Laurie Norris, Staff Attorney, Public Justice Center; Dr. Frederick Clark, DDS, Dentist, Prince George’s County, National Dental Association, member; Dr. Norman Tinanoff, DDS, Chair, Department of Pediatric Dentistry Dental School, University of Maryland; Mr. James Cosgrove, Ph.D., Director, Health Care, Government Accountability Office; Mr. Dennis Smith, Director, Center for Medicaid and State Operations Health and Human Services; Ms. Susan Tucker, MBA, Executive Director, Office of Health Services, Maryland Department of Health & Mental Hygiene; Dr. Allen Finklestein, Chief Dental Officer, United Health Care; Ms. Jane Perkins, Legal Director, National Health Law Program.

“Lethal Loopholes: Deficiencies in State and Federal Gun Purchase Laws” (May 10, 2007). Witnesses: Ms. Robyn Thomas, Executive Director, Legal Community Against Violence; Mr. Paul Helmke, President, Brady Campaign Against Handgun Violence; Mr. John Feinblatt, Criminal Justice Coordinator for New York; Ms. Rachel L. Brand, Assistant Attorney General, Office of Legal Policy, U.S. Department of Justice; Mr. Stephen R. Rubenstein, Chief Counsel, Bureau of Alcohol, Tobacco, Firearms & Explosives (will not testify, but will answer questions); Professor Daniel Webster, Johns Hopkins University; Professor Susan Sorenson, University of Pennsylvania; Mr. Ron Honberg, Director of Policy and Legal Affairs, National Alliance on Mental Illness.

“Foreclosure and the Federal Reserve Bank of Cleveland” (May 21, 2007). Witnesses: Mr. Charles Bromley, Adjunct Faculty, Levin College of Urban Affairs; Mr. Jim Rokakis, Treasurer, Cuyahoga County; Ms. Barbara Anderson, Board Member, East Side Organizing Project; Ms. Sandra F. Braunstein, Director, Division of Consumer and Community Affairs; Mr. Raymond Pianka, Judge, Cleveland Municipal Housing Court; Ms. Kathleen Engel, Professor, Marshall School of Law; Mr. Alex J. Pollock, Resident Fellow, American Enterprise Institute; Ms. Marianne McCarty-Collins, Senior Vice President for Insight Bank.

“Hot Fuels: Big Oil’s Double Standard for Measuring Gasoline” (June 8, 2007). Witnesses: Mr. Richard Suiter, Weights & Measures Coordinator, National Institute of Technology and Standards; Mr. Michael Cleary, Chairman, National Conference on Weights and Measures; Mr. Martin Gafinowitz, CEO, Gilbarco Veeder-Root; Mr. John Seibert, Owner-Operator Independent Truck Drivers Association; Mr. Rex Tillerson, CEO, ExxonMobil (invited) Mr. John Hofmeister, President, Shell (invited); Mr. R. Timothy Columbus, General Counsel, National Association of Convenience Stores, and General Counsel, Independent Gasoline Marketers of America.

“Adequacy of Labor Law Enforcement in New Orleans” (June 26, 2007). Witnesses: Mr. Jeffrey Steele, Former employee of the Army Corps of Engineers; Mr. Ted Smukler, Director of Public Policy, Immigrant Worker Justice; Ms. Jennifer Rosenbaum, Staff attorney, Immigrant Justice Project, Southern Poverty Law Center; Mr. Saket Soni and Mr. Jacob Horowitz, New Orleans Workers Center

for Racial Justice; Mr. Paul DeCamp, Administrator, Wage and Hour Division, Employment Standards Administration, Department of Labor; Ms. Tracie Washington, President and CEO, Louisiana Justice Institute; Ms. Catherine Ruckelshaus, Litigation Director, National Employment Law Project.

“After Blackstone: Should Small Investors Be Exposed to Risks of Hedge Funds?” (Wednesday, July 11, 2007). Witnesses: Mr. Andrew “Buddy” Donahue, Director of the Division of Investment Management, Securities & Exchange Commission; Professor Mercer Bullard, University of Mississippi Law School; Professor John Coffee, Columbia Law School; Mr. Joseph Borg, President of the Board of Directors of the North American Securities Administrators Association (NASAA); Mr. Peter Tanous, President and CEO, Lynx Investment Advisory, LLC.

“ExxonMobil and Shell Answer Questions About Hot Fuel” (July 25, 2007). Witnesses: Mr. Ben Soraci, U.S. Retail Sales Director, ExxonMobil Fuels Marketing Company; Mr. Hugh Cooley, Vice President and General Manager, National Wholesale and Joint Ventures, Shell Oil.

“Combating Drug Abuse and Drug-related Crime: What Is Working in Baltimore?” (October 1, 2007). Witnesses: Ms. Lena Franklin, Director Recovery in Community; Ms. Rita Fayall, Program Coordinator, Meet Me Halfway Village Center; Mr. Leon Faruq, Program Director, Operation Safe Streets East; Ms. Sheryl Goldstein, Director, Mayors Office on Criminal Justice Dr. Josh Sharfstein, Commissioner, Baltimore City Health Department; The Honorable Ellen M. Heller, Retired, Administrative Judge and Judge in Charge of the Civil Docket, Circuit Baltimore City; The Honorable Jamey H. Weitzman, Associate Judge, Circuit Court of Baltimore City; The Honorable David W. Young, Associate Judge, Circuit Court of Baltimore City; Dr. Philip J. Leaf, Professor, John Hopkins Bloomberg School of Public Health.

“Will NIEHS’ New Direction Protect Public Health?” (September 25, 2007). Witnesses: Dr. Samuel H. Wilson, Acting Director, NIEH; Mr. George W. Lucier, Ph.D., Former Editor in Chief of EHP, and former Associate Director of NTP; Dr. Lynn Goldman, Professor, Johns Hopkins University Bloomberg School of Public Health; Ms. Peggy Shepard, Executive Director, WE ACT for Environmental Justice; Ms. Stefani D. Hines, M.A., M.S., Member, National Advisory Environmental Health Sciences Council (NAEHSC), Environmental Health Specialist at the University of New Mexico in Albuquerque.

“Professional Sports Stadiums: Do They Divert Public Funds from Critical Public Infrastructure?” (October 10, 2007). Witnesses: Mr. Eric Solomon, Assistant Secretary for Tax Policy, Department of Treasury; Mr. Arthur J. Rolnick, Senior Vice President and Research Director, Federal Reserve Bank of Minneapolis; Professor Judith Grant Long, Assistant Professor of Urban Planning, Graduate School of Design, Harvard University; Professor David P. Hale, Director, Aging Infrastructure Systems Center of Excellence, University of Alabama; Ms. Bettina Damiani, Director, Good Jobs New York; Mr. Steven Maguire, Ph.D., Specialist in Public Finance, Congressional Research Service.

“Upholding the Spirit of the CRA: Do CRA Ratings Accurately Reflect Bank Practices?” (October 24, 2007) Witnesses: Ms. Sandra

Thompson, Director, Division of Supervision and Consumer Protection, Federal Deposit Insurance Corporation; Ms. Sandra F. Braunstein, Director, Division of Consumer and Community Affairs, Board of Governors of the Federal Reserve System; Ms. Montrice Yakimov, Managing Director for Compliance and Consumer Protection, Office of Thrift Supervision; Ms. Ann Jaedicke, Deputy Comptroller for Compliance Policy, Comptroller of the Currency; Mr. Calvin Bradford, Board Member, National Training and Information Center; Mr. James H. Carr, Chief Operating Officer, National Community Reinvestment Coalition; Mr. Richard Marsico, Professor of Law, New York Law School, Director Justice Action Center; Mr. Hubert Van Tol, Director, Economic Justice, Rural Opportunities, Inc.

“Evaluating the Labor Department in New Orleans: DOL’s Performance in Investigating and Prosecuting Wage and Hour Violations and Protecting Guest Workers” (October 29, 2007). Witnesses: Professor Luz Molina, Clinical Professor, Law Clinic and Center for Social Justice, Loyola Law School; Mr. Jeffrey Steele, Former Clean-up Worker in New Orleans Tyrone Wilson, Former Clean-up Worker in New Orleans; Mr. Alfred McQuirter, Former Clean-up Worker in New Orleans; Mr. Rodney Smith, Former Clean-up Worker in New Orleans; Mr. Jaime Games, Worker; Mr. Sabulal Vijayan, Guest Worker; Ms. Maria Eugenia, Guest Worker; Mr. Rolando Sanchez, Guest Worker; Mr. Axel Landivar, Guest Worker; Mr. Daniel Castellanos, Former Guest Worker and Organizer with the New Orleans Workers’ Center for Racial Justice; * Mr. Jacob Horowitz, New Orleans Workers’ Center for Racial Justice, provided translation for Panel II.; Ms. Barbara Hicks, Director, Wage and Hour Division, Employment Standards Administration, Department of Labor District Office, New Orleans.

“Environmental Risks of and Regulatory Response to Mercury Dental Fillings” (November 14, 2007). Witnesses: Mr. Ephraim King, Director, Office of Science and Technology, Office of Water, Environmental Protection Agency; Dr. Norris Alderson, Director, Office of Science and Health Coordination, Food and Drug Administration; Mr. Ray Clark, Senior Partner, The Clark Group LLC; Mr. Bruce Terris, Partner, Terris, Pravlik & Millian, LLP; Mr. C. Mark Smith, Co-Chair, Mercury Task Force, New England Governor’s Conference; Mr. Michael Bender, Executive Director, Mercury Policy Project; Dr. Rod Mackert, DDS and faculty member, Medical College of Georgia.

“What the October Wildfires Reveal About Preparedness in Southern California” (December 10, 2007). Witnesses: Mr. Tony Morris, Founder and Researcher, Wildlife Research Network; Mr. Jeffrey Bowman, Former Fire Chief, City of San Diego Fire-Rescue Department; Ms. Tracy Jarman, Fire Chief, City of San Diego Fire-Rescue Department; Mr. P. Michael Freeman, Fire Chief, Los Angeles County Fire Department; Mr. Chip Prather, Fire Chief, Orange County Fire Authority; Mr. Ruben Grijalva, Director, Department of Forestry and Fire Protection; Mr. Ron Roberts, Chairman, Board of Supervisors, County of San Diego; Ms. Nancy Ward, Region 9 Administrator, FEMA; Mr. Mark Rey, Undersecretary for National Resources and the Environment, U.S. Department of Agriculture; Mr. Steve Poizner, Commissioner, California Department

of Insurance; Ms. Tracy Nelson, Chairman, La Jolla Indian Reservation.

“Assessing the Environmental Risks of the Water Bottling Industry’s Extraction of Groundwater” (December 12, 2007). Witnesses: Mr. Richard McFarland, McCloud Watershed Council; Ms. Terry Swier, Michigan Citizens for Water Conservation; Mr. Bill McCann, Save Our Groundwater; Ms. Heidi Paul, Vice President, Corporate Affairs, Nestle Waters North America, Inc.; Ms. Wenonah Hauter, Executive Director, Food & Water Watch; Professor David W. Hyndman, Department of Geological Sciences, Michigan State University; Professor Noah D. Hall, Wayne State University Law School; Mr. Joseph K. Doss, President and CEO, International Bottled Water Association; Mr. James Wilfong, Executive Director, H2O for ME.

“One Year Later: Medicaid’s Response to Systemic Problems Revealed by the Death of Deamonte Driver” (February 14, 2008). Witnesses: Mr. Dennis Smith, Director, Center for Medicaid and State Operations; Dr. Jim Crall, Director, Oral Health Policy Center, Professor and Chair, Section of Pediatric Dentistry, UCLA School of Dentistry; Dr. Burton Edelstein, Founding Chair, Children’s Dental Health Project Professor and Chair, Social and Behavioral Sciences, Columbia University College of Dental Medicine.

“The National Drug Control Strategy for 2008, the Fiscal Year 2009 National Drug Control Budget, and Compliance with the ONDCP Reauthorization Act of 2006: Priorities and Accountability at ONDCP” (March 12, 2008). Witnesses: Mr. John P. Walters, Director, Office of National Drug Control Policy; Mr. John Carnevale, Ph.D., President, Carnevale Associates, LLC; Ms. Rosalie Liccardo Pacula, Ph.D., Co-Director, RAND Drug Policy Research Center.

“Is USDA Accounting for Costs to Farmers Caused by Contamination from Genetically Engineered Plants?” (March 13, 2008). Witnesses: Mr. Harvey Howington, Conventional and GE Grain Grower, Lepanto, Arkansas; Mr. Todd Leake, Conventional and GE Grain Grower, Emerado, North Dakota; Mr. Don Cameron, Conventional, Organic and GE Crop Grower, Helm, California; Mr. Fred Kirschenmann, Organic Grain Grower, Medina, North Dakota; Professor Colin Carter, Agricultural Economist, University of California, Davis; Mr. Ray Clark, Senior Partner, The Clark Group LLC, Washington, DC; Ms. Cindy Smith, Administrator, Animal and Plant Inspection Service, U.S. Department of Agriculture.

“After the Beef Recall: Exploring Greater Transparency in the Meat Industry” (April 17, 2008). Witnesses: Dr. Richard Raymond, Undersecretary, USDA, Food Safety; Ms. Lisa Shames, Director GAO, Natural Resources and the Environment; Mr. Stan Painter, Chairman, National Joint Council of Food Inspection Locals, American Federation of Government Employees; Dr. Temple Grandin, Professor, Colorado State University; Mr. Bev Eggleston, Owner, Ecofriendly Foods, LLC; Mr. Joel Salatin, Owner, Polyface Farms; Mr. Patrick Boyle, CEO, American Meat Institute; Mr. Wayne Pacelle, CEO, Humane Society of the United States; Dr. John J. McGlone, Fellow, American Humane & Professor, Texas Tech University; Mr. Adam Aronson, CEO, Arrowsight.

“Neighborhoods: The Blameless Victims of the Subprime Mortgage Crisis” (May 21, 2008). Mr. Daniel T. Kildee, Treasurer, Genesee County, Michigan; Ms. Nancy Floreen, Councilmember, Mont-

gomery County, Maryland; Mr. John Talmage, President and CEO, Social Compact; Ms. Vicki Been, Elihu Root Professor of Law and Professor of Public Policy; Co-Director, Furman Center for Real Estate and Urban Policy, New York University School of Law; Ms. Phyllis G. Betts, Director, Center for Community Building and Neighborhood Action, School of Urban Affairs and Public Policy, University of Memphis; Mr. Alan Mallach, Senior Fellow, National Housing Institute; Mr. Doug Leeper, Code of Enforcement Manager, City of Chula Vista, California; Mr. Dean Baker, Co-Director, Center for Economic Policy Research.

“Targeting Federal Aid to Neighborhoods Distressed by the Subprime Mortgage Crisis” (Thursday, May 22, 2008). Witnesses: Mr. Frank S. Alexander, Professor of Law, Emory University School of Law; Mr. Todd M. Richardson, Director, Program Evaluation Division, Office of Policy Development and Research, U.S. Department of Housing and Urban Development; Mr. Thomas G. Kingsley, Urban Institute; Mr. Christopher Walker, Local Initiatives Support Corporation.

“Assessing State and Local Regulations to Reduce Dental Mercury Emissions” (July 8, 2008). Witnesses: Mr. Michael Bender, Executive Director, Mercury Policy Project; Dr. Rich Fischer, Former President, International Academy of Oral Medicine and Toxicology; Mr. Curt McCormick, former Administrator, EPA Region 8; Mr. William Walsh, Counsel, American Dental Association; Ms. Pat Magnusson, King County, Seattle, Industrial Waste Investigator; Ms. Ann Farrell, Director, Central Contra Costa County Sanitary District, Engineering Department; Dr. Marc Smith, Deputy Director, Massachusetts Department of Environmental Protection & Co-chair, New England Governors and Eastern Canadian Premiers Mercury Task Force; Mr. Owen Boyd, CEO, Solmetex.

“Examining Contractor Performance and Government Management of Retroactive Pay for Retired Veterans with Disabilities” (July 16, 2008). Witnesses: Mr. Zack E. Gaddy, Director, Defense Finance and Accounting Service; Mr. Joseph Cipriano, President, Lockheed Martin Business Process Solutions; Mr. Gordon Heddell, Acting Inspector General, U.S. Department of Defense Office of Inspector General; Mr. Pierre Sprey, Independent Statistics Expert.

“Gaming the Tax Code: Public Subsidies, Private Profits, and Big League Sports in New York” (September 18, 2008). Witnesses: Mr. Stephen Larson, Associate Chief Counsel, Financial Institutions and Products, Internal Revenue Service; Assemblyman Richard L. Brodsky, 92nd Assembly District, New York State; Professor Clayton Gillette, New York University School of Law; Professor Brad R. Humphreys, Department of Economics, University of Alberta.

“Necessary Reform to Pediatric Dental Care Under Medicaid” (September 23, 2008). Witnesses: Mr. Herb Kuhn, Acting Director, Center for Medicaid and State Operations; Ms. Alicia Cackley, Acting Director, Health Care Team, Government Accountability Office; Ms. Susan Tucker, MBA, Executive Director, Office of Health Services, Maryland Department of Health & Mental Hygiene; Mr. Patrick Finnerty, Director, Virginia Department of Medical Assistance Services; Dr. Mark Casey, DDS, MPH, Dental Director, North Carolina Division of Medical Assistance; Ms. Linda Smith Lowe, Esq., Public Policy Advocate, Georgia Legal Services Program; Dr. Jane Grover, American Dental Association; Dr. Jim Crall, Director,

Oral Health Policy Center, Professor and Chair, Section of Pediatric Dentistry, UCLA School of Dentistry.

“Tumors and Cell Phone Use: What the Science Says” (Thursday, September 25, 2008). Witnesses: Mrs. Ellie Marks, Lafayette, California; Mr. Julius Knapp, Director, Office of Engineering and Technology, Federal Communications Commission; Dr. David O. Carpenter, Director, Institute for Health and the Environment, University of Albany; Dr. Ronald B. Herberman, Director, University of Pittsburgh Cancer Institute.

“Gaming the Tax Code: the New York Yankees and the City of New York Respond to Questions About the New Yankee Stadium” (October 24, 2008). Witnesses: Mr. Randy Levine, President, New York Yankees; Ms. Martha Stark, Commissioner, New York City Economic Development Corporation; Mr. Seth Pinsky, President, New York City Economic Development Corporation; Assemblyman Richard L. Brodsky, 92nd Assembly District of New York State.

“Is Treasury Using Bailout Funds to Increase Foreclosure Prevention, as Congress Intended?” (November 14, 2008). Witnesses: Mr. Neel Kashkari, Interim Assistant Secretary of the Treasury for Financial Stability and Assistant Secretary of the Treasury for International Economics and Development; Professor Michael Barr, Former Deputy Assistant Secretary for Community Development, Department of Treasury, University of Michigan Law School & Center for American Progress; Professor Anthony B. Sanders, W.P. Carey School of Business, Arizona State University; Ms. Alys Cohen, Staff Attorney, National Consumer Law Center; Mr. Larry Litton, Chairman, Litton Loan Servicing LP; Mr. Stephen S. Kudenholdt, Partner, Thacher Proffitt & Wood; Mr. Thomas Deutsch, Deputy Director, American Securitization Forum.

4. *Legislation*

The Subcommittee worked on two measures:

Rep. Kucinich’s amendment to H.R. 5818, which modified the purposes of the legislation to emphasize the problems posed to neighborhoods by increasing rates of vacant and abandoned properties and changed the state-to-local jurisdiction funding formula to ensure that up-to-date vacancy statistics are used to suballocate the funds where they are most needed. The House adopted the amendment on May 7, 2008.

H.R. 3875, a bipartisan bill introduced by Rep. Kucinich on October 17, 2007. This measure seeks to provide greater protection to workers in New Orleans who have been denied the wages they earned during the clean-up and reconstruction effort of the ravaged city.

B. SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL SERVICE, AND THE DISTRICT OF COLUMBIA

The Subcommittee on Federal Workforce, Postal Service, and the District of Columbia has jurisdiction over federal employee issues, the municipal affairs (other than appropriations) of the District of Columbia, and the Postal Service. The Subcommittee’s jurisdiction includes postal namings, holidays, and celebrations. In the 110th Congress, Rep. Danny K. Davis served as Chairman and Rep. Kenny Marchant as Ranking Member.

1. Overview by Issue Area

a. Federal Workforce

(1) Pay for Performance

On February 12, 2008, the Subcommittee held a hearing entitled, “Robbing Mary to Pay Peter and Paul: The Administration’s Pay for Performance System.” The hearing examined the implementation of pay-for-performance systems at the Internal Revenue Service and the Securities and Exchange Commission. It also examined the Director of National Intelligence’s proposal to implement a pay-for-performance system across the intelligence community. The impact on pay, morale, minorities, and labor-management relations was also examined. Witness testimony revealed a number of problems in the design and implementation of these systems, which have led to labor disputes, adverse impacts on protected classes, confusion over what precisely constitutes “good” job performance, diminished employee morale, failure to provide cost of living increases to employees who meet performance expectations, and the use of invalidated performance management systems that were developed without the input or support of employees.

(2) GAO

Over the past two years, the Subcommittee has conducted vigorous oversight of the new personnel system at the Government Accountability Office (GAO) to determine whether it is modern, effective, credible, transparent, and whether there are adequate safeguards in place to ensure fairness and prevent politicization and abuse. The Subcommittee sought to determine whether it was a good model that could be implemented governmentwide.

The criteria for the Subcommittee’s review were established by GAO as the appropriate basis for federal agencies to develop and implement new pay systems. However, the Subcommittee found that GAO failed to meet these criteria when implementing its own newly developed pay system. The Subcommittee found that GAO employees who met or exceeded performance expectations in 2006 and 2007 did not receive an annual cost of living increase (COLA). Furthermore, the decision to deny these employees their COLA was based on a poorly executed compensation study conducted by Watson Wyatt Worldwide. The Subcommittee also found a lack of transparency in the new system; a lack of employee involvement in the development of the system; and that the system has an adverse impact on minorities and tenured employees.

The Subcommittee documented these findings in the record established during the Subcommittee’s joint House/Senate hearing on GAO’s pay system, which was held in May 2007, as well as at the Subcommittee’s November 2007 hearing on Senior Executive Service (SES) diversity in legislative branch agencies.

Unfortunately, throughout the course of GAO’s implementation of the most significant package of personnel reforms in its history, the agency never surveyed its employees to obtain their views on the new system. During the May 2007 hearing, Chairman Davis asked GAO’s Employee Advisory Council to work with the Subcommittee to develop and deploy such a survey. The survey was deployed on November 14, 2007, and closed on December 14, 2007,

with a 71% response rate. GAO will be briefing Subcommittee staff on the survey findings.

The Subcommittee staff has also been monitoring the disparity between African-American performance ratings and Caucasian performance ratings at GAO. The staff has and will continue to be briefed by the Ivy Consulting Group hired by GAO to study this matter.

The Subcommittee's investigation culminated in the passage of H.R. 5683, the "Government Accountability Act of 2008." Provisions of the bill were discussed at a March 13, 2008, hearing on GAO personnel reforms. Chairman Danny K. Davis introduced H.R. 5683 on April 2, 2008. It addressed a number of issues related to pay and personnel matters, access to information, and internal operations at GAO.

The legislation supplements GAO's pay-for-performance pay system with a "floor guarantee" for employees. The "floor guarantee" provision will ensure that in the future GAO employees who are performing at a satisfactory level will receive at least as much as the annual adjustment under the GS system. However, the bill maintains some of GAO's flexibility to set an annual across-the-board increase. The bill also includes important provisions that will enhance the ability of GAO to perform its oversight functions. In addition, the bill provides for salary increases and lump sum payments to GAO employees who were denied cost of living increases in 2006 and 2007.

The bill was marked up by the Subcommittee on April 3, 2008, was amended, and was favorably reported out of the full Committee on May 22, 2008. H.R. 5683 passed the House on June 9, 2008, the Senate on August 1, 2008, and was signed into law on September 22, 2008. (Public Law No. 110-323)

(3) Diversity

Federal workforce diversity has been a longstanding priority of Chairman Davis. At his request, GAO has been carefully examining this issue for several years. In 2001 and 2003, GAO issued reports on diversity in the Senior Executive Service (SES). GAO released its third report on the issue in December 2008. The third report examined whether or not the federal government has made any progress in diversifying the SES and examined the diversity in the senior ranks of the Postal Service.

During this Congress, the Subcommittee held important hearings on the issue of diversity in the federal workplace. The first, held on May 10, 2007, examined diversity at the highest levels of executive branch agencies and the Postal Service. The second hearing, held on November 13, 2007, coincided with the release of a Subcommittee report entitled, "Senior Executive Service: Women and Minorities are Underrepresented in Most Legislative Branch Agencies." The hearing and the report revealed that the SES at each legislative branch agency (the Government Accountability Office, the Library of Congress (LOC), the Congressional Budget Office (CBO), the Government Printing Office (GPO), the U.S. Capitol Police (USCP), and the Architect of the Capitol (AOC)) was less diverse with respect to minorities than its workforce as a whole in FY 2007 and less diverse with respect to women in four of the agencies.

In a letter dated November 14, 2007, Chairman Davis requested that the Inspectors General (IGs) for the legislative branch agencies conduct a review of their respective diversity offices. The Subcommittee followed up on its request to legislative branch inspector generals to audit their respective agency's diversity offices with a hearing on September 16, 2008.

The hearing revealed that the percentage of the female SES members is low in some agencies (e.g. GPO, 11.5%) in comparison to (a) the percentage of female SES members in the other legislative branch agencies (the average of the other four agencies is 37%), (b) the percentage of female executive branch SES members in 2007 (28.6%) or (c) the percentage of women in individual agencies' workforces (42.4% in GPO in 2007).

The summary IG report revealed that the AOC and GPO have increased minority representation since 2002. While this is good news, GPO (the agency with the greatest percentage progress) still had the lowest minority representation percentage of the five agencies (18.5%), and the actual increase was from one minority in the SES (out of 21) to three (out of 26). At AOC, the increase was from two minorities in the SES (out of 15) to five (out of 27).

The report went on to say that minority representation at the other three agencies (GAO, LOC and USCP) "has been relatively stable." Actually, in all three agencies, the percentage of minorities in the SES went down somewhat (e.g., from 16.7% to 14% at USCP).

The summary report stated that the agencies "have generally made strides in improving diversity in developmental pools, particularly the representation of women." However, the percentage of the developmental pool constituting women at the AOC went down, from 25% in 2002 to 23% in 2007. The percentage of the developmental pool constituting women at the LOC increased by only one percentage point in five years (from 39.6% to 40.6%). Also, the percentage of the developmental pool constituting minorities fell at AOC substantially (from 25.0% (4 of 16) to 12.8% (5 of 39)). On the other hand, the increase in the percentage of women in the developmental pool at GPO was remarkable (from 3.1% (one of 32) to 29.1% (23 of 79)). Notwithstanding this progress, the data reveals that GPO is still next to the bottom in this category.

In September of 2007, GAO hired the Ivy Planning Group, an independent management and training consulting contractor, to assess why persistent gaps exist in performance rating averages between African-American and Caucasian GAO analysts. The Ivy Group completed its study and testified before the Subcommittee.

Among other things, the Ivy Group found:

- There are differences in ratings between African American analysts and Caucasian analysts in general, by competency, pay band, team, and location, and regardless of the race of the rater, the differences are statistically significant.
- The same factors impact African American and Caucasian analysts' ratings differently. For example, having a Ph.D. has a statistically significant positive effect for Caucasian analysts but no effect for African American analysts.
- Caucasian analysts receive a ratings benefit from being assigned to high risk projects compared to African American analysts

who receive no statistically significant benefit from being assigned to a high risk project.

- On average, raters of all races rated African American analysts lower than Caucasian analysts. The differences were statistically significant when the rater was African American, Hispanic, or Caucasian. Based on this data, rater race demographics did not influence Caucasian analysts' ratings.

- With the exception of the average rating for improving professional competence, African American analysts' mean scores were lower than Caucasian analysts' mean scores across all competencies. Two of the three competencies that were dropped in 2004 (improving professional competence and facilitating and implementing change) are two of the three competencies for which the differences were not statistically significant. While not statistically significant, they are the competencies for which African American analysts performed better.

It is clear that the legislative branch agencies have a lot more work to do to diversify their senior ranks and that more oversight is needed in this area.

H.R. 3774, the Senior Executive Service Diversity Assurance Act of 2007, was introduced by Subcommittee Chairman Danny K. Davis on October 9, 2007. The purpose of H.R. 3774 is to promote diversity in the Senior Executive Service (SES).

The bill requires federal agencies to put in place systems that will attract and retain minorities in the SES. At a joint House and Senate Federal workforce Subcommittee hearing on April 3, 2008, GAO testified that a significantly lower number of minorities and women are members of the SES in comparison to the numbers of minorities and women employed in the GS-15 and GS-14 levels, the feeder pools for the SES. According to GAO, in 2007, minorities made up 22.5% of the employees in the SES development pool while only making up 15.8% of the SES. The purpose of H.R. 3774 is to ensure that there is not only a vibrant and diverse SES workforce but also that all qualified employees have the opportunity to become members of the SES.

On April 15, 2008, the Subcommittee favorably reported H.R. 3774 to the full Committee on Oversight and Government Reform. On May 1, 2008, the full Committee ordered the bill reported, as amended, by voice vote. The bill was amended to address concerns raised by the Office of Personnel Management and Department of Justice that the bill was unconstitutional because it required SES selection panels to be comprised of three members of which one was required to be a woman and another to be a minority. H.R. 3774 passed the House on June 3, 2008.

(4) Telework

During previous Congresses, Chairman Davis has advocated for and introduced legislation to encourage teleworking in the federal government to better address emergency preparedness and continuity of operations.

On May 7, 2007, Chairman Davis, along with Chairman Waxman, and Ranking Members Tom Davis and Kenny Marchant, wrote to 25 federal departments and agencies requesting information on their telework programs. What the Subcommittee learned

from agency responses was that telework is being inconsistently defined and implemented across the federal government.

On November 6, 2007, the Subcommittee held a hearing entitled, “Telework: Breaking New Ground.” The hearing examined why telework continues to be underutilized by federal agencies and what improvements are needed to allow more federal employees to participate in telework programs.

To address the underutilization of teleworking across the federal government, Chairman Davis and Chairman Waxman introduced the “Telework Improvement Act of 2007,” H.R. 4106, which breaks new ground by ensuring that eligible federal employees have the opportunity to telework and that agencies are incorporating telework into their continuity of operations planning. The bill includes measures to improve the efficiency of the federal workforce through the revitalization of telework guidelines and procedures.

H.R. 4106 is the result of bipartisan congressional cooperation and consultation with the OPM and other relevant government agencies. As the bill moved through the process, provisions were added to address the concerns of members of Congress and the Administration and ensure the proper oversight and implementation of the government’s telework program. H.R. 4106 was approved by the House on June 3, 2008.

(5) Leave

On March 6, 2008, the Subcommittee and the Joint Economic Committee held a hearing titled “Investing in the Future of the Federal Workforce: Paid Parental Leave to Improve Recruitment and Retention.” The hearing examined H.R. 3799, the “Federal Employees Paid Parental Leave Act of 2007” (the Act). Introduced by Rep. Carolyn Maloney on October 10, 2007, the Act provides that all federal employees receive eight weeks of full pay and benefits, while continuing to accrue leave, for leave taken for the birth or adoption of a child. Rep. Maloney also serves as Vice Chair of the Joint Economic Committee.

The federal government trails other Organization for Economic Co-operation and Development (OECD) countries in this area. The European Union, for example, requires that member countries offer 14 weeks of pay maternity leave. This boosts women’s employment by increasing the likelihood that women will return to their jobs after childbirth. In general, research shows that paid family leave benefits can lead to increased productivity and morale, reduce absenteeism, and lower turnover and training costs. However, companies can see the benefits of paid family leave most directly in terms of reduced turnover costs. Women who had access to leave—either paid or unpaid—at the birth of their first child are more likely to go back to their job after childbirth. Research further confirms that paid leave is a better retention policy than unpaid leave because the probability of returning to the same employer after having a child is 5.4% greater for women who received paid maternity leave compared to those who received unpaid maternity leave.

To address concerns raised by the Administration and members of Congress, Rep. Maloney reintroduced H.R. 3799 as H.R. 5781, the “Federal Employees Paid Parental Leave Act of 2008,” on April 14, 2008. After discussions with Chairman Davis, provisions were added that directed GAO to study and submit to Congress a writ-

ten report of the “feasibility and desirability” of offering an insurance benefit to federal employees (not to include parental leave) that would provide wage replacement during periods related to serious health conditions.

The Subcommittee held a markup on April 15, 2008, to review and strengthen the bill. During the Subcommittee markup, H.R. 5781 was amended by Chairman Waxman to provide four weeks instead of eight weeks of paid parental leave as a way to address potential cost concerns. H.R. 5781 as amended was approved by the Subcommittee by voice vote. The Oversight Committee marked up the bill on April 16, 2008, and ordered the bill to be reported without recommendation.

Ultimately, Chairman Davis’ provision requiring GAO to conduct a feasibility study on a type of “disability insurance” was removed from the bill when it was considered by the House on June 19, 2008. However, the Chairman made a direct request to GAO to execute the report, which GAO agreed to do. H.R. 5781 passed the House.

(6) Health Care

On Wednesday, December 3, 2008, the Subcommittee held a hearing to examine the Federal Employees Health Benefits Program Plan (FEHBP) benefit design decisions and the changes to the 2009 Blue Cross Blue Shield (the Blues) health benefit. Specifically, the hearing addressed changes in payment for services provided by non-participating providers (except in cases of medical emergency or accident).

What emerged as the most controversial change to the Blues 2009 benefit plan is that beneficiaries will be responsible for paying up to \$7,500 for surgery performed by a non-participating physician, except in the case of medical emergencies and accidents. Previously, beneficiaries have been responsible for paying 25% of the plan’s allowance, plus 100% of any billed amount above the plan allowance.

The hearing witnesses included representatives from OPM, the Blues, an out-of-network physician, and an FEHBP consultant. While the Blues testified that they had made a mistake and were willing to renegotiate the 2009 non-participating provider surgical benefit, OPM said that it was not. Members expressed concern that subscribers to Blue Cross Blue Shield would be unaware of the increased costs given that Open Season (the period in which federal employees are allowed to change health plans) would close in just a few days (on December 8) and urged OPM to work with the Blues to reconsider the controversial benefit option. Chairman Davis specifically called on OPM to delay the closing of Open Season and renegotiate with the Blues.

The Subcommittee’s hearing on the issue and Chairman Davis’ advocacy on behalf of federal employees led to a reversal of course by OPM. Two days after the Subcommittee hearing, OPM announced that subscribers could delay their decision to choose a health plan until January 31, 2009, and that it would renegotiate the non-participating provider surgical benefit with the Blues.

(7) Other Matters

The Subcommittee held several other hearings on issues ranging from the federal government's policies on hiring ex-offenders to how locality pay is calculated to recent legislative proposals to phase out the non-foreign cost-of-living allowance in exchange for locality pay for federal civilian employees living in Alaska, Hawaii, and the United States territories.

The Subcommittee is prepared to renew its efforts to pass legislation that has moved through the Subcommittee but has stalled in the Senate and continue its oversight of such areas as pay-for-performance, diversity in the federal workplace, and FEHBP.

b. Postal Service

(1) General Oversight

On April 17, 2007, the Subcommittee held the first postal oversight hearing in over ten years. The hearing, entitled, "U.S. Postal Service: 101," was an overview of the Postal Service's operations and business processes; mail growth and delivery services; and infrastructure and realignment. This hearing identified areas for oversight and future postal hearings, which included hearings including contracting out of postal services and postal rate increases.

After receiving numerous complaints about mail delivery services in Chicago, the Subcommittee held a hearing on May 31, 2007, at the Dirksen Federal Courthouse in Chicago. The hearing examined mail delivery challenges in Chicago and what reforms or new systems need to be implemented to address them. The hearing spurred improvement by the Chicago Performance Cluster in all three service standards for the third quarter of FY 07 (7/1/07–9/30/07) as compared to the second quarter (4/1/07–6/30/07). Overnight service was 94% on-time, up from 93%; two-day service was 93% on-time and three-day service was 90% on time, up from 90% and 85% respectively.

On July 19, 2007, the Subcommittee held a hearing to examine the Postal Service's plans to outsource mail delivery and other postal functions. While the Postal Service noted the efficiencies and cost savings of contracting out postal services, no independent study had been conducted by the Postal Inspector General or GAO to document any savings to the Postal Service. Furthermore, members questioned whether mail delivery, which many may consider an inherently governmental function, should be contracted out.

The hearing led to an agreement between the Postal Service and the National Association of Letter Carriers which included new limits on contracting out the work of city letter carriers in more than 3,000 city delivery installations and placed a six-month moratorium on contracting out city carrier delivery services elsewhere in the country. During the moratorium, a union-management task force will be created to develop contracting out policy that will take into account the interests of all parties including the general public.

(2) Implementation of Postal Reform Law

The Subcommittee held its first postal hearing during the second session on February 28, 2008. The hearing, titled, "Implementation of the PAEA of 2006," examined the degree to which the Postal

Service and the Postal Regulatory Commission (PRC) successfully implemented the “Postal Accountability and Enhancement Act of 2006” (PAEA). It was determined from witness testimony that the Postal Service and the PRC were making good progress in implementing PAEA. In fact, the PRC had developed the final regulations to implement new modern ratemaking and classification systems for market dominant and competitive mail products eight months ahead of the statutory deadline.

On May 8, 2008, the Subcommittee held a hearing on the economics of universal mail. The hearing examined the degree to which the Postal Service had taken advantage of the provisions in PAEA to enhance its economic viability. The Postmaster General, Jack Potter, testified that overall mail volume declined by 3% in Quarter I and 3.3% in Quarter II, which were among the largest declines in postal history. At the same time, the Postal Service reached 96% on-time first class mail delivery for the fourth consecutive quarter. Mr. Potter also stated that the Postal Service had a 92% favorability rating from the American people.

(3) Network Plan

The Subcommittee held a postal hearing on July 24, 2008, entitled, “The Three R’s of the Postal Network Plan: Realignment, Right-Sizing, and Responsiveness.” The hearing examined how the Postal Service’s network plan, issued in June 2008, would impact the mailing industry, the public, the postal workforce, and the future economic health of the Postal Service. Witnesses implored the Postal Service to right-size their operational network due to declining mail volumes. The Postmaster General testified that the Office of Personnel Management had given approval for the Postal Service to introduce a voluntary early retirement program to right-size its workforce.

While members of Congress have expressed concern about the future economic viability of the Postal Service, they are also concerned that some cost saving initiatives that are being discussed would adversely impact the postal workforce. Two bills were introduced to protect the jobs of postal workers and limit the Postal Service’s flexibility in realigning the network.

(4) Legislation

Rep. Stephen Lynch introduced H.R. 4236, “Mail Network Protection Act of 2007.” The bill required the Postal Service to bargain with postal unions before entering into a contract for mail processing, mail handling, or surface transportation. Senator Tom Harkin introduced S. 1457, the “Mail Delivery Protection Act of 2007.” The bill prohibited the Postal Service from contracting out the delivery of mail on any route with one or more families per mile.

On April 24, 2008, the Subcommittee held a hearing on H.R. 5912, “Making Tobacco and Cigarettes NonMailable,” which was introduced by Chairman Henry Waxman. In addition to prohibiting certain tobacco products for transport by the Postal Service, the bill contained protections for donors to charities who are solicited by mail. H.R. 5912 was introduced to improve on provisions in H.R. 2932, which was introduced by Rep. John McHugh. The bill made cigarettes, smokeless tobacco, and roll-your-own-tobacco “non-

mailable” matter and that would be prohibited from being deposited in the mail, carried, or delivered through the mail.

In a November 25, 2008, report entitled, “Form 10–K,” the Postal Service reported a year-to-date deficit of \$2.3 billion. In the month of August 2008 alone, the Postal Service reported a net loss of about \$960 million. During that month, revenue was about 10% below the level in August 2007, despite a 2.9% price increase implemented in May 2008. Overall mail volume was down 11.7% from the same period last year. In a September 25, 2008, meeting with Chairman Davis, the Postmaster General said that the projected FY 2008 net loss for the Postal Service was \$2.8 billion. The \$2.8 billion in net loss would be added to the \$4.2 billion the Postal Service had to borrow from the Federal Financing Bank for the two previous fiscal years.

To address the financial crisis of the Postal Service, on December 20, 2008, Rep. McHugh introduced and Chairman Davis cosponsored H.R. 7313. The bill amends chapter 89 of title 5, United States Code, to allow the Postal Service to pay its share of contributions for annuitants’ health benefits out of the Postal Service Retiree Health Benefits Fund. The legislation would continue requiring the Postal Service to make its yearly payment into the retiree health benefits fund, but would permit the Postal Service to pay its yearly retiree health premiums to the Office of Personnel Management out of the accrued funds in the Retiree Health Benefits Fund. This fund currently has a balance of over \$25 billion. If enacted, H.R. 7313 will address the Postal Service’s immediate financial crisis by reducing the Postal Service’s expenses by roughly \$2.3 billion in FY2009, or \$28.1 billion through 2016.

c. District of Columbia

The Subcommittee worked closely with Delegate Eleanor Holmes Norton to hold hearings and move legislation critical to the District of Columbia.

(1) Criminal Justice

On Tuesday, October 16, 2007, the Subcommittee held a hearing on whether or not DC prisoners were being adequately prepared for re-entry into society with equal access to Bureau of Prisons (BOP) services. Subcommittee staff joined Delegate Norton on her visit to Rivers Correctional Institution (RCI) in Winton, North Carolina, and to the Federal Correctional Institution in Cumberland, Maryland, in preparation for the hearing. The hearing examined the drug treatment, vocational training and transitional programming available at BOP facilities and whether such services are available at RCI, a privately run institution under contract with BOP, that houses DC inmates. Testimony at the hearing made clear that RCI did not offer DC inmates the same level of vocational services that is offered at BOP facilities. As a result of the hearing, RCI is working with BOP to improve the range and quality of its vocational offerings for DC inmates.

The Subcommittee followed up on those hearings with a March 11, 2008, hearing on the parole, supervised release, and revocation of District offenders. As a result of enactment of the “National Capital Revitalization and Self-Government Improvement Act of 1997” (The Revitalization Act), the federal government assumed oversight

authority and fiduciary control over the District of Columbia's Court System, Pretrial Services Agency, Public Defender Service, and adult probation and parole supervision services.

The federal and District governments developed and set into motion a plan to transfer the responsibility of housing adult felons convicted of violating the D.C. Code from the requisite District of Columbia authorities to the Federal Bureau of Prisons. The transfer of responsibility for all sentenced District felons to the Federal Bureau of Prisons has been successfully accomplished in step with the requirements of the Revitalization Act. However, the resulting situation has produced a host of new policy issues and challenges, including ensuring the fair treatment and equal access of D.C. inmates to BOP programs in comparison to other federally housed prisoners, and addressing the geographical challenges of keeping inmates connected to their families and communities.

This shift in responsibility brought with it significant changes to D.C.'s traditional sentencing system, which were required as a precondition for the federal government assuming responsibility for the incarceration of felons convicted of D.C. Code violations. These changes included the elimination of parole, the replacement of indeterminate sentencing with new determinate sentencing guidelines, and the enactment of mandatory minimum drug sentences.

Since the abolishment of the D.C. Board of Parole on August 5, 2000, direct authority for parole matters, conditions of supervised release and revocation proceedings concerning D.C. code violators has rested with the United States Parole Commission (USPC). In light of the numerous policy and procedural concerns that have been raised since the transfer of authority, the Subcommittee determined that a thorough examination of the USPC's application of D.C. parole laws and regulations in making its release and revocation decisions for D.C. code offenders was warranted.

Another major by-product of the Revitalization Act was the creation of the Court Services and Offender Supervision Agency (CSOSA) as an independent federal agency with the responsibility for providing supervision of all D.C. code offenders on probation, parole, and supervised release. To this end, CSOSA's main functions include reducing re-arrests, improving education and job skill levels, offering programs to address drug or alcohol dependency, operating community service programs, and providing overall supervision and support to approximately 15,500 offenders on parole, probation, or supervised release.

In addition, the Subcommittee held a hearing on June 10, 2008, to examine the federal government's policies on hiring ex-offenders, which appeared to be inconsistent from agency to agency. As a result, the Office of Personnel Management is surveying federal agencies to assess their policies on hiring ex-offenders.

(2) WASA

On Tuesday, April 15, 2008, the Subcommittee convened a hearing to examine proposed capital improvement projects of the District of Columbia Water and Sewer Authority (WASA) and drinking water quality. While WASA has made significant improvements over the years, it continues to grapple with enormous capital infrastructure costs, system modernization challenges, and fully meeting the Clean Water Act standards and Environmental Protection

Agency permitting requirements. The hearing also examined H.R. 5778, the “District of Columbia Water and Sewer Authority Independence Preservation Act,” which was introduced by Rep. Chris Van Hollen to address the governance of WASA.

The legislation provided the legal authority for WASA to function as a fully independent authority, by officially shifting oversight of the agency’s financial operations and personnel matters from the DC Chief Financial Officer to WASA’s Board of Directors. H.R. 5778 passed the House on June 9, the Senate on June 16, 2008, and was signed into law on July 15, 2008. (Public Law No: 110–273)

(3) Legislation

H.R. 1124, “To Extend the District of Columbia Access Act of 1999,” was introduced by Ranking Member Tom Davis and cosponsored by Delegate Norton and Chairman Danny Davis. This measure provides for the D.C. Tuition Assistance Grant Program (DC TAG), federal government scholarships to District high school students to attend public colleges and universities in the United States. Since 1999, DCTAG has doubled the total number of District students attending college. The Subcommittee held a hearing on this bill, and H.R. 1124 quickly moved through the Subcommittee and full Committee, was approved by the House on May 14, 2007, and was signed into law on October 24, 2007.

Two bills of importance to the self governance of the District of Columbia, H.R. 733, the “District of Columbia Budget Autonomy Act of 2007,” sponsored by Rep. Tom Davis and Delegate Norton, and H.R. 1054, the “District of Columbia Legislative Autonomy Act of 2007,” sponsored by Delegate Norton, were the subject of a June 7, 2007, Subcommittee hearing. H.R. 733 would allow the District to enact its own local budget without annual congressional oversight and H.R. 1054 would amend the District of Columbia Home Rule Act to eliminate the congressional review of newly-passed District laws. Both bills were favorably reported out of the Subcommittee on June 21, 2007.

Chairman Danny K. Davis introduced H.R. 5551, to increase the hourly rate of attorneys representing indigent defendants in the District of Columbia from \$65 to \$80. The legislation was the subject of a March 11, 2008, Subcommittee hearing. The bill authorized the increases provided under the FY 2008 Consolidated Appropriations Act. H.R. 5551 passed the House on April 1, 2008, the Senate on September 18, 2008, and was signed into law on October 2, 2008. (Public Law No: 110–201)

S. 550, introduced by Sen. Daniel Akaka, preserved existing judgeships on the Superior Court of the District of Columbia by increasing the number of judges permitted to serve on the Court. The bill ensured that the Superior Court of the District of Columbia has a sufficient number of judges to fairly and swiftly handle pending caseloads. S. 550 passed the Senate on February 2, 2008, the House on April 1, 2008, and was signed into law on April 18, 2008. (Public law No: 110–335)

At the request of Delegate Eleanor Holmes Norton, on April 24, 2008, the Subcommittee held a hearing to examine H.R. 1246, the “District of Columbia Attorney Establishment Act of 2007.” Part of Delegate Norton’s “Free and Equal” legislative series, the bill

amended the “District of Columbia Home Rule Act” to establish an elected Office of the District Attorney for the District of Columbia. The newly created office would have the authority to represent the District government in the prosecution of all local and civil cases. Currently, the U.S. Attorney for the District of Columbia performs both the federal and local prosecutor functions with respect to all adults charged with felonies.

On July 15, 2008, the Subcommittee held a hearing to consider H.R. 5600, the “District of Columbia Court, Offender Supervision, Parole, and Public Defender Employees Equity Act of 2008.” The bill, which was introduced by Delegate Norton and Rep. Tom Davis, would permit certain former District employees who were transferred to the federal government after enactment of the Revitalization Act, to have periods of service performed prior to 1997 included as part of the years of service used to determine the time at which such employees would be eligible to retire under the Federal Employee Retirement System or the Civil Service Retirement System. The Subcommittee marked up H.R. 5600 on September 16, 2008, and adopted an amendment in the nature of a substitute that was offered by Chairman Danny K. Davis. The amendment added language to the original bill to ensure that all affected District employees would be covered by the measure.

Delegate Norton introduced H.R. 6322, the “Public Charter Schools Home Rule Act of 2008,” to allow the District government to exercise authority over the Public Charter School Board in the same manner as the District government may exercise authority over other government entities. The Subcommittee marked up and approved the bill on July 15, 2008. The full Committee ordered the bill to be reported favorably by a voice vote on July 16, 2008.

2. Reports

Reflecting the Subcommittee’s longstanding interest in the diversity of the federal workforce and the SES corps in particular, the Subcommittee held a hearing on November 13, 2007, on the underrepresentation of women and minorities in the senior executive service of legislative branch agencies. The hearing was based on a report titled “Senior Executive Service: Women and Minorities are Underrepresented in Most Legislative Branch Agencies.” The report, which was prepared by the Subcommittee staff for Chairman Davis, is the first report to examine the diversity of the SES, and SES equivalent positions, in legislative branch agencies.

Among other things, the report found that the representation of minorities in the legislative branch SES has stagnated and the representation of women improved only slightly between FY 2002 and FY 2007. Also, the average total compensation for minorities and women in FY 2007 was less than their non-minority and male counterparts.

3. Subcommittee Proceedings

Hearing on “Federal Personnel Reforms” (March 8, 2007).

Hearing on “Impact of the District of Columbia College Access Act on Higher Education in the District of Columbia” (March 22, 2007).

Business meeting to mark up H.R. 1124, District of Columbia College Access Act of 1999, and H.R. 1054, DC Legislative Autonomy (March 27, 2007).

Briefing with Postal Rate Commission (April 11, 2007).

Hearing on “The U.S. Postal Service: 101” (April 17, 2007).

Hearing on “Ensuring Diversity at the Senior Levels of the Federal Government and the Postal Service” (May 10, 2007).

Joint House and Senate hearing on Personnel Reforms at the Government Accountability Office (May 22, 2007).

Field hearing on Chicago Postal Delivery Issues (May 31, 2007).

Hearing on District of Columbia Autonomy (June 7, 2007).

Subcommittee hosted OPM Briefing on Locality Pay in non-foreign areas (June 28, 2007).

Hearing on “Ensuring a Merit-Based Employment System: An Examination of the Merit Systems Protection Board and the Office of Special Counsel” (July 12, 2007).

Hearing on “Inquiring Minds Want to Know: What is the Postal Service Contracting Out?” (July 19, 2007).

Hearing on “The Postal Service: Planning for the 21st Century, Infrastructure and Realignment” (July 26, 2007).

Hearing on “Federal Pay Policies and Administration” (July 31, 2007).

Hearing on “Federal Benefits: Are We Meeting Expectations?” (August 2, 2007).

Business meeting to mark up H.R. 2780 amended, (D. Davis amendment) Reemployed annuitants; H.R. 1236 amended, (Clay amendment) Breast Cancer Research; H.R. 3551, OSC and MSPB Reauthorization Bill (Jordan amendment failed); and H.R. 1110, Pretax premiums for health insurance (TRICARE) (September 18, 2007).

Hearing on “Doing Time: Are DC Prisoners Adequately Prepared for Reentry?” (October 16, 2007).

Hearing on “Will Increased Postal Rates Put Postal Mailers Out of Business?” (October 30, 2007).

Hearing on “Telework: Breaking New Ground” (November 6, 2007).

Hearing on “Senior Executive Service Diversity at Legislative Branch Agencies” (November 13, 2007).

Hearing on “Federal Agency Pay for Performance Systems” (February 12, 2008).

Business Meeting to mark up H.R. 4106—the “Telework Improvement Act of 2007” (February 28, 2008)

Hearing on “Implementation of the Postal Accountability Enhancement Act of 2006” (February 28, 2008).

Hearing on Federal Family Leave (March 6, 2008).

Hearing on District of Columbia Parole and Revocation and District of Columbia Court Compensation (March 11, 2008). Included a hearing panel on H.R. 5551 and S. 550.

Hearing on Government Accountability Office Personnel Reform Legislation (March 13, 2008).

Business Meeting to mark up H.R. 5683—the “Government Accountability Office Act of 2008” (April 3, 2008).

Joint House and Senate Hearing on Senior Executive Service Executive Branch and U.S. Postal Service Diversity (April 3, 2008).

Hearing on District of Columbia Water and Sewer Authority General Oversight (April 5, 2008). Included a panel on H.R. 5778—the “District of Columbia Water and Sewer Authority Independence Preservation Act.”

Business Meeting to mark up H.R. 3774, the “Senior Executive Service Diversity Assurance Act” and H.R. 5718, the “Federal Employees Paid Parental Leave Act” (April 15, 2008).

Hearing on District Attorney for the District of Columbia (April 24, 2008).

Hearing on Nonmailable Tobacco and Cooperative Mail and Charities (April 24, 2008).

Business Meeting to mark up H.R. 5550, to “increase the maximum age to qualify for coverage as a child under the health benefits program for federal employees” and H. R. 5912, to “make cigarettes and certain other tobacco products nonmailable” (April 29, 2008).

Hearing on Thrift Savings Board Automatic Enrollment and L Fund Default (Hearing One) (April 29, 2008).

Hearing on Raising the Age for Young Adult Dependent Coverage Under Federal Employee Health Benefits Program (Hearing Two) (April 29, 2008).

Hearing on The Economics of Universal Mail (May 8, 2008).

Hearing on Part-Time Reemployment of Federal Annuitants (May 20, 2008).

Hearing on Federal Government Policies on Hiring Ex-Offenders (June 10, 2008).

Hearing on Locality Pay (June 24, 2008).

Hearing on Thrift Savings Plan and Minority Contracting (July 10, 2008).

Business Meeting to mark up H.R. 6322, the, “Public Charter School Home Rule Act of 2008” (July 15, 2008).

Hearing on District of Columbia Court, Offender Supervision, Parole, and Public Defender Employees Equity Act of 2008 (July 15, 2008).

Hearing on “The Three R’s of the Postal Network Plan: Realignment, Right-Sizing and Responsiveness” (July 24, 2008).

Hearing on the Hatch Act (September 11, 2008).

Business Meeting to mark up H.R. 5600, the “District of Columbia Court, Offender Supervision, Parole, and Public Defender Employees Equity Act of 2008” (September 16, 2008).

Hearing on Legislative Branch Inspector General Reports on Diversity (September 16, 2008).

Hearing on “2009 Blue Cross Blue Shield Health Benefit: What it Means for Federal Employees” (December 3, 2008).

4. Resolutions and Postal Naming Measures

During the 110th Congress, the Subcommittee received over 370 referrals of resolutions and postal naming measures. The Committee marked up 123 resolutions and 106 postal namings.

C. GOVERNMENT MANAGEMENT, ORGANIZATION, AND PROCUREMENT

The Subcommittee on Government Management, Organizations, and Procurement has jurisdiction over the management of government operations, reorganizations of the executive branch, and fed-

eral procurement. Rep. Edolphus Towns served as Chairman and Rep. Brian Bilbray as Ranking Member in the 110th Congress.

1. Oversight

9/11 Health Effects: Federal Monitoring and Treatment of Residents and Responders (February 28, 2007).

The hearing continued from previous Congresses the Committee's oversight of the federally funded programs that medically monitor and treat individuals who were exposed to the toxins of Ground Zero following the terrorist attacks at the World Trade Center. The health effects attributable to the attacks on the World Trade Center (WTC) were both immediate and long-term, and they are still not fully understood more than five years after the attacks. Hundreds of thousands of people—including first responders from all 50 states, and area residents, office workers, and school children—may have been exposed to an array of dust, smoke and toxic pollutants. Two major federally funded programs provide medical monitoring and treatment to first-responders and others who participated in the WTC rescue, recovery and clean-up operations: the FDNY Monitoring and Treatment Program, which monitors and treats firefighters, emergency medical technicians, paramedics, officers and FDNY retirees, and the WTC Medical Monitoring and Treatment Program, for volunteers and area residents. Funding concerns limit the ability of the programs to monitor and treat health problems associated with exposure to the toxins of Ground Zero. The hearing reviewed how programs could be modified and expanded to provide health care to all responders who are ill from their work at Ground Zero.

Witnesses: Dr. John Agwunobi, Assistant Secretary for Health, Department of Health and Human Services and Chair of HHS task force on 9/11 health issues; Dr. John Howard, Director, National Institute for Occupational Health (NIOSH), Centers for Disease Control and Prevention, Department of Health and Human Services and Federal 9/11 Health Coordinator; Ms. Linda I. Gibbs, Deputy Mayor for Health and Human Services, City of New York; Mr. Edward Skyler, Deputy Mayor for Administration, City of New York; Dr. Robin Herbert, Director, World Trade Center Medical Monitoring Program Data and Coordination Center, Mt. Sinai Hospital; Dr. Joan Reibman, Director, World Trade Center Environmental Health Center at Bellevue Hospital; Mr. Marvin Bethea, Paramedic and 9/11 Responder, New York City; Mr. John Sferazo, Ironworker and 9/11 Responder, New York City.

Federal Financial Statements for FY 2006: Fiscal Outlook, Management Weaknesses and Consequences (March 20, 2007).

The hearing reviewed issues that prevent the federal government from receiving a clean audit opinion. The Government Management Reform Act of 1994 (GMRA) requires all agencies covered by the Chief Financial Officers Act of 1990 to have agency-wide audited financial statements. For the purposes of government auditing, there are three types of audit opinions agencies can receive on their financial statements: unqualified, qualified, and disclaimer. An "unqualified" opinion is granted when an auditor has concluded that an agency's statements are free of error and present an accurate picture of assets, liabilities, and net position at the time of their submission. A "qualified" opinion is issued when an agency's

statements were deemed satisfactory with the exception of a few specific instances that cannot be completely verified. Lastly, a “disclaimer” is issued in cases where the auditor cannot substantiate the financial statements of an agency using the supporting documentation provided. The financial reporting requirements of GMRA have prompted improvements in federal accountability. In fiscal year 1996, only 6 of the 23 CFO Act agencies received unqualified opinions. By comparison, 19 out of 24 CFO Act agencies received unqualified opinions for fiscal year 2006.

Witnesses: The Honorable David M. Walker, Comptroller General of the United States, Government Accountability Office; The Honorable Linda Combs, Controller, Office of Management and Budget, Executive Office of the President; The Honorable James T. Campbell, Acting Chief Financial Officer, U.S. Department of Energy; Mr. William Maharay, Deputy Inspector General of Audit Services, U.S. Department of Energy; The Honorable David Norquist, Chief Financial Officer, U.S. Department of Homeland Security; Mr. James L. Taylor, Deputy Inspector General, U.S. Department of Homeland Security.

Hearing on Tax Collection Bills (April 19, 2007).

The Subcommittee held a hearing on two bills related to tax collection. H.R. 1870, the Contractor Tax Enforcement Act, would prohibit delinquent federal tax debtors from being eligible to contract with federal agencies. H.R. 1865 would authorize a pilot program for local governments to offset federal tax refunds to collect local tax debts. Contractors owe the federal government billions of dollars in delinquent taxes. GAO reported that roughly 33,000 civilian agency contractors owed over \$3 billion in unpaid federal taxes as of September 30, 2004. Another GAO report on tax abuses by contractors working for the Department of Defense (DOD), the largest purchaser of goods and services in the federal government, found that over 27,000 DOD contractors owed nearly \$3 billion in unpaid taxes. The Contractor Tax Enforcement Act is designed to mandate that tax compliance be a prerequisite for receiving a federal contract. H.R. 1865 would create a pilot program allowing localities to collect past-due, legally enforceable tax debts through reduced federal tax refunds, similar to existing programs that offset federal refunds to collect unpaid state taxes and child support obligations. The hearing reviewed the policy goals and issues of administration for the legislative proposals.

Witnesses: The Honorable Paul A. Denett, Administrator, Office of Federal Procurement Policy, Office of Management and Budget; The Honorable Russell George, Treasury Inspector General for Tax Administration, Internal Revenue Service; Mr. Gregory D. Kutz, Managing Director, Forensic Audits and Special Investigations, U.S. Government Accountability Office; The Honorable Mick Cornett, Mayor, Oklahoma City, Oklahoma, representing the U.S. Conference of Mayors; The Honorable Barbara Ford-Coates, Tax Collector, Sarasota County, Florida, representing the National Association of Counties and the National Association of County Treasurers and Finance Officers; Ms. Patricia Weth, Deputy Treasurer, on behalf of The Honorable Francis X. O’Leary, Treasurer, Arlington County, Virginia.

9/11 Health Effects: Environmental Impacts for Residents and Responders (April 23, 2007).

The hearing continued the Subcommittee's review of the federal response to the 9/11 attacks and implementation of federally funded programs. The collapse of the Twin Towers on September 11 released a massive dust cloud containing thousands of tons of coarse and fine particulate matter, cement dust, glass fibers, asbestos, lead, hydrochloric acid, and other toxic pollutants. This cloud traveled from Ground Zero across the East River and through Brooklyn and residents may have been exposed to an array of dust, smoke, and toxic pollutants. On September 18, 2001, the Environmental Protection Agency (EPA) announced that the air outside of Ground Zero was "safe to breathe" and that "ambient air levels were unlikely to cause short-term or long-term health effects to the general population." EPA's initial evaluation concerning air safety was made in an environment of uncertainty and without "sufficient data and analyses," according to the EPA's Office of Inspector General. Consequently, the original residential testing and cleanup program did not include the Borough of Brooklyn, or other boroughs outside Manhattan. This hearing examined the scientific evidence of environmental contamination in Brooklyn and other boroughs, the potential health effects on area residents, steps taken by federal, state, and local governments, gaps in agency coordination, and potential next steps to ensure the health of New York residents and others.

Witnesses: Hon. Yvonne Graham, Deputy Brooklyn Borough President; Mr. Kwai-Cheung Chan, former Assistant Inspector General for Program Evaluation, Environmental Protection Agency; Mr. David Newman, Industrial Hygienist, New York Committee for Occupational Safety and Health; Mr. Patrick Roohan, Director, Bureau of Program Quality, Information and Evaluation, New York State Department of Health; Dr. Anthony Szema, Assistant Professor of Medicine, SUNY-Stony Brook School of Medicine; Ms. Suzanne Mattei, Executive Director, Sierra Club of New York City; Mr. Peter Gudaitis, Executive Director, New York Disaster Interfaith Services.

Hearing on H.R. 2635, The Carbon-Neutral Government Act of 2007 (May 17, 2007).

This hearing received testimony regarding the greenhouse gas emissions resulting from the operation of the federal government and how to reduce the federal government's contribution to global warming. H.R. 2635, the Carbon-Neutral Government Act, would require federal agencies to inventory their greenhouse gas emissions, freeze emissions in 2010, and then reduce net emissions over time to achieve zero emissions by 2050. The bill directs EPA to set annual government-wide emissions targets to achieve these reductions. It also requires agencies to develop plans to meet these targets and publicly report progress on implementing their plans and reducing emissions on an annual basis. The legislation requires existing facilities to benchmark their energy performance annually using the Energy Star for Buildings benchmarking tool, which is a simple process that shows how a building compares to similar buildings in its energy use. The bill further targets the efficiency of day-to-day operations by strengthening the requirements for procurement of energy efficient products and barring the General Services Administration (GSA) from listing inefficient products in

GSA schedules in product categories where more efficient products are available.

Witnesses: Ms. Emily Figdor, Director, Federal Global Warming Program, U.S. Public Interest Research Group; Mr. Jeffrey Harris, Vice President for Programs, Alliance to Save Energy; Mr. Marshall Purnell, FAIA, President-Elect, The American Institute of Architects.

Federal IT Security: The Future for FISMA (June 7, 2007).

The hearing reviewed the Federal Information Security Management Act (FISMA) and federal agency efforts to improve the security, integrity, and reliability of the federal government's information systems. In its FY 2006 report to Congress on FISMA implementation, OMB stated that progress was made in increasing the number of systems certified and accredited, but agencies demonstrated mixed results in upgrading the quality of their certification and accreditation processes. During FY 2006, agency Inspectors General identified and reported significant flaws in compliance efforts at specific agencies in several key areas. According to agency IGs, only 19 out of 25 agencies were reported to have an effective process in place to remedy identified security weaknesses or vulnerabilities. In addition, 9 out of 25 agencies were rated as poor or failing in terms of maintaining a quality certification process for their systems. The hearing examined whether the measures used to report on FISMA compliance are providing adequate information for assessing agency security practices and whether new metrics should be developed to do a better job of identifying system vulnerabilities.

Witnesses: The Honorable Karen S. Evans, Administrator, Office of E Government and Information Technology, Office of Management and Budget; Mr. Gregory C. Wilshusen, Director, Information Security Issues, Government Accountability Office; Mr. Vance Hitch, Chief Information Officer, Department of Justice; Mr. Phil Bond, President and CEO, Information Technology Association of America; Mr. Paul Kurtz, Partner & Chief Operating Officer, Good Harbor Consulting, LLC; Mr. John W. Carlson, Executive Director, Financial Services Roundtable/BITS; Mr. James Andrew Lewis, Director and Senior Fellow, Technology and Public Policy Program, Center for Strategic and International Studies.

Inspectors General: Independence and Accountability (June 20, 2007).

The Inspector General Act of 1978 (IG Act) created independent offices in executive departments and agencies headed by Inspectors General. Inspectors General (IGs) serve as the principal watchdogs of the nation's major federal agencies and are responsible for conducting and supervising audits and investigations in an effort to prevent and detect fraud and abuse in their agencies' programs and operations. To effectively carry out their mission, Inspectors General must be independent and objective, which requires that they be insulated from improper management and political pressure. This hearing reviewed how IGs in federal departments and agencies can maintain independence from political pressure, whether IGs have the resources and authority required to fulfill their duties, and how IGs who fail to perform with integrity can be held accountable. The hearing also discussed H.R. 928, the Improving Government Accountability Act, sponsored by Rep. Jim Cooper. The

Improving Government Accountability Act would strengthen the role of the IGs in providing independent oversight within federal agencies. It includes provisions for (1) a defined term of office for the IGs and conditions for removal, (2) IGs to submit their budgets directly to OMB and Congress, (3) the statutory establishment of a combined PCIE and ECIE Council, (4) changes in IG investigative and law enforcement authorities, and (5) the application of semiannual reporting requirements with respect to inspection reports and evaluation reports.

Witnesses: The Honorable Clay Johnson, Deputy Director for Management, Office of Management and Budget, Executive Office of the President and Chair, President's Council on Integrity and Efficiency and Executive Council on Integrity and Efficiency; The Honorable Phyllis Fong, Inspector General, U.S. Department of Agriculture and Chair, Legislation Committee, President's Council on Integrity and Efficiency; Ms. Christine Boss, Inspector General, National Science Foundation and Vice-Chair, Executive Council on Integrity and Efficiency; The Honorable Eleanor Hill, former Inspector General, U.S. Department of Defense; The Honorable Ken Mead, former Inspector General, U.S. Department of Transportation; The Honorable Nikki Tinsley, former Inspector General, Environmental Protection Agency; Mr. Jeffrey Steinhoff, Managing Director, Government Accountability Office; Ms. Vanessa Burrows, Congressional Research Service; Mr. Fred Kaiser, Congressional Research Service.

Federal Contracting: Do Poor Performers Keep Winning? (July 18, 2007).

Using case studies at federal departments, this hearing explored the disconnect between the requirement to take past performance seriously and the minimal effects of a poor track record. The goal of the hearing was to explore what changes are needed so that government contracts are awarded to companies experienced in delivering results, not just experienced in getting government contracts. Federal agencies are required by statute to award contracts to a responsible source that has a satisfactory performance record and a satisfactory record of integrity and business ethics. In addition to the threshold qualification of responsibility, for major contracts the Federal Acquisition Regulation (FAR) requires contracting officers to consider past performance as part of the source selection process. However, cases suggest that poor performance often does not prevent contractors from receiving future work from the government, and that there is an apparent disconnect between actual contract performance, how performance reviews are calculated, and the weight given to past performance in the selection process for new contracts. The hearing reviewed contracts at the Department of Energy and Department of Homeland Security that were renewed or extended despite serious performance problems on existing contracts.

Witnesses: Mr. William Woods, Director, Acquisition and Sourcing Management, Government Accountability Office; Mr. William Desmond, Associate Administrator, National Nuclear Security Administration, Department of Energy, accompanied by Mr. Tyler Przybylek, Senior Adviser to the Administrator, National Nuclear Security Administration, Department of Energy; The Honorable Gregory Friedman, Inspector General, U.S. Department of Energy;

Ms. Elaine Duke, Chief Procurement Officer, Department of Homeland Security; The Honorable Richard Skinner, Inspector General, Department of Homeland Security.

9/11 Health Effects: The Screening and Monitoring of First Responders (September 10, 2007).

This hearing updated the Subcommittee's previous hearings on health care for 9/11 responders with new reports from the Government Accountability Office and the New York City Department of Health and Mental Hygiene and discussed possible federal legislation to consolidate and fund screening and treatment programs. GAO updated an extensive study of 9/11 health programs, finding that HHS programs for monitoring and treating 9/11 responders are not comprehensive and have been hindered by bureaucratic obstacles. GAO found that HHS's WTC Federal Responder Screening Program stopped scheduling screening examinations from January 2007 to May 2007 because there was a change in the administration of the WTC Federal Responder Screening Program, and certain interagency agreements were not established in a timely way to keep the program fully operational. In April 2006 the program also stopped scheduling and paying for specialty diagnostic services because a contract with the program's new provider network did not cover these services. Almost a year later, the contract was modified, and the program resumed scheduling and paying for these services in March 2007.

Witnesses: Ms. Cynthia Bascetta, Director, Health Care, Government Accountability Office; Dr. Lorna Thorpe, Deputy Commissioner of Health, New York City Department of Health and Mental Hygiene, and Director, Division of Epidemiology; Dr. Spencer Eth, Senior Vice President and Medical Director, Behavioral Health Services, St. Vincent Medical Centers of New York; Mr. Thomas McHale, Detective, Port Authority of New York and New Jersey Police.

Federal Contracting: Removing Hurdles for Minority-Owned Small Businesses (September 26, 2007).

This hearing examined the 8(a) business development program and other contracting programs that are designed to assist small and disadvantaged business owners in accessing the federal marketplace. In May 2007, the House approved the Small Business Fairness in Contracting Act (H.R. 1873), which would increase the percentage of contracts awarded to small businesses to 25% and the government-wide procurement goal for small disadvantaged businesses from 5% to 8%. The Small Business Administration (SBA) is responsible for assisting executive branch agencies in the administration of federal procurement programs. Agency heads are responsible for achieving small business goals within their agencies. The 1978 Small Business Act required all federal agencies with procurement powers to establish an Office of Small and Disadvantaged Business Utilization (OSDBU) and appoint a director to head the office. The Act charges each agency's OSDBU director with promoting the interests of small and disadvantaged businesses pursuing federal contracts. Section 15(k)(3) of the Small Business Act requires that OSDBU directors be responsible only to and report directly to agency heads or deputy agency heads. A GAO study found that nearly half of the OSDBU directors did not report directly to the agency head or deputy agency heads. Several

OSDBU directors indicated that they reported to lower level agency officials. The hearing also discussed barriers embedded in the contracting process itself that can impede minority firms from winning government contracts.

Witnesses: Mr. Calvin Jenkins, Deputy Associate Administrator, Office of Government Contracting and Business Development, U.S. Small Business Administration; Mr. Anthony Martoccio, Director, Office of Small Business Programs, Department of Defense; Mr. William B. Shear, Director, Financial Markets and Community Investment, U.S. Government Accountability Office; Mr. Preston Jay Waite, Deputy Director, U.S. Census Bureau; Mr. Michael L. Barrera, President & CEO, United States Hispanic Chamber of Commerce; Mr. Damon Kinnebrew, Treasurer, Association of Minority Enterprises of New York; Ms. Allegra F. McCullough, Former SBA Associate Deputy Administrator, Government Contracting & Business Development; Mr. Anthony W. Robinson, President, Minority Business Enterprise Legal Defense and Education Fund.

Technology for Secure Identity Documents (October 18, 2007).

This hearing examined the different technology options for identification documents, such as chips, security printing, and other commercially available technologies, to learn the relative levels of security that different technologies provide, as well as the costs and scalability associated with each. Identification documents issued by the federal and state governments vary widely in their format and in what data is included. Concerns about immigration, homeland security, and identity theft have prompted calls for more secure identification cards for use in everyday transactions such as boarding airplanes, opening bank accounts, and verifying employment eligibility. Multiple, overlapping programs exist at the federal and state levels to issue more secure identification documents. Federal government identity documents include passports; passport cards under the Western Hemisphere Travel Initiative; the Transportation Worker Identity Credential; immigration documents such as green cards, work permits, and border crossing cards for non-U.S. citizens; enhanced Social Security cards; the Common Access Card for Department of Defense personnel and contractors; and identification cards for federal employees and contractors required by Homeland Security Presidential Directive 12. At the state level, the federal REAL ID act sets minimum standards for state driver's licenses and identification cards, focusing on verification of identity documents during the issuance process. The various identity cards use different technologies to increase security. These technologies can be divided into two types—physical security features and information technology features. Selecting the best technology for secure identification often requires choices to be made among security, cost, and privacy. Cost and infrastructure concerns limit the widespread deployment of smart cards for everyday transactions. Without the proper infrastructure, smartcards do not provide added security without physical security features as well. Witnesses discussed the practical limitations in terms of logistics and cost of deploying the most advanced security features widely, along with the benefits and potential cost savings of high security documents.

Witnesses: Ms. Kathy Kraninger, Director, Screening Coordination Office, U.S. Department of Homeland Security; Mr. Benjamin

M. Brink, Assistant Public Printer for Security and Intelligent Documents, Government Printing Office; Mr. David M. Temoshok, Director, Identity Policy and Management, Office of Government-wide Policy, General Services Administration; Ms. Bonnie Rutledge, Director, Vermont Department of Motor Vehicles; Ms. Kathryn K. Alsbrooks, Director, U.S. Federal Programs, Lasercard Corporation; Mr. Neville Pattinson, Vice President, Gemalto Inc., representing the Secure ID Coalition; Mr. Reed Stager, Digimarc Corporation, representing the Document Security Alliance.

Too Many Cooks? Coordinating Federal and State Health IT (November 1, 2007).

This hearing explored current federal, state, and local efforts to transform the health care landscape using health IT and how agencies and stakeholders can coordinate to meet the needs of our nation's most vulnerable populations. Legislative efforts on health IT date back to 2001, when the Senate proposed Health Information Exchange (HIE) grants for hospitals and nursing homes and reimbursement to hospitals for costs incurred to develop IT systems. In 2003, the Medicare Modernization Act (MMA) required the Secretary of Health and Human Services to adopt electronic prescription standards and establish a Commission for Systemic Interoperability. MMA also included a provision to invest in infrastructure for transmitting clinical data to improve outcomes in selected high-risk populations. In past Congresses, health IT bills have passed either one body or the other, but haven't been enacted into law. Federal contracts have been awarded to six states to support state and regional data sharing, coordinate state and local health IT, and demonstrate improvements in health quality and safety. States recognize that health IT will require significant upfront investments, with over half of state leaders saying that funding will be a challenge. Another primary concern about the adoption of health IT is how standards should be adopted and how current grants and contracts facilitate the connection between health IT and reducing health disparities. Other challenges addressed included privacy of personal health information and the historical distrust of federal and state health initiatives by minority populations, and the resistance by patients from low-income backgrounds, or who are limited English proficient to identifying themselves to federal programs.

Witnesses: Dr. Robert M. Kolodner, National Coordinator for Health Information Technology, Department of Health and Human Services; Ms. Cheryl Austein Casnoff, Associate Administrator, Office of Health Information Technology, Health Resources Services Administration; Dr. Carolyn M. Clancy, Director, Agency for Healthcare Research and Quality; Ms. Christine Bechtel, Vice President of Public Policy & Government Relations, eHealth Initiative; Dr. Winston Price, Chair, Health IT and Transparency Advisory Board, State of Georgia; Ms. Lori Evans, Deputy Commissioner for Health IT Transformation, State of New York; Dr. Farzad Mostashari, Assistant Commissioner, Department of Health and Mental Hygiene, City of New York; Dr. Neil Calman, President, The Institute for Urban Family Health.

9/11 Health Effects: Why Did HHS Cancel Contracts for Responder Health Care? (January 22, 2008).

This hearing continued the Subcommittee's oversight of management and contracting for health care for police, fire and recovery

workers who responded to the attacks on the World Trade Center on September 11, 2001. On October 23, 2007, the Centers for Disease Control and Prevention (CDC) issued a request for proposals to create a World Trade Center Business Process Center. Proposals were due on December 19, 2007. On December 13, 2007, CDC abruptly cancelled the solicitation. A procurement official from CDC claimed that the solicitation was cancelled due to cost concerns, even though bids that would estimate costs had not yet been submitted. The hearing questioned why the solicitation was suddenly canceled and examined the serious adverse impact of delays on the program, particularly for responders living outside of the NYC area.

Witnesses: Dr. Jim Melius, Chair, Advisory Board, WTC Medical Monitoring and Treatment Program; Ms. Cynthia Bascetta, Director, Health Care, Government Accountability Office; Mr. Kevin Mount, retired heavy equipment operator, NYC Department of Sanitation, currently a Florida resident; Mr. Joseph Libretti, ironworker, Local 580, currently a Pennsylvania resident; Mr. Frank Fraone, Operations Chief, Menlo Park, CA Fire Department.

Military Base Realignment: Contracting Opportunities for Impacted Communities (February 8, 2008).

A major vehicle for achieving cost savings is the consolidation of defense facilities, which has periodically been done through the base realignment and closure process (BRAC). This hearing examined whether BRAC contracting opportunities are accruing to small, local, veteran-owned, or minority-owned businesses, and whether state and local governments have input into contracts awarded in their communities. Federal contracts for the renovation, expansion, and construction of DOD facilities are awarded by the U.S. Army Corps of Engineers and Naval Facilities Engineering Command. Cost estimates to implement BRAC have increased from \$21 billion to \$31 billion. There are presently three million veteran small business owners. Although Congress has enacted a governmentwide procurement goal of 3% for service-disabled veteran-owned businesses (SDVOBs), every year since that law has been in place the Department of Defense has failed to meet it. For FY 2006, the SBA reported that DOD awarded 0.67% of contracts to service-disabled veteran-owned firms. The hearing reviewed planning to fully extend business opportunities to small and minority business contractors, especially veteran-owned businesses.

Witnesses: Mr. Timothy Foreman, Director, Office of Small and Disadvantaged Business Utilization, Secretary of the Navy; Ms. Tracey Pinson, Director, Office of Small and Disadvantaged Business Utilization, Secretary of the Army; Ms. Luwanda Jenkins, Special Secretary, Governor's Office of Minority Affairs, State of Maryland; Mr. Hubert Green, President, Prince George's County Black Chamber of Commerce; Mr. John Watkins, President, Ingenium Corporation; Mr. Rick Weidman, Executive Director, Policy & Government Affairs, Vietnam Veterans of America.

Surplus Property: Improving Donation and Sales Programs (February 13, 2008).

This hearing reviewed GSA rulemaking on surplus property transfer programs and H.R. 752, the Federal Electronic Equipment Donation Act of 2007. This bill, sponsored by Rep. G.K. Butterfield, directs the GSA to give highest preference to schools, local govern-

ments, and other qualifying recipients located in Enterprise Communities and Empowerment Zones (EC/EZ) when transferring surplus computers and related equipment. The language in this bill draws largely from Executive Order 12999, titled “Educational Technology: Ensuring Opportunity for All Children in the Next Century.” H.R. 752 requires the GSA to give highest preference to EZ or EC recipients when transferring the equipment. Witnesses testified on the efficiency of existing processes and proposed changes.

Witnesses: Ms. Becky Rhodes, Deputy Associate Administrator, General Services Administration; Ms. Estelle Sanders, Mayor, Town of Roper, North Carolina; Mr. Shane Bailey, President, National Association of State Agencies for Surplus Property; Mr. John Rosenthal, President, Small Towns Alliance; Mr. Thomas Williams, President, National Auctioneers Association.

Federal IT Security: A Review of H.R. 4791 (February 14, 2008).

This hearing reviewed the 2002 Federal Information Security Management Act (FISMA) and federal agency efforts to improve the security, integrity, and reliability of the federal government’s information systems. In addition, the hearing focused on legislation introduced by Chairman Clay and Chairman Towns that will amend FISMA by establishing new agency requirements for securing personal or sensitive data. FISMA reauthorized and strengthened provisions in the Government Information Security Reform Act that require federal agencies to identify and minimize potential risks to the security of their information and information systems. According to CRS, agencies reporting incidents of potentially compromised data during FY 2006 included the Departments of Veterans Affairs, Transportation, and Energy, and the Internal Revenue Service. H.R. 4791, the Federal Agency Data Protection Act, would strengthen current requirements for protecting sensitive data that is stored or transmitted by federal agency systems. The bill would amend FISMA by adding several new information security policies and procedures for OMB, agencies, and agency contractors.

Witnesses: The Honorable Karen S. Evans, Administrator, Office of E-Government and Information Technology, Office of Management and Budget; Mr. Gregory C. Wilshusen, Director, Information Security Issues, Government Accountability Office; Mr. Alan Paller, Director of Research, SANS Institute; Mr. Bruce McConnell, President, McConnell International, LLC; Mr. Tim Bennett, President, Cyber Security Industry Alliance.

Federal Security: ID Cards and Background Checks (April 9, 2008).

This hearing examined Homeland Security Presidential Directive 12 (HSPD-12), which requires all federal employees and contractors to undergo background checks and to use a standardized identification card. To standardize the federal government’s use of identification cards, the directive requires the creation of a federal standard for secure IDs, to be issued to employees following background checks; that these IDs be used to gain physical access to federal facilities and logical access to federal information systems with the use of electronic authentication; and that these IDs be interoperable across the entire federal government. This hearing reviewed OMB’s performance issuing policies and guidance and en-

asuring compliance of HSPD-12. GAO found that agencies have made progress in completing the necessary background checks for employees, but the HSPD-12 program is incurring high costs.

Witnesses: The Honorable Karen Evans, Administrator for E-Government and Information Technology, Office of Management and Budget; Ms. Kathy Dillaman, Associate Director of Investigations, Office of Personnel Management; Ms. Linda Koontz, Director, Information Management Issues, Government Accountability Office, accompanied by Ms. Brenda Farrell, Director, Defense Capabilities and Management, Government Accountability Office; Mr. Michael Sade, Acting Deputy Assistant Commissioner for Integrated Technology Service, Federal Acquisition Service, General Services Administration; Mr. Thomas Wiesner, Deputy Chief Information Officer, Office of the Assistant Secretary for Administration and Management, Department of Labor; Mr. Robert Zivney, Vice President, Marketing, Hirsch Electronics, representing the Security Industry Association; Mr. Benjamin Romero, Chair, Information Technology Association of America Security Clearance Reform Task Group, representing the Security Clearance Reform Coalition.

Hearing on H.R. 5712 & H.R. 5787 (April 15, 2008).

This legislative hearing reviewed H.R. 5712, the Close the Contractor Fraud Loophole Act, and H.R. 5787, the Federal Real Property Disposal Enhancement Act. H.R. 5712 would revise regulations requiring contractors that discover fraud to report it to appropriate government authorities to remove an exemption to the reporting requirement for contracts performed overseas. The hearing examined how such an exemption came to be proposed in regulations, in light of extensive evidence of fraud in overseas contracting, especially in Iraq and Afghanistan. H.R. 5787, the Federal Real Property Disposal Enhancement Act, reforms the law governing federal surplus land to give agencies incentives to sell or otherwise dispose of unneeded property. Under existing law, funds from the sale of surplus real and related personal property by the General Services Administration are returned to the Treasury. H.R. 5787 would allow agencies to retain all of the proceeds from the sale of surplus property. The agencies may only use these funds for real property capital improvements and disposal activities, subject to appropriations.

Witnesses: The Honorable Paul Denett, Administrator for Federal Procurement Policy, Office of Management and Budget; Mr. Barry Sabin, Deputy Assistant Attorney General, Criminal Division, U.S. Department of Justice; Mr. David Drabkin, Acting Chief Acquisition Officer and Senior Procurement Executive, General Services Administration; Ms. Colleen Preston, Executive Vice President, Professional Services Council.

Management of Civil Rights at the U.S. Department of Agriculture (May 14, 2008).

Discrimination in the delivery of services to minority and limited-resource farmers and the treatment of minority employees at the USDA is a longstanding problem that resulted in a multi-billion dollar settlement of a class-action discrimination suit by black farmers. In light of the USDA's history of civil rights abuses, Congress enacted legislation intended to end discriminatory practices within the Department. The Office of the Assistant Secretary for Civil Rights (ASCR) was created in March 2003 to provide overall

leadership and coordination of all civil rights programs across the Department. This hearing reviewed the USDA's implementation of this latest reorganization and management of the agency's civil rights enforcement. According to GAO, the ASCR repeatedly withheld access to certain records, instructed employees not to cooperate with GAO, and actually forced GAO investigators to depart from USDA premises when GAO was seeking to interview USDA employees as part of its review. GAO was later permitted to conduct interviews when accompanied by USDA Inspector General. Although Congress instituted a series of reforms to ensure the Office of Civil Rights was given resources, autonomy, and authority, delays in processing discrimination complaints and the lack of diversity among county-level officials remain a problem within the USDA. The hearing questioned whether there has been any improvement in the management of the USDA's civil rights programs.

Witnesses: Mr. John Boyd, President, National Black Farmers Association; Ms. Lesa Donnelly, Adviser for Women's Issues, USDA Coalition of Minority Employees; Mr. Lupe Garcia, President, Hispanic Farmers and Ranchers of America, Inc.; Mr. Phil Givens, President, Phil Givens Company, representative of Native American farmers; Mr. Lawrence Lucas, President, USDA Coalition of Minority Employees; The Honorable Margo McKay, Assistant Secretary for Civil Rights, U.S. Department of Agriculture; The Honorable Phyllis Fong, Inspector General, U.S. Department of Agriculture; Ms. Lisa Shames, Director, Agriculture and Food Safety, U.S. Government Accountability Office.

Oversight of Federal Financial Management (June 3, 2008).

The hearing examined the results of GAO's audit of the federal government's consolidated financial statement (CFS) for the fiscal year ending in 2007. The Government Management Reform Act of 1994 (GMRA) requires all agencies covered by the Chief Financial Officers Act of 1990 to have agency-wide audited financial statements beginning in fiscal year 1996. For the purposes of government auditing, there are three types of audit opinions agencies can receive on their financial statements: unqualified, qualified, and disclaimer. An "unqualified" opinion is granted when an auditor has concluded that an agency's statements are free of error and present an accurate picture of assets, liabilities, and net position at the time of their submission. A "qualified" opinion is issued when an agency's statements were deemed satisfactory with the exception of a few specific instances that cannot be completely verified. Lastly, a "disclaimer" is issued in cases where the auditor cannot substantiate the financial statements of an agency using the supporting documentation provided. For fiscal year 2007, 19 of the 24 agencies received unqualified audit opinions. The hearing also reviewed compliance with the Improper Payments Information Act of 2002 (IPIA). The IPIA requires annual reviews of all agency programs that may be susceptible to improper payments, but a GAO review in 2007 indicates that not all agencies reported conducting risk assessments.

Witnesses: The Honorable Gene L. Dodaro Acting Comptroller General of the United States, Government Accountability Office; Mr. Daniel Werfel, Acting Controller, Office of Management and Budget, Executive Office of the President; The Honorable J. David

Patterson, Principal Deputy Under Secretary of Defense (Comptroller), Department of Defense.

ID Cards: Reissuing Border Crossing Cards (June 25, 2008).

The State Department and the Department of Homeland Security's Citizenship and Immigration Services agency issue the Border Crossing Card (BCC) to Mexican nationals who are frequent visitors to the United States. Between 2008 and 2012, the State Department projects that 5.75 million BCCs will expire and need to be replaced, creating increased demand for renewals. The hearing examined the steps the State Department is taking to meet demand, including hiring temporary consular staff and contracting with the private sector for application intake. The hearing also reviewed questions about the physical security of the card.

Witnesses: Mr. Tony Edson, Acting Principal Deputy Assistant Secretary, U.S. Department of State; Ms. Colleen M. Manaher, Director, Western Hemisphere Travel Initiative, Customs and Border Protection, U.S. Department of Homeland Security; Mr. Jess Ford, Director, International Affairs and Trade, Government Accountability Office; Mr. Aaron Fuller, President, Computer Sciences Corporation, Inc.; Mr. Rick Patrick, Senior Vice President for Federal Programs, L-1 Identity Solutions, Inc.; Mr. William T. Alsbrooks, former Group Vice President, Information Systems Credential Technology Group, General Dynamics.

Management of the Digital TV Transition: Is New York City Prepared? (July 18, 2008).

On February 17, 2009, television stations nationwide will turn off their analog broadcasts and will broadcast only in digital format. The Subcommittee reviewed management of federal programs to assist with the transition, including controls over a program to issue vouchers to citizens to purchase converter boxes. The hearing examined the impact of the transition and outreach to heavily-impacted neighborhoods in New York City.

Witnesses: Mr. Bill Ritter, Anchor, WABC-TV, New York, NY; Mr. Mark Lloyd, Vice President, Strategic Initiatives, Leadership Conference on Civil Rights; The Honorable Meredith Attwell Baker, Acting Assistant Secretary for Communications and Information, National Telecommunications and Information Administration, Department of Commerce; Ms. Monica Shah Desai, Chief of the Media Bureau, Federal Communications Commission.

Passing the Baton: Preparing for the Presidential Transition (September 24, 2008).

The hearing assessed preparations for the presidential transition and reviewed expert research on federal executive management challenges surrounding the transition. GAO highlighted executive management challenges that they believe the incoming Administration will need to confront from the first days of its term. These include oversight of financial institutions, the ongoing operations in Iraq and Afghanistan, DOD and DHS readiness, the 2010 census, and other high-risk areas.

Witnesses: The Honorable Clay Johnson, Deputy Director for Management, Office of Management and Budget; The Honorable Gene L. Dodaro, Acting Comptroller General of the United States, Government Accountability Office; Ms. Gail Lovelace, Chief Human Capital Officer, General Services Administration; Dr. Martha Kumar, Professor, Department of Political Science, Towson Univer-

sity; Ms. Doris Hausser, National Academy of Public Administration; Dr. Don Kettl, Professor, Fels Institute of Government, University of Pennsylvania; Ms. Patricia McGinnis, President and CEO, Council for Excellence in Government.

2. Legislation

During the 110th Congress, 13 bills originating in the Government Management Subcommittee were passed in the House of Representatives, with six becoming law.

The following bills were signed into law, either as standalone bills or through inclusion in other legislation:

- H.R. 928, Inspector General Reform Act of 2008 (Rep. Cooper), which enhances the effectiveness and independence of Inspectors General, who are the principal watchdogs of federal programs.

- H.R. 3033, Contractors and Federal Responsibility Act (Rep. Maloney), which creates a comprehensive, centralized database that lists civil, criminal and administrative proceedings concluded by federal and state governments against federal contractors and grantees.

- H.R. 3179, Local Preparedness Acquisition Act (Rep. Towns), which allows state and local governments to purchase homeland security equipment using the federal government's pre-negotiated favorable pricing.

- H.R. 3928, Government Contractor Accountability Act (Reps. Christopher Murphy and Welch), which requires any company or organization receiving 80% or more of their revenue from federal contracts to disclose the salaries of their most highly-compensated officers.

- H.R. 5712, Close the Contractor Fraud Loophole Act (Rep. Welch), which closes a loophole in a proposed rule so that mandatory fraud reporting requirements would apply to U.S. contractors working overseas as well as to contractors working here at home.

- H.R. 6073 (Rep. Foxx), to provide that federal employees receiving their pay by electronic funds transfer shall be given the option of receiving their pay stubs electronically.

The following bills passed the House:

- H.R. 180, Darfur Accountability and Divestment Act of 2007 (Rep. Lee), which requires disclosure of investments and business interests in certain industries in Sudan.

- H.R. 404, Federal Customer Service Enhancement Act (Rep. Cueller), which requires the establishment and enforcement of customer service standards for federal agencies.

- H.R. 752, Federal Electronic Equipment Donation Act (Rep. Butterfield), which directs federal agencies to transfer excess computer equipment to local schools and educational nonprofits.

- H.R. 4881, Contracting and Tax Accountability Act (Reps. Ellsworth and Towns), which withholds most federal contracts from companies that are delinquent on their federal taxes.

- H.R. 5787, Federal Real Property Disposal Enhancement Act of 2008 (Rep. Moore), which requires GSA to identify and dispose of excess properties, evaluate disposal costs and benefits, and prioritize disposal decisions based on agency missions and anticipated future need for holdings.

- H.R. 6113, Paperwork Assistance Act (Rep. Boyda), which requires a federal agency to include on all government forms a website and telephone number for questions about the form.
- H.R. 6406 (Rep. Larson), to elevate the Inspector General of the Commodity Futures Trading Commission to a presidentially-appointed, Senate-confirmed position.

D. INFORMATION POLICY, CENSUS, AND NATIONAL ARCHIVES

The Subcommittee on Information Policy, Census, and National Archives has jurisdiction over public information and records laws such as the Freedom of Information Act, the Presidential Records Act, and the Federal Advisory Committee Act, the Census Bureau, and the National Archives and Records Administration. Rep. William Lacy Clay served as Chairman and Rep. Michael Turner as Ranking Member during the 110th Congress.

1. Oversight

a. Census

(1) Budget Issues

A substantial part of the Subcommittee's oversight activities involved the Census Bureau and plans for the 2010 Census. The Subcommittee interacted with the Census Bureau on a myriad of issues during both sessions of the 110th Congress. The Subcommittee paid particular attention to budget issues as they affected Census preparations.

Congress has routinely exempted the Census from the flat-line funding requirements of a Continuing Resolution (CR) in other years, most notably in 1998 and 1999 prior to Census 2000. On October 7, 2008, the Subcommittee held a hearing entitled "Critical Budget Issues Affecting the 2010 Census" to bring into focus what would happen if the Administration did not request an exemption from a flat-line CR for the Census Bureau. The objective was to take clear steps to insure that:

- There would be no scaling back, cancellation or delay in the Dress Rehearsal as planned.
- Nothing in the CR language would hinder, delay or deny the planned funding and execution of the contracts for the handheld computers, the advertising program, the partnership program, or the data capture program.
- That OMB would use every means necessary to grant Bureau of the Census officials any waivers or exemptions from Administration spending restrictions in order for them to meet these goals.

Census Bureau officials made it clear that a CR which did not exempt the Census would have significant, negative consequences for the intricate decade-long plan for the 2010 Census. Administration witnesses emphasized that without such language, a CR would dramatically jeopardize the accuracy, cost, and coverage of the 2010 Census.

Despite the efforts of the Subcommittee in FY 2008, the Continuing Resolution (CR) passed without an exemption and the Bureau had to cancel various aspects of its dress rehearsal. In FY 2009, the Bureau was facing the same funding shortfalls and risking further problems with the planning and implementation of the 2010 Census. The Subcommittee, with the assistance of the full

Committee and congressional leadership, successfully persuaded the Administration to request an exemption for FY 2009 Continuing Resolution and the 2010 Census was spared further harm from the budget process.

(2) Field Data Collection Automation

The Subcommittee was very active in its oversight of the Field Data Collection Automation (FDCA) system. The Subcommittee monitored the Bureau's progress constantly regarding FDCA. This involved regular briefings from Census, GAO, and the contractors and consultants involved with the FDCA system. Some of the results of this oversight are discussed chronologically below.

In April 2006, the Census Bureau entered into a contract with the Harris Corporation to develop an FDCA system. Under the contract, Harris was supposed to build handheld computers for data collection in two phases: address canvassing prior to the census and non-response follow-up as part of the census process, as well as provide support for the field operations. The contract was a cost-plus contract with an initial estimated value of \$600 million. GAO issued warnings about the state of the FDCA project in April 2007 testimony before Congress, cautioning that inadequate contract management could lead to cost-overruns and inadequate performance of the handheld computers. According to GAO, the Census Bureau's actions "raised serious questions about the Bureau's preparations for conducting the 2010 Census. GAO recommended numerous corrective actions to address the risks associated with the 2010 Census, but many of them were not implemented.

Around the same time, the Census Bureau asked a private consultant, the MITRE Corporation, to assess the FDCA program and Harris Corporation's progress in meeting the contract's goals. MITRE delivered its report to the Census Bureau in June 2007, underscoring GAO's findings that the FDCA contract was off track.

In December 2007 testimony, GAO reiterated what it had been saying now for several years, again raising concerns about the viability of the handheld technology and the Census Bureau's ability to manage the risks threatening the FDCA project.

In March 2008, GAO designated the 2010 Census as a high-risk area that warranted immediate attention as a result of the Census Bureau's failure to strengthen its systems testing and risk management activities, define performance requirements for the handheld computers, and develop a comprehensive plan to control its costs and manage operations. According to GAO, the Census Bureau's actions "raised serious questions about the Bureau's preparations for conducting the 2010 Census.

With the full Committee, the Subcommittee held joint hearings in April and June 2008, continuing to urge the Census Bureau, the Commerce Department, and the Bush Administration to recognize and move forward on the recommendations of the GAO and MITRE Corporation.

Due to this serious mismanagement, the Census Bureau was forced to abandon its plans for the handheld computers to gather data from households that did not mail in their census forms, or non response follow-up (NRFU), and to revert to a paper census. These changes will cost the taxpayer up to \$3 billion. For years, the Government Accountability Office and other auditors raised

concerns about the Census Bureau's management of the contract. But the Census Bureau failed to respond to these concerns with any sense of leadership or urgency.

When the Bureau decided to abandon its plans to use the handheld computers for NRFU, they had to rework their contract with Harris Corporation. Although the original cost estimate for the reworked contract was \$1.3 billion, following stringent oversight by the Subcommittee and full Committee the final cost was reduced to approximately \$800 million, saving taxpayers \$500 million.

Throughout the 110th Congress, the Subcommittee held numerous oversight hearings on many different aspects of the 2010 Census. The Subcommittee supplemented these risk management hearings continually with meetings and briefings with Census, GAO, and the contractors and consultants regarding many issues. Subjects examined included Census preparations; Local Update of Census Addresses (LUCA); dress rehearsal; group quarters; SIPP (Survey on Income and Program Participation); community partnerships; Census undercount; Census in schools; Census data and its use in the development process; recruitment, hiring and training a diverse workforce; communications campaign; and U.S. Territories' Census data.

b. Information Policy

Chairman Clay submitted and received responses to questions submitted to the Honorable Jim Nussle, Director of the Office of Management and Budget on June 12, 2008, regarding improving federal statistics on disability that stemmed from the hearing on June 4, 2008. OMB agreed to include the six disability questions from the Census Bureau's American Community Survey (ACS) in all federal surveys that request data about race, sex, age and ethnicity, including the American Housing Survey (AHS). They will also suggest that the ACS disability questions be considered as part of the redesigned survey and will study which other surveys would be appropriate to have the disability questions.

The Subcommittee also examined how well the Department of Homeland Security is fulfilling its role as the leading federal agency charged with coordinating response and recovery efforts in the event of a major Internet disruption. In addition, the Subcommittee reviewed the roles and responsibilities of private sector stakeholders in the development of Internet recovery plans and heard their recommendations for improving the nation's cyber security policy framework.

Further, the Subcommittee examined issues relating to the protection of patient privacy and the establishment of a framework for a uniform national health privacy standard. The subcommittee also provided oversight to review the integrity of Electronic Voting Systems.

c. National Historical Publications and Records Commission

The Subcommittee conducted oversight over the National Historical Publications and Records Commission (NHPRC), the grant-making arm of the National Archives and Records Administration (NARA). NHPRC was targeted in the President's proposed FY 2009 budget for zero funding for grants and zero funding for staff to ad-

minister the agency and its programs. For FY 2009, the Subcommittee supported full funding for national grants, for staffing, and other administrative costs.

On March 11, 2008, Chairman Clay sought to increase the funding of the NHPRC with H.R. 5582, which would authorize appropriations for the National Historical Publications and Records Commission for FY2010–FY2014 at \$20 million per year. The bill sought to increase funding by \$10 million over existing funding. Although the re-authorization was not enacted in this Congress, the Subcommittee was able to include authorization for funding to establish a national database for records of servitude, emancipation and post Civil War Reconstruction in S. 3477, which passed in the House on September 27, 2008.

d. FOIA

Chairman Clay introduced H.R. 1309, the Freedom of Information Act Amendments of 2007, which provided a bipartisan approach to streamlining the FOIA process and increasing transparency in government. Two key provisions within the OPEN Government Act include expanding access to attorney's fees for citizens who successfully challenge an agency's denial of information, along with the creation of a new FOIA tracking system for pending requests. In addition, the Act requires agencies to disclose the type of FOIA exemptions used to redact specific information sought after in many requests. Lastly, the bill will establish a government-wide ombudsman to help reduce the number of requests that are eventually resolved through costly and time-consuming litigation. This bill passed in 2007 and was signed into law in December, 2007.

The Subcommittee also examined the plans for the structure and function of the government-wide ombudsman, the Office of Government Information Services (OGIS), which is charged with reviewing the FOIA policies and procedures of administrative agencies to make sure they are in compliance with the new law. Congress placed OGIS within the National Archives and Record Administration to serve as an impartial mediator to resolve disputes between FOIA requestors and administrative agencies. The Subcommittee provided the U.S. Archivist with an opportunity to share his strategic plan to implement the law and establish OGIS. The Subcommittee also heard from the open government community about how to structure a highly functional office that will make FOIA work more effectively.

e. FISMA

The Subcommittee reviewed the 2002 Federal Information Security Management Act (FISMA) and federal agency efforts to improve security, integrity, and reliability of the federal government's information systems. In addition the Subcommittee examined whether the information assurance activities of private sector entities, including their cyber security best practices, would be appropriate. Chairman Clay, along with Chairman Waxman and Subcommittee on Government Management, Organization and Procurement Chairman Towns, spearheaded the passage of H.R. 4791, the Federal Agency Data Protection Act. This measure amended FISMA by establishing new agency requirements for securing personal or sensitive data. The inquiries were coordinated with the

Subcommittee on Government Management, Organization and Procurement and the full Committee.

2. Legislation

H.R. 1309. Chairman Wm. Lacy Clay introduced, with Committee Chairman Waxman and Rep. Platts, the Freedom of Information Act Amendments of 2007. H.R. 1309 provides a bipartisan approach to streamlining the FOIA process and increasing transparency in government. Two key provisions within the Act include expanding access to attorney's fees for citizens who successfully challenge an agency's denial of information, along with the creation of a new FOIA tracking system for pending requests. In addition, the Act requires agencies to disclose the type of FOIA exemptions used to redact specific information sought after in many requests. Lastly, the bill will establish a governmentwide ombudsman to help reduce the number of requests that are eventually resolved through costly and time-consuming litigation. H.R. 1309 was passed by the House in March 2007. On December 18, 2007, the House passed a substantially similar bill, the OPEN Government Act of 2007 (S. 2488), which was signed by President Bush on December 31, 2007.

H.R. 4791. This bill was introduced by Chairman Clay along with Chairman Waxman and Chairman Towns and passed the House on June 3, 2008. This bill strengthens requirements for ensuring the effectiveness of information security controls over information resources that support federal operations and assets. The bill amends title 44 of the United States Code as follows:

- Defines "personally identifiable information" as any information about an individual maintained by a federal agency, including information about the individual's education, finances, medical, criminal, or employment history, that can be used to distinguish or trace such individual's identity or that is otherwise linked or linkable to the individual.
- Includes within the information security duties of the Director of the Office of Management and Budget (OMB) and requires agencies to update their information security programs including requirements for maintaining a current inventory of such systems, implementing information security requirements for mobile digital devices maintaining or transmitting such information, and developing, implementing, and overseeing remediation plans to address vulnerabilities in information security protections.
- Requires the Director to report to Congress a summary of information security breaches reported by agencies to the Director and the federal information security incident center.
- Requires the Director to oversee the establishment of policies, procedures, and standards for agencies to follow in the event of a breach involving the disclosure of personally identifiable information
- Requires agency heads to delegate to their Chief Information Officer the authority to ensure compliance and to enforce information security requirements, including developing and maintaining an inventory of personal computers, laptops or hardware containing personally identifiable information.
- Requires agencies to include in their information security programs: procedures for notifying individuals whose personally iden-

tifiable information may have been compromised or accessed following a breach; and procedures for the timely reporting of breaches involving personally identifiable information.

- Includes among functions of Chief Human Capital Officers the prescription of policies and procedures for exit interviews of employees, including a full accounting of all federal personal property assigned.

- Requires agency heads to implement expeditiously and revise as necessary a plan to ensure the security and privacy of information collected or maintained by or on behalf of agencies from the risks posed by certain peer-to-peer file sharing programs and requires the Comptroller General to review and report to specified congressional committees on the adequacy of such plans.

- Requires audits (currently, evaluations are required) of agency information programs and practices to determine whether information security controls are effective.

- Amends the E-Government Act of 2002 to require the Director to develop best practices for agencies to follow in conducting privacy impact assessments.

H.R. 5687. This bill was introduced by Chairman Clay and Chairman Waxman and passed the House on June 24, 2008. It amended the Federal Advisory Committee Act (FACA) to increase the transparency and independence of federal advisory committees. It also requires appointments to advisory committees to be made without regard to political affiliation or activity, and requires the public disclosure of any conflict of interest.

3. Proceedings

(1) Hearings

“The Presidential Records Act of 1978: A Review of the Executive Branch Implementation and Compliance” (March 1, 2007).

This hearing examined issues relating to the implementation of the Presidential Records Act of 1978, including the history of the Act, the role of the National Archives and Records Administration in releasing presidential records to the public, and the likely impact of Executive Order 13233 on research.

Witnesses: Dr. Allen Weinstein, Archivist of the United States; Dr. Harold Relyea, a Specialist in American Government with the Congressional Research Service of the Library of Congress; Dr. Robert Dallek, Presidential biographer and historian; Mr. Thomas Blanton, Director of the National Security Archive at George Washington University; Dr. Anna Nelson, Distinguished Historian in Residence at The American University; Mr. Scott Nelson, Senior Attorney at the Public Citizens Litigation Group; and Mr. Steven Hensen, representing the Society of American Archivists.

“Ensuring Fairness and Accuracy in Elections Involving Electronic Voting Systems” (April 18, 2007).

This hearing examined the use of modern electronic voting systems and the potential vulnerabilities associated with them.

Witnesses: The Honorable Robin Carnahan, Secretary of State, State of Missouri; The Honorable Gracia M. Hillman, Commissioner, U.S. Election Assistance Commission; Mr. Randolph Hite, Director, Information Technology Architecture and Systems, U.S. Government Accountability Office; Avi R. Rubin, Ph.D., Technical

Director, Information Security Institute, Department of Computer Science, Johns Hopkins University; Mr. John S. Groh, Vice President, Election Systems & Software International, and Chairman, Election Technology Council; and Diane Golden, Ph.D., Director, Missouri Assistive Technology Council (on behalf of the National Association of Assistive Technology Act Programs).

“Progress of the 2010 Reengineered Census” (April 24, 2007).

This hearing examined the Census Bureau’s progress on the 2010 Reengineered Census, which was developed by the Bureau in response to a 2001 congressional mandate that the Bureau overhaul the census process to reduce the undercount and cost of the decennial census. The subcommittee also examined the Bureau’s process for monitoring contracts for the 2010 Census.

Witnesses: The Honorable Robert L. Bowser, Mayor, East Orange New Jersey, Vice Chair, Urban Economic Policy Committee of the U.S. Conference of Mayors; The Honorable Preston Jay Waite, Associate Director for Decennial Census, U.S. Bureau of the Census; The Honorable Kenneth Prewitt, professor, Columbia University, Director, U.S. Bureau of the Census (1998–2001); Mathew J. Scire, Director, Strategic Issues, Government Accountability Office; Michael Murray, Vice President of Program, Civil Business Unit, Government Communications Systems, Harris Corporation; Karen Narasaki, President and Executive Director, Asian American Justice Center; and Joseph Salvo, Ph.D., Director, Population Division, New York City Department of Planning.

“Certification and Testing of Electronic Voting Systems” (May 7, 2007).

This hearing examined issues relating to the certification and testing of electronic voting systems under the Help America Vote Act of 2002. The hearing was held in New York, NY.

Witnesses: The Honorable Donetta L. Davidson, Chairman, U.S. Election Assistance Commission; Mark W. Skall, Chief, Software Diagnostics and Conformance Testing Division, National Institute on Standards and Technology; Douglas A. Kellner, Co-Chair, New York State Board of Education; Dr. David Wagner, Associate Professor, Computer Science Division, University of California, Berkeley; Lawrence Norden, Brennan Center for Justice, New York University School of Law; John Washburn, VoteTrustUSA Voting Technology Task Force; and Mac J. Slingerland, President and CEO, CIBER, Inc., accompanied by John Pope, Vice President for Contracts.

“Federal IT Security: The Future of FISMA” (Joint Hearing) (June 7, 2007).

This hearing reviewed the 2002 Federal Information Security Act (FISMA) and federal agency efforts to improve security, integrity, and reliability of the federal government’s information systems. In addition, the hearing examined whether the information assurance activities of private sector entities, including their cyber security best practices, would be appropriate models for improving the information security of federal agencies. The hearing was held with the Subcommittee on Government Management, Organization and Procurement.

Witnesses: The Honorable Karen S. Evans, Administrator, Office of E-Government and Information Technology, Office of Management and Budget; The Honorable Vance Hitch; Chief Information

Officer, U.S. Department of Justice; Gregory C. Wilshusen, Director, Information Security Issues, Government Accountability Office; Phil Bond, President and CEO, Information Technology Association of America; Paul Kurtz, Partner & Chief Operating Officer, Good Harbor Consulting, LLC; John W. Carlson, Executive Director, Financial Services Roundtable/BITS; and James Andrew Lewis, Director and Senior Fellow, Technology and Policy Program, Center for Strategic and International Studies.

“Protecting Patient Privacy in Healthcare Information Systems” (June 19, 2007).

This hearing examined issues relating to the protection of patient privacy and the establishment of a framework for a uniform national health privacy standard.

Witnesses: Valerie C. Melvin, Director of Information Management Issues, Government Accountability Office, accompanied by Linda D. Koontz, Director for Information Management Issues, Government Accountability Office; Mary R. Grealy, President, Healthcare Leadership Council; Byron Pickard, President, American Health Information Management Association; and Peter Swire, Senior Fellow, Center for American Progress.

“2010 Census: Improving Local Government Participation in LUCA” (June 26, 2007).

This hearing examined issues relating to the Local Update of Census Addresses program. Specifically, the Subcommittee discussed ways to increase local government participation in the program.

Witnesses: The Honorable Heather Hudson, Vice President, National Conference of Black Mayors and Mayor, Greenville, MS; The Honorable Charles Louis Kincannon; Mathew Scirè, Director, Strategic Issues, U.S. Government Accountability Office; Keith Hite, President, National Association of Towns and Townships and Executive Director, Pennsylvania State Association of Township Supervisors; and Robert Coates, Governor’s census Liaison, Office of State Budget Management, State of North Carolina. Written testimony was submitted by Mary Heim, Chief, Demographic Unit, Department of Finance, State of California.

“2010 Census: Reducing the Undercount in the Hispanic Community” (July 9, 2007).

This field hearing examined the Census Bureau’s efforts to use community partnerships and other forms of outreach and education to ensure full participation and an accurate enumeration of the Hispanic/Latino population in the 2010 Census. The hearing was held in San Antonio, Texas.

Witnesses: The Honorable Charles Louis Kincannon, Director, U.S. Bureau of the Census; the Honorable Kevin Wolff, City Council member, Mayor Pro Tem, City of San Antonio; Steven Saldana, President, Catholic Charities Archdiocese of San Antonio; Arturo Vargas, Executive Director, National Association of Latino Elected Officials Educational Fund; L. Diane Bennett, President and CEO, Kineta Corp, Charlotte, NC; and Lydia Camarillo, Vice President, Southwest Voter Registration Education Project.

“2010 Census: Recruitment, Hiring, and Training a Diverse Workforce” (July 26, 2007).

This hearing examined the Census Bureau’s plans for achieving a diverse workforce, particularly with respect to the 2010 decennial

Census. The Subcommittee evaluated the Bureau's progress toward achieving its stated goal of increasing the diversity of its workforce from enumerators to senior level management.

Witnesses: The Honorable Charles Louis Kincannon, Director, U.S. Bureau of the Census; Mathew Scirè, Director of Strategic Issues, Government Accountability Office; Leigh A. McMGe, Chair, Census Advisory Committee on the American Indian and Alaska Native Population; Dr. Bernie Miller, Chair, Census Advisory Committee on the African American Population; Deeana Jang, Policy Director, Asian Pacific Islander Health Forum; Rosa Rosales, National President, League of United Latin American Citizens; and Stephen J. Pemberton, Chief Diversity Office and Vice President, Diversity and Inclusion, Monster Worldwide, Inc.

"Utilizing Public Policy and Technology to Strengthen Organ Donor Programs" (September 25, 2007).

This hearing examined the state of organ donation nationwide and efforts to increase the number of available donations. Specifically, the subcommittee reviewed public and private sector activities intended to strengthen organ procurement and transplantation systems nationwide.

Witnesses: James Burdick, M.D., Director, Division of Transplantation, Healthcare Systems Bureau, Health Resources and Services Administration, U.S. Department of Health and Human Services; Clive O. Callender, M.D., FACS, Founder and Principal Investigator, National Minority Organ Tissue Transplantation Education Program; Caverson Walls, kidney donor, professional basketball player; Elizabeth Rubin, former President and current Board member, Transplant Recipients International Organization (TRIO); Timothy L. Pruett, M.D., Strickler Family Professor of Transplantation and Surgery, University of Virginia, and President, Organ Procurement and Transplantation Network/United Network of Organ Sharing; Susan Dunn, President-elect, Association of Organ Procurement Organizations, President and CEO, Donor Alliance, Inc.; and Jeffrey S. Crippin, Past President, America Society of Transplantation, Medical Director, Liver Transplantation Program, Barnes Jewish Hospital, and Professor of Medicine, Washington University School of Medicine, St. Louis, Missouri.

"Critical Budget Issues Affecting the 2010 Census" (October 16, 2007).

This hearing examined the impact of a continuing resolution (CR) on the operations of the 2010 Census. The subcommittee started the process to ensure that, as negotiations commenced for the 2008 Continuing Resolution, there would be no scaling back, cancellation, or delay in the Census dress rehearsal as planned, and nothing in the CR language would hinder, delay or deny plans, funding and execution of operations.

Witnesses: The Honorable Otto J. Wolfe, Chief Financial Officer and Assistant Secretary for Administration, U.S. Department of Commerce; The Honorable Charles Louis Kincannon, Director, U.S. Bureau of the Census; and The Honorable Preston Jay Waite, Deputy Director, U.S. Bureau of the Census.

"Cybersecurity: A Review of Public and Private Efforts to Secure Our Nation's Internet Infrastructure" (October 23, 2007).

This hearing examined how well the Department of Homeland Security is fulfilling its role as the leading federal agency charged

with coordinating response and recovery efforts in the event of a major Internet disruption. In addition, the subcommittee reviewed the roles and responsibilities of private sector stakeholders in the development of Internet recovery plans and heard their recommendations for improving the nation's cyber security policy framework.

Witnesses: The Honorable Gregory T. Garcia, Assistant Secretary for Cyber Security and Communications, Department of Homeland Security; Gregory C. Wilshusen, Director, Information Technology, Government Accountability Office; Daniel S. Ross, Chief Information Officer, State of Missouri; John T. Sabo, President, Information Technology-Information Sharing & Analysis Center; Ken Silva, Chief Security Office, VeriSign, Inc.; Larry Clinton, President, Internet Security Alliance; Catherine T. Allen, Chairman & CEO, Santa Fe Group; and Kiersten Todt Coon, Vice President for Risk Management, Good Harbor Consulting, LLC.

"Census Data and Its Use in the Development Process" (October 29, 2007).

This hearing examined issues relating to census data and their use in community development programs, including the impact of the accuracy of census data on community development; how census data is used in community development programs; and how stakeholders in the community development process use census data in decision making. The hearing was held in Dayton, Ohio.

Witnesses: The Honorable Dean Lovelace, Commissioner, Dayton City Commission; Mathew Scirè, Director, Strategic Issues, Government Accountability Office; Steve Kelley, Director, Office of Strategic Research, Ohio Department of Development; Dan Barton, President, Grafton Hill Neighborhood Association; David Bohardt, Vice President, St. Mary Development Corporation; Teresa Brandt, President, Dayton View Historic; Theresa Gasper, President, Full Circle Development, LLC; Karin Manovich, Historic South Park, Incorporated; and Idotha Bootsie Neal, President, Wright Dunbar, Inc. Written testimony was submitted by the U.S. Bureau of the Census.

"A Review of the Census Bureau's Risk Management Activities for IT Acquisitions" (December 11, 2007).

This hearing examined the Census Bureau's planning and management of key information technology systems and infrastructure for the 2010 Census and the Bureau's response to recommendations by the Government Accountability Office in its report titled "Information Technology: Census Bureau's Needs to Improve Its Risk Management of the Decennial Systems" (GAO-08-79).

Witnesses: The Honorable Charles Louis Kincannon, Director, U.S. Bureau of the Census; David Powner, Director, Information Technology Management Issues, Government Accountability Office; Mathew Scirè, Director, Strategic Issues, Government Accountability Office; Cheryl L. Janey, President of Civil Programs, Harris Corporation; Judy Marks, President, Lockheed Martin Transportation and Security Solutions; and Tom Romeo, Director, Federal Civil Agencies, IBM Global Business Services.

"Federal IT Security: A Review of H. R. 4791" (Joint Hearing) (February 8, 2008).

This hearing examined the 2002 Federal Information Security Management Act (FISMA) and federal agency efforts to improve

the security, integrity, and reliability of the federal government's information systems. In addition, the hearing focused on H.R. 4791, which amended FISMA by establishing new agency requirements for securing personal or sensitive data. The hearing was held with the Subcommittee on Government Management, Organization and Procurement.

Witnesses: The Honorable Karen S. Evans, Administrator, Office of E-Government and Information Technology, Office of Management and Budget; Gregory C. Wilshusen, Director, Information Security Issues, Government Accountability Office; Alan Paller, Director of Research, SANS Institute; Bruce McConnell, President, McConnell International, LLC; and Tim Bennett, President, Cyber Security Industry Alliance.

"Privacy: The Use of Commercial Information Resellers by Federal Agencies," (March 11, 2008).

This hearing examined the role of commercial information resellers in gathering data about individuals on behalf of agencies, and whether there are adequate privacy safeguards in place for such transactions. In addition, the hearing reviewed provisions contained in H.R. 4791 that would establish new privacy related safeguards and restrictions on agencies that obtain information about individuals from commercial information resellers.

Witnesses: The Honorable Karen S. Evans, Administrator, Office of E-Government and Information Technology, Office of Management and Budget; Linda D. Koontz, Director, Information Management Issues, Government Accountability Office; Hugo Teufel III, Chief Privacy Officer, Department of Homeland Security; Ari Schwartz, Deputy Director, Center for Democracy and Technology; Stuart Pratt, President, Consumer Data Industry Association; and Paula J. Bruening, Deputy Director, Center for Information Policy Leadership.

"Examining the Federal Advisory Committee Act (FACA)—Current Issues and Developments" (April 2, 2008).

This hearing examined the Federal Advisory Committee Act (FACA), its implementation, and changes needed to increase the transparency and independence of advisory committees.

Witnesses: Robin Nazzaro, Director, National Resources and Environment, Government Accountability Office; Robert Flaak, Director, Committee Management Secretariat, General Services Administration; Sidney A. Shapiro, Associate Dean for Research and Development, Wake Forest School of Law on behalf of the Center for Progressive Reform; and Frank Wilson, Committee Management Officer, Department of Defense.

"2010 Census: Progress on the Development of the Field Data Collection Automation Program (FDCA)" (Joint Hearing) (April 9, 2008).

This hearing examined the Bureau's progress on completion of the requirements for the two systems, schedules, costs, and the Commerce Secretary's plans for implementing the recommendations of the 2010 Census Risk Reduction Task Force and expert panel, and the Bureau's actions on GAO recommendations. The hearing was held with the full Committee.

Witnesses: The Honorable Steven H. Murdock, Director, U.S. Census Bureau; Mathew Scirè, Director, Strategic Issues, Government Accountability Office; David Powner, Director, Information

Technology Management Issues, Government Accountability Office; Dr. Jason F. Providakes, Senior Vice President and General Manager, Center for Enterprise Modernization, The MITRE Corporation; Dr. Glenn S. Himes, Executive Director, Center for Enterprise Modernization, The Mitre Corporation; Judy F. Marks, President, Transportation and Security Solutions, Lockheed Martin Corporation; and Cheryl L. Janey, President, Civil Programs, The Harris Corporation.

“H.R. 5811, The Electronic Communications Preservation Act” (April 23, 2008).

This hearing examined H.R. 5811, which aims to modernize federal record keeping by requiring agencies to begin preserving electronic records electronically. The bill requires such electronic preservation for electronic communications such as e-mails, but recommends that agencies preserve all electronic records electronically. In addition, H.R. 5811 provides for oversight of the maintenance and preservation of presidential records, including e-mails sent and received by presidential advisors. The bill calls on the Archivist of the United States to establish standards for the management and preservation of these records and to certify that the president is meeting those standards.

Witnesses: Linda Koontz, Director, Information Management Issues, Government Accountability Office; Gary Stern, General Counsel, National Archives and Records Administration; Paul Wester Jr., Modern Records Program, National Archives and Records Administration; and Patrice McDermott, Director, Openthegovernment.org.

“Census Data: Special Issues Related to U.S. Territories” (Joint Hearing) (May 21, 2008).

This hearing examined the disparate treatment of the U. S. Territories by the Census Bureau and the unavailability of current and reliable data of these areas. The hearing also provided an opportunity for representatives from these territories, the U.S. Census Bureau, and the Interior Department’s Office of Insular Affairs to inform the subcommittees on how this data deficiency impedes local and federal government officials, academics and private sector representatives from carrying out their responsibilities. This hearing was held with the Insular Affairs Subcommittee of the House Committee on Natural Resources.

Witnesses: Thomas Mesenbourg, Acting Deputy Director, U.S. Bureau of the Census; Nikalao Pula, Director, Office of Insular Affairs, U.S. Department of the Interior; The Honorable Felix P. Camacho, Governor of Guam; Mr. Franciso Cimadevilla, Vice President and Editor in Chief, Casiana Communications; and Frank L. Mills, Director, Eastern Caribbean Center at the University of the Virgin Islands.

“Does Federal Statistical Data Adequately Serve People Living with Disabilities?” (June 4, 2008).

This hearing examined the federal government’s efforts to collect reliable data to evaluate policy and measure the quality of life of people living with disabilities.

Witnesses: Steven Tingus, Deputy Assistance Secretary for Planning and Evaluation, U.S. Department of Health and Human Services; Mr. Daniel Bertoni, Director, Education, Workforce and Income Security Issues, Government Accountability Office; Honorable

Anthony Coelho, Former member of Congress, Author of the Americans with Disabilities Act; Ms. Pat Pound, Vice Chairperson, National Council on Disability; Eddie Glenn Bryant, Governor's Committee on Employment of People with Disabilities, Dr. Holly Hollingsworth, Associate Research Professor, Occupational Therapy, Washington University School of Medicine.

"2010 Census: Assessing the Census Bureau's Progress" (Joint Hearing) (June 11, 2008).

This hearing examined the Bureau's progress announcing a major redesign of the 2010 Census with a particular focus on development and implementation of key plans and milestones, preparation for address canvassing, which is set to begin in early 2009; and negotiations with Harris Corporation over the cost of the FDCA contract. The hearing was held with the full Committee.

Witnesses: Honorable Steven H. Murdock, Director, U.S. Census Bureau; Arnold A. Jackson, Associate Director for Decennial Census, U.S. Census Bureau; David Powner, Director, Information Technology Management Issues, Government Accountability Office; Mathew Scire, Director, Strategic Issues, Government Accountability Office; Dr. Jason F. Providakes, Senior Vice President and General Manager, Center for Enterprise Modernization, The MITRE Corporation; Dr. Glenn S. Himes, Executive Director, Center for Enterprise Modernization; and Michael P. Murray, Vice President, Programs, The Harris Corporation.

"2010 Census: Using the Communications Campaign to Effectively Reduce the Undercount" (July 10, 2008).

This hearing examined the Census Bureau's plan to use the 2010 Integrated Communications Campaign to help ensure that hard-to-count communities are not disproportionately under counted. The hearing also explored whether the Bureau was on course to build upon the successful accomplishments of the 2000 Census.

Witnesses: The Honorable Steven H. Murdock, Director, U.S. Bureau of the Census; Jeff Tarakajian, Executive Vice President of Client Services, DraftFCB; Mark Neuman, Chair, 2010 Census Advisory Committee; Roderick Harrison, Director of DataBank, Joint Center for Political and Economic Studies; Dr. Barbara A. McKinzie, Chair, 2010 Census Subcommittee, National Pan Hellenic Council; and David J. Lange, General Manager, Scholastics Marketing Partners, Scholastic, Inc.

"Implementation of the Office of Government Information Services" (September 17, 2008).

This hearing examined the structure and function of the Office of Government Information Services (OGIS) established by the Openness Promotes Effectiveness in Our National Government Act of 2007 (P.L. 110-175). The hearing addressed members' concerns that delays in structuring the office would lead to a backlog which would effectively undermine its purpose. The hearing provided the Archivist with an opportunity to share with members planning activities to date and a vision of how the OGIS will be structured. Additionally, several experts offered recommendations on how to best structure the OGIS to ensure its success.

Witnesses: Honorable Allen Weinstein, Archivist, National Archives and Records Administration; Thomas Blanton, Director, National Security Archive at George Washington University; Patrice McDermott, Director, Openthegovernment.org; Rick Blum, Coordi-

nator, Sunshine in Government Initiative; and Terry Mutchler, Executive Director, Pennsylvania's Office of Open Records.

"How Information Policy Affects the Competitive Viability of Small and Disadvantaged Business in Federal Contracting" (September 24, 2008).

This hearing examined obstacles that negatively affect opportunities for small businesses to grow and succeed. The hearing also reviewed some of the information, data and assumptions dealing with the subject of minority contracting and federal programs with a particular focus on how they addressed discrimination against minority businesses.

Witnesses: Thomas Boston, Economist, Georgia Tech University; Jon Wainwright, National Economic Research Associates (NERA); Anthony Brown, Senior Associate, MGT of America; Mr. Anthony Robinson, President, Minority Business Enterprise Legal Defense and Education Fund Inc.; and Earl Peek, President, Diamond Ventures, LLC.

(2) *Business Meetings*

Freedom of Information Act Amendments of 2007 and Presidential Records Act (March 6, 2007).

This business meeting was held to review and mark up the Freedom of Information Act (H.R. 1309) and the Presidential Records Act (H.R. 1255). The Subcommittee approved H.R. 1309 and H.R. 1255 by voice vote and reported the bills to the Committee on Oversight and Government Reform.

Federal Data Protection Act (April 16, 2007).

This business meeting was held to review and mark up the Federal Agency Data Protection Act. The Subcommittee approved H.R. 4791 by voice vote and reported the bill to the Committee on Oversight and Government Reform.

Plain Language in Government Communications Act (January 24, 2008).

This business meeting was held to review and mark up the Plain Language in Government Communications Act of 2007 (H.R. 3548). The Subcommittee approved H.R. 3548 by voice vote and reported the bill to the Committee on Oversight and Government Reform.

E. NATIONAL SECURITY AND FOREIGN AFFAIRS

The Subcommittee on National Security and Foreign Affairs has oversight jurisdiction over national security, homeland security, and foreign affairs. Rep. John F. Tierney served as Chairman and Rep. Christopher Shays as Ranking Member during the 110th Congress.

Over the 110th Congress, the National Security and Foreign Affairs Subcommittee conducted robust, sustained, and constructive oversight on a wide range of subjects; held 33 hearings; and organized countless briefings and fact-finding travel by Subcommittee members. The Subcommittee's oversight efforts touched on five continents, dozens of countries, and outer space.

The Subcommittee conducted oversight of, among others, the Defense Department, the State Department (including USAID), and the Veterans Administration, including investigating how well these and other national security agencies coordinate together. The Subcommittee also examined numerous companies and non-govern-

mental organizations. In addition to the summaries below, testimony, member statements, and archived webcasts can be found on the Subcommittee's website: <http://nationalsecurity.oversight.house.gov/>.

1. Pakistan

U.S. relations and efforts with the Islamic Republic of Pakistan and its people were a central focus of the Subcommittee during the 110th Congress. Pakistan has manifest, strategic importance to the United States, particularly in light of its effect on U.S. efforts in Afghanistan, its nuclear tensions with India, and its struggles to inculcate democracy and quell militant extremism.

The Subcommittee conducted a significant series of oversight activities aimed at: understanding the nature of the threats to U.S. national security emanating from Pakistan's terrorist presence and growing insurgency; evaluating the scope, effectiveness, and relative balance of U.S. assistance to Pakistan; assessing U.S. policies' effect on Pakistan's own efforts to bolster democratic institutions and civil society in order to deliver on its promise of democracy; and promoting U.S. policies designed to enhance a long-term, strategic, people-to-people relationship.

a. Hearings

- On May 9, 2007, the Subcommittee held a hearing titled "Extremist Madrassas, Ghost Schools, and U.S. Aid to Pakistan: Are We Making the Grade on the 9/11 Commission Report Card?" Witnesses included: Mr. Christopher Kojm, former President of the 9/11 Public Discourse Project and Deputy Director of the 9/11 Commission; Dr. Samina Ahmed, South Asia Project Director, International Crisis Group; Ms. Lisa Curtis, Senior Research Fellow, South Asia, Asian Studies Center, The Heritage Foundation; and Mr. Craig Cohen, Deputy Chief of Staff, and Fellow, Post-Conflict Reconstruction Project, International Security Program, Center for Strategic & International Studies.

- On July 12, 2007, the Subcommittee held a hearing titled "Pakistan at the Crossroads; Afghanistan in the Balance." Witnesses included: the Hon. Richard A. Boucher, Assistant Secretary of State, Bureau of South and Central Asian Affairs, U.S. Department of State.

- On December 19, 2007, the Subcommittee held a hearing titled "Pakistani Elections: Will They be Free and Fair or Fundamentally Flawed?" Witnesses included: the Hon. Thomas A. Daschle, former two-time Senate Majority and Minority Leader and co-author of the pre-election assessment report on Pakistan commissioned by the National Democratic Institute; Mr. Thomas E. Garrett, Regional Program Director, Middle East and North Africa for the International Republican Institute; and Mr. Mark L. Schneider, Senior Vice President, International Crisis Group.

- On January 29, 2008, the Subcommittee held a hearing titled "Pakistani Elections: Will They be Free and Fair or Fundamentally Flawed? (Part II)." Witnesses included: the Hon. Richard A. Boucher, Assistant Secretary of State, Bureau of South and Central Asian Affairs, U.S. Department of State.

- On June 24, 2008, the Subcommittee held a hearing titled "Oversight of U.S. Coalition Support Funds to Pakistan." Witnesses

included: Mr. Charles Michael Johnson, Jr., Director, International Affairs and Trade Division, U.S. Government Accountability Office; Mr. Steve Sebastian, Director, Financial Management and Assurance Team, U.S. Government Accountability Office; Maj. Gen. Bobby Wilkes, USAF (Ret.), Deputy Assistant Secretary of Defense for South Asia, Office of the Secretary of Defense, U.S. Department of Defense; Mr. John P. Roth, Deputy Comptroller (Program/Budget), Office of the Undersecretary of Defense (Comptroller), U.S. Department of Defense; and Amb. Stephen D. Mull, Acting Assistant Secretary of State, Bureau of Political-Military Affairs, U.S. Department of State.

- On September 24, 2008, the Subcommittee held a hearing titled “Oversight of U.S.-Pakistan Relations: From Ad Hoc and Transactional to Strategic and Enduring.” Witnesses included: Ms. Lisa Curtis, Senior Research Fellow, South Asia, Asian Studies Center, The Heritage Foundation; Dr. C. Christine Fair, Senior Political Scientist, RAND Corporation; Dr. Daniel Markey, Senior Fellow for India, Pakistan, and South Asia, Council on Foreign Relations; and Mr. Brian Katulis, Senior Fellow, Center for American Progress.

b. Official Travel/Delegations

- The Subcommittee led a congressional delegation that conducted oversight in *Islamabad, Rawalpindi, and Peshawar, Pakistan, on April 1–3, 2007*. The delegation examined U.S. relations with, and domestic stability in, Pakistan, including the status of democratization, efficacy of U.S. aid, and state of counter-terrorism operations. The delegation was led by Subcommittee Chairman Rep. John F. Tierney (D–MA) and included Subcommittee Members Rep. Betty McCollum (D–MN) and Rep. Patrick McHenry (R–NC), as well as Subcommittee guest Rep. George Miller (D–CA) and Subcommittee staff.

- The Subcommittee led a congressional delegation that conducted oversight in *Islamabad and Peshawar, Pakistan, on September 11–12, 2007*. The delegation examined U.S. relations with, and domestic stability in, Pakistan, including the status of democratization, efficacy of U.S. aid, and state of counter-terrorism operations. The delegation was led by Rep. Stephen Lynch (D–MA) and included Rep. Brian Higgins (D–NY), Rep. Todd Platts (R–PA), and Subcommittee staff.

- The Subcommittee led a congressional delegation that conducted oversight in *Karachi and Islamabad, Pakistan, on March 27–29, 2008*. The delegation examined U.S. relations with, and domestic stability in, Pakistan, including democratization, efficacy and accountability of U.S. aid and military reimbursements, and counter-terrorism actions. The delegation was led by Subcommittee Chairman Rep. John F. Tierney (D–MA) and included Subcommittee Member Rep. Betty McCollum (D–MN) and Subcommittee staff, as well as Subcommittee guests Rep. Jim Moran (D–VA), Rep. Maurice Hinchey (D–NY), Rep. Keith Ellison (D–MN), and Rep. Barbara Cubin (R–WY).

c. Other

- On July 31, 2007, the Subcommittee hosted a meeting with the Pakistani-American Leadership Conference and the Karachi Chamber of Commerce.
- On January 22, 2008, the Subcommittee hosted a briefing by the Pakistan Movement for Justice Party. The briefing was led by Mr. Imran Khan, leader of the Movement for Justice Party.
- On January 23, 2008, the Subcommittee hosted a briefing by the Pakistan Peoples Party (PPP). Briefers included Ms. Sherry Rehman, Member of Parliament and President of Central Policy Planning, PPP, and Dr. Javaid Laghari, Senator and Leadership, PPP.
- On March 7, 2008, the Subcommittee hosted a briefing on Pakistan and Afghanistan by the National Democratic Institute. Briefers included: Mr. Peter M. Manikas, Senior Associate and Regional Director, National Democratic Institute; and Ms. Sheila Fruman, Senior Resident Director, National Democratic Institute.
- On August 20, 2008, the Subcommittee hosted a briefing on pending legislation designed to establish Reconstruction Opportunity Zones (ROZs) in Pakistan. Briefers included staff of the Office of the U.S. Trade Representative, the Department of Defense, and the Department of State.
- On September 25, 2008, the Subcommittee majority staff released a report titled “U.S. Coalition Support Funds to Pakistan: From Ineffective, Unaccountable Reimbursements to a Long-Term, Strategic Relationship.”

2. Afghanistan

U.S. military and reconstruction efforts in Afghanistan garnered substantial attention by the Subcommittee during the 110th Congress and necessitates continued and sustained oversight. The security situation in Afghanistan has deteriorated significantly during this period, Afghanistan’s nascent government continues to struggle with capacity and corruption, the efforts by the various U.S. agencies involved in Afghanistan requires greater coordination, and U.S. and international donor development efforts continue to face crucial challenges of security, accountability, and sufficiency. The Subcommittee pursued significant oversight focused on U.S. interagency efforts to assist the Afghanistan government and people in their security and development strategies.

a. Hearings

- On July 12, 2007, the Subcommittee held a hearing titled “Pakistan at the Crossroads; Afghanistan in the Balance.” Witnesses included: the Honorable Richard A. Boucher, Assistant Secretary of State, Bureau of South and Central Asian Affairs, U.S. Department of State.
- On June 18, 2008, the Subcommittee held a hearing titled “Oversight of U.S. Efforts to Train and Equip Police and Enhance the Justice Sector in Afghanistan.” Witnesses included: Mr. Charles Michael Johnson, Jr., Director, International Affairs and Trade Division, U.S. Government Accountability Office; Mr. Frank Ward, Deputy Assistant Inspector General for Inspections, U.S. Department of State; Maj. Gen. Bobby Wilkes, USAF (Ret.), Deputy Assistant Secretary of Defense for South Asia, Office of the Sec-

retary of Defense, U.S. Department of Defense; Amb. David T. Johnson, Assistant Secretary of State, Bureau of International Narcotics and Law Enforcement Affairs; Mr. Mark Ward, Senior Deputy Assistant Administrator, Asia Bureau, U.S. Agency for International Development; and Mr. Bruce Swartz, Deputy Assistant Attorney General, Criminal Division, U.S. Department of Justice.

b. Official Travel/Delegations

- The Subcommittee led a congressional delegation that conducted oversight in *Kabul and Asadabad, Afghanistan, on April 4–5, 2007*. The delegation examined the progress of U.S. efforts in Afghanistan, with particular focus on security, political reform, drug control policy, and reconstruction. The delegation was led by Subcommittee Chairman Rep. John F. Tierney (D–MA) and included Subcommittee Members Rep. Betty McCollum (D–MN) and Rep. Patrick McHenry (R–NC), as well as Subcommittee guest Rep. George Miller (D–CA) and subcommittee staff.

- The Subcommittee led a congressional delegation that conducted oversight in *Kabul and Nuristan Province, Afghanistan, on September 12–13, 2007*. The delegation assessed the progress of U.S. efforts in Afghanistan, with particular focus on security and counter-terrorism. The Delegation was led by Rep. Stephen Lynch (D–MA) and included Rep. Brian Higgins (D–NY), Rep. Todd Platts (R–PA), and Subcommittee staff.

- The Subcommittee led a congressional delegation that conducted oversight in *Kabul and Herat, Afghanistan, on March 25–26, 2008*. The delegation examined progress in Afghanistan, with particular focus on the efficacy and accountability of U.S. aid, and on the security situation and counter-terrorism efforts. The delegation was led by Subcommittee Chairman Rep. John F. Tierney (D–MA) and included Subcommittee Member Rep. Betty McCollum (D–MN) and Subcommittee staff, as well as Subcommittee guests Rep. Jim Moran (D–VA), Rep. Maurice Hinchey (D–NY), Rep. Keith Ellison (D–MN), and Rep. Barbara Cubin (R–WY).

c. Other

- On July 12, 2007, the Subcommittee hosted a briefing with Afghanistan’s Ambassador to the U.S., Amb. Said Tayeb Jawad.

- On March 7, 2008, the Subcommittee hosted a briefing on Pakistan and Afghanistan by the National Democratic Institute. Briefers included: Mr. Peter M. Manikas, Senior Associate and Regional Director, National Democratic Institute; and Ms. Sheila Fruman, Senior Resident Director, National Democratic Institute.

- On April 10, 2008, the Subcommittee hosted a briefing with U.S. Ambassador to Afghanistan, Amb. William Wood.

- On April 30, 2008, the Subcommittee hosted a briefing on the State Department’s Public-Private Partnership for Justice Reform in Afghanistan. The Subcommittee was briefed by Amb. Thomas Schweich, Principal Deputy Assistant Secretary, Bureau of International Narcotics and Law Enforcement, U.S. Department of State.

- On June 18, 2008, the Subcommittee hosted a meeting with a group of Afghan Members of Parliament and Ministry of Interior officials. The Afghan delegation included members of the Com-

mittee on National Defense and the Committee on Internal Security in the Afghan Parliament.

- On June 26, 2008, the Subcommittee hosted a briefing on the state of independent media in Afghanistan. Briefers included Aaron Lobel, President, American Abroad Media, and Saad Mohseni, Chairman, Moby Media Group.

3. *Iran*

U.S. relations with the Islamic Republic of Iran were the subject of significant Subcommittee hearings and activities. As the United States has had no formal relations with Iran for decades, the Subcommittee held a series of hearings and numerous briefings to better understand the current Iranian government and leadership, its populace, and the significance of Iran for the region.

Subcommittee efforts also sought to provide a full accounting of the interactions between the Bush Administration and Iran, particularly through hearing from U.S. government officials directly involved in such interactions. Finally, the Subcommittee explored the prospects and consequences for various alternative approaches to Iran, including diplomacy and military action.

a. Hearings

- On October 30, 2007, the Subcommittee held a hearing titled “Iran: Reality, Options, and Consequences. Part 1—Iranian People and Attitudes.” Witnesses included: Ken Ballen, President of Terror Free Tomorrow; Karim Sadjadpour, an associate at the Carnegie Endowment for International Peace; and Dr. Kenneth Katzman, Middle East Specialist with the Congressional Research Service.

- On November 7, 2007, the Subcommittee held a hearing titled “Iran: Reality, Options, and Consequences. Part 2—Negotiating with the Iranians: Missed Opportunities and Paths Forward.” Witnesses included: Ambassador James Dobbins, Director of the International Security and Defense Policy Center at RAND Corporation; Hillary Mann Leverett, Principal and CEO of Strategic Energy and Global Analysis, LLC; Dr. Flynt Leverett, Senior Fellow at the New America Foundation; Mr. Lawrence Haas of the Committee on the Present Danger; and Dr. Suzanne Maloney, Senior Fellow at the Brookings Institute.

- On November 14, 2007, the Subcommittee held a hearing titled “Iran: Reality, Options, and Consequences. Part 3—Regional and Global Consequences of U.S. Military Action in Iran.” Witnesses included: Colonel Lawrence Wilkerson, USA (Ret.); Dr. Paul Pillar of Georgetown University; Lt. General Paul Van Riper, USMC (Ret.); Mr. Ilan Berman, Vice President for Policy at the American Foreign Policy Council; and Colonel Samuel B. Gardiner, USAF (Ret.).

4. *Africa*

a. AFRICOM

The Subcommittee devoted significant attention to oversight of the Department of Defense’s establishment of its new combatant command, the U.S. Africa Command (AFRICOM). In October 2008, AFRICOM assumed control of all Defense Department activities on the African continent, an area of responsibility that was formerly

divided between U.S. European Command (EUCOM), U.S. Central Command (CENTCOM), and U.S. Pacific Command (PACOM).

AFRICOM represents a significant new government entity in terms of costs, personnel, physical plant, authorities and responsibilities. It also has engendered significant controversy arising from African concerns that AFRICOM represents a U.S. “invasion” of the continent, and general concerns that AFRICOM symbolizes the militarization of diplomacy, humanitarian assistance, and development.

The Subcommittee has undertaken oversight efforts to assess the Defense Department’s existing activities on the African continent; to ascertain AFRICOM’s future planning objectives; and to evaluate AFRICOM’s interactions with African nations, multilateral organizations, nongovernmental organizations, and other U.S. government agencies.

(1) *Hearings*

- On July 15, 2008, the Subcommittee held a hearing titled “AFRICOM: Rationales, Roles, and Progress on the Eve of Operations.” Witnesses included: Ms. Theresa Whelan, Deputy Assistant Secretary of Defense for African Affairs, Office of the Secretary of Defense, U.S. Department of Defense; Amb. Mary C. Yates, Deputy Commander for Civil-Military Activities, U.S. Africa Command; Maj. Gen. Michael A. Snodgrass, Chief of Staff, U.S. Africa Command; Ms. Lauren Ploch, Analyst in African Affairs, Foreign Affairs, Defense, and Trade Division, U.S. Congressional Research Service; and Mr. John Pendleton, Director, Force Structure and Defense Planning Issues, U.S. Government Accountability Office.

- On July 23, 2008, the Subcommittee held a hearing titled “AFRICOM: Rationales, Roles, and Progress on the Eve of Operations—Part 2.” Witnesses included: Amb. Jim Bishop, Vice President for Humanitarian Policy and Practice, InterAction; Dr. Stephen Morrison, Director of Africa Programs, Center for Strategic & International Studies; Ms. Kathleen Hicks, Senior Fellow in International Securities, Center for Strategic & International Studies; and Mr. Mark Malan, Peace-building Program Officer, Refugees International.

(2) *Official Travel/Delegations*

- The Subcommittee led a congressional staff delegation that conducted oversight in *Paris, France; Bamako and Kati, Mali; Nairobi and Lamu, Kenya; Djibouti, Djibouti; Addis Ababa, Ethiopia; and Stuttgart, Germany, on October 18–28, 2008*. The delegation examined U.S. national security interests and programs on the African continent, with particular focus on AFRICOM, Defense Department interagency participation and coordination in Africa, the activities of the Combined Joint Task Force—Horn of Africa (CJTF–HOA), and the Trans-Sahara Counter-Terrorism Partnership (TSCTP).

b. Darfur

U.S. efforts in Darfur, Sudan, were an important part of the Subcommittee’s oversight work in the 110th Congress. As part of its review, the Subcommittee examined ways to encourage the government of Sudan to help end the conflict in Darfur, including by put-

ting pressure on international partners of the government—such as the People’s Republic of China.

Following the guidance of advocacy groups and policy experts, the Subcommittee sought to bring attention to Darfur before the 2008 Beijing Summer Olympics in hopes of increasing China’s willingness to apply pressure to its Sudanese partners. The Subcommittee was instrumental in raising congressional and public awareness about the Darfur crisis as well as the relationship between China and the government of Sudan.

(1) *Hearings*

- On June 7, 2007, the Subcommittee held a hearing titled “Darfur and the Olympics: A Call for International Action.” Witnesses included Nick Anderson and Ana Slavin, founders of Dollars for Darfur, Northfield Mount Hermon School; Daoud Ibrahaem Hari, interpreter and Darfuri refugee; Joey Cheek, Olympic gold medalist in 2004 at the Turino Winter Olympic games; Tegla Loroupe, 2006 United Nations Ambassador of Sport and a 2000 Summer Olympic athlete; John Prendergast, Senior Advisor to the International Crisis Group and Co-Founder of the ENOUGH Campaign; and Ambassador Lawrence Rossin (Ret.), Senior International Coordinator for the Save Darfur Coalition.

(2) *Official Travel/Delegations*

- The Subcommittee led a congressional delegation that included meetings with international aid workers and visits to Darfur refugee camps in *Chad in September 2008*. The delegation included: Rep. Stephen Lynch (D–MN), Rep. Brian Higgins (D–PA), Rep. Todd Platts (R–PA), and Subcommittee staff.

5. *Latin America and Energy Security*

The Subcommittee investigated the current and projected state of Latin America’s energy resources and the resulting implications for regional stability and U.S. national security. Specifically, the Subcommittee conducted oversight with regard to the need for integration of U.S. national security and energy policies, and explored challenges and opportunities for energy cooperation in Latin America.

a. *Hearings*

- On March 11, 2008, the Subcommittee held a hearing titled “National Security and Latin America: Challenges and Opportunities on Energy Cooperation.” Witnesses included: David Goldwyn, President of Goldwyn International Strategies LLC; Paulo Sotero, Director of the Brazil Institute of the Woodrow Wilson Center; Dr. Ray Walser Ph.D., Senior Policy Analyst for Latin America at The Heritage Foundation; and Eric Farnsworth, Vice President of the Council of Americas.

b. *Other*

- On January 29, 2008, the Subcommittee held a briefing with Teodoro Petkoff, a prominent politician and newspaper editor in Venezuela, to discuss the current situation in Venezuela, including the internal political dynamics, as well as prospects for improved relations between the United States and Venezuela.

6. Iraq

The Subcommittee has pursued numerous oversight projects and initiatives related to Iraq, including conducting oversight of waste, fraud, and abuse of U.S. taxpayer dollars in Iraq. These activities have included oversight of U.S. efforts to ensure the security of weapons stockpiles; waste, fraud, and abuse at the new U.S. Embassy in Iraq; accountability for small arms given to the Iraqi Security Forces; and U.S. policy on Iraqi refugee resettlement.

a. Hearings

- On March 22, 2007, the Subcommittee held a hearing titled “Iraq: IEDs and Munitions, Are They Secured?” Witnesses included: Ms. Davi D’Agostino, Director, Defense Capabilities and Management with Government Accountability Office, who testified on the release of a report by GAO; and Lieutenant General Gregory S. Newbold, retired from the U.S. Marine Corps.
- On July 26, 2007, the Subcommittee held a joint hearing with the full Oversight Committee titled “Allegations of Waste, Fraud, and Abuse at the New U.S. Embassy in Iraq.” Witnesses included: Mr. John Owens, Former Employee, First Kuwaiti Trading & Contracting Company; Mr. Rory Mayberry, Former Subcontractor Employee, First Kuwaiti Trading & Contracting Company; Mr. Karl Demming, KBR; Major General (Retired) Charles E. Williams, Director Office of Overseas Building Operations, U.S. Department of State; Mr. William Moser, Deputy Assistant Secretary for Acquisitions, U.S. Department of State; Hon. Patrick Kennedy, Director, Office of Management Policy, U.S. Department of State; and Mr. Howard J. Krongard, Inspector General, U.S. Department of State.

b. Official Travel / Delegations

- The Subcommittee led a congressional delegation that conducted business in *Jordan, Iraq, and Lebanon on January 6–11, 2008*. The delegation included: Rep. Steven Lynch, Rep. Robert J. Wittman, Rep. Peter Welch, and Subcommittee staff.
- The Subcommittee led a congressional delegation that conducted business in *Iraq on October 8–10, 2008*. The delegation included: Rep. Steven Lynch, Rep. Todd Platts, Rep. Michael H. Michaud, and Subcommittee staff.

c. Other

- On July 20, 2007, the Subcommittee hosted a briefing by Refugees International to report findings from its trip to visit refugee camps in Jordan, Lebanon, and Turkey.
- Beginning in September 2007, the Subcommittee raised concerns about arms accountability procedures in Iraq with the Inspector General’s office of the Department of Defense. The Department of Defense Inspector General released a subsequent classified report, “Assessment of the Accountability of Arms and Ammunition Provided to the Security Forces of Iraq,” to the Subcommittee on July 3, 2008.
- On July 23, 2008, the Subcommittee, with coordination and leadership by Rep. Peter Welch, hosted a briefing on Iraqi refugees by Jonathan Finer, a correspondent for *The Washington Post* who worked in the Baghdad Bureau, and Naseer Nouri, a former interpreter and correspondent for *The Washington Post*.

6. “Taking Care of Our Troops”

Over the course of the 110th Congress, the Subcommittee conducted extensive, sustained, and constructive oversight aimed at ensuring that the United States is doing everything possible to protect the health, safety, and well-being of our troops and their families, including with rigorous oversight over the military healthcare system as well as efforts to prevent, treat, and prosecute sexual assaults.

a. Military Healthcare and Veterans

Following reports of unsanitary living conditions and unacceptable treatment of wounded service members and veterans at Walter Reed Army Medical Center, the Subcommittee committed itself to the investigation of military housing, standards of care, and long-term physical and mental health care for seriously injured soldiers. The Subcommittee sought to ensure that the solemn promises of our nation to its war heroes are kept, and that the highest standards of care are given to wounded service members and veterans.

The Subcommittee’s oversight efforts included briefings, hearings, and site visits to Department of Defense and Veterans Affairs medical treatment facilities. The Subcommittee also maintained oversight of agency coordination and transition of active duty soldiers into the Veterans’ Administration system.

(1) Hearings

- On March 5, 2007, the Subcommittee held a field hearing at Walter Reed Army Medical Center in Washington, DC, titled “Is This Any Way To Treat Our Troops? The Care and Conditions of Wounded Soldiers at Walter Reed.” Witnesses included: Specialist Jeremy Duncan; Annette McLeod, Wife of Cpl. Wendell “Dell” McLeod; Staff Sgt. John Daniel Shannon; Lieutenant General Kevin C. Kiley, M.D., U.S. Army Surgeon General; Major General George W. Weightman, Commander (former), Walter Reed Army Medical Center; Ms. Cynthia A. Bascetta, Director, Health Care, U.S. Government Accountability Office; General Peter Schoomaker, Chief of Staff of the Army; and General Richard A. Cody, Vice Chief of Staff of the Army.

- On April 17, 2007, the Subcommittee held a hearing titled “Is This Any Way to Treat Our Troops?—Part II: Follow-Up on Corrective Measures Taken at Walter Reed and Other Medical Facilities Caring for Wounded Soldiers.” Witnesses included: Togo D. West, Jr., Former Secretary of Veterans Affairs and Former Secretary of the Army; Jack Marsh, Former Secretary of the Army; Arnold Fisher, senior partner Fisher Brothers New York and chairman of the Board for the Intrepid Museum Foundation; Lawrence Holland, senior enlisted advisor to the Secretary of Defense for Reserve Affairs; Charles “Chip” Roadman, former Air Force surgeon general; Michael L. Dominguez, Principal Deputy Under Secretary of Defense (Personnel and Readiness), U.S. Department of Defense; Major General Gale S. Pollack, Army Surgeon General (Acting) and Commander, U.S. Army Medical Command (MEDCOM); and Major General Eric Schoomaker, Commander, Walter Reed Army Medical Center.

- On September 26, 2007, the Subcommittee held a hearing titled “Third Walter Reed Oversight Hearing: Keeping the Nation’s Promise to Our Wounded Soldiers.” Witnesses included: Mr. John Pendleton, Acting Director, Health Care, U.S. Government Accountability Office; Mr. Daniel Bertoni, Director, Education, Workforce, and Income Security, U.S. Government Accountability Office; the Honorable Michael L. Dominguez, Principal Deputy Under Secretary of Defense (Personnel and Readiness), U.S. Department of Defense; the Honorable Patrick W. Dunne (RADM ret.), Assistant Secretary for Policy and Planning, U.S. Department of Veterans Affairs; and Major General Eric Schoomaker, Commander, Walter Reed Army Medical Center.

- On February 27, 2008, the Subcommittee held a hearing titled “One Year after Walter Reed: An Independent Assessment of the Care, Support, and Disability Evaluation for Wounded Soldiers.” Witnesses included: Mr. John Pendleton, Acting Director, Health Care, U.S. Government Accountability Office; Mr. Daniel Bertoni, Director, Education, Workforce, and Income Security, U.S. Government Accountability Office; Lieutenant General Eric Schoomaker, Surgeon General/Commander U.S. Army Medical Command; the Honorable Michael L. Dominguez, Principal Deputy Under Secretary of Defense (Personnel and Readiness), U.S. Department of Defense; and the Honorable Patrick W. Dunne (RADM ret.), Assistant Secretary for Policy and Planning, U.S. Department of Veterans Affairs.

(2) Other

- The Subcommittee investigated the use of private contractors at Walter Reed Army Medical Center. The Subcommittee also toured and requested documents regarding finances and reimbursement by patients treated at Ward 72 of Walter Reed Army Medical Center, the Eisenhower Executive Nursing Suite.

- Subcommittee staff attended a briefing by the President’s Commission on Care for America’s Returning Wounded Warriors on June 27, 2007.

- Subcommittee members and staff visited Walter Reed Army Medical Center on September 24, 2007, to meet with soldiers and administrators and assess whether conditions had improved there since the Subcommittee’s March 2007 field hearing.

- The Subcommittee sponsored a briefing on the U.S. Army’s Traumatic Brain Injury Task Force on January 16, 2008, by Brigadier General Don Bradshaw.

- The Subcommittee sponsored a July 22, 2008, briefing on the Army Barracks Modernization Program following reports of unsanitary living conditions at Ft. Bragg, NC.

- Subcommittee staff conducted a site visit of Richmond VAMC on October 7, 2008, following complaints of unsanitary conditions and poor administrative response to patient needs.

- At the Subcommittee’s request, the Government Accountability Office report “Veterans Disability Benefits: Better Accountability and Access Would Improve the Benefits Delivery at Discharge Program” (GAO–08–901) was issued on September 9, 2008.

- At the Subcommittee’s request, the Government Accountability Office report “Military Disability System: Increased Supports for Servicemembers and Better Pilot Planning Could Improve the Dis-

ability Evaluation Process” (GAO-08-1137) was issued on September 24, 2008.

- At the suggestion of Subcommittee Chairman John F. Tierney, the U.S. Army looked into the feasibility of establishing ombudsman offices within the Army Medical Command. As of November 2008, about 60 Army ombudsmen were employed at 32 locations in the United States and abroad. The ombudsman system also includes an anonymous website submission system.

b. Military Sexual Assault

The Subcommittee conducted robust, bipartisan oversight into the response and prevention of sexual assaults in the military, including having conducted hearings to determine why this pernicious problem continues to be inadequately addressed within the Department of Defense.

(1) Hearings

- On July 31, 2008, the Subcommittee held a hearing titled “Oversight Hearing on Sexual Assault in the Military.” Witnesses included: Honorable Louise M. Slaughter, Member of Congress (NY-28); Honorable Jane S. Harman, Member of Congress (CA-36); Ms. Ingrid Torres, MSW, CSW, Washington, DC; Mrs. Mary Lauterbach, Mother of Lance Cpl. Maria Lauterbach, Vandalia, Ohio; Mr. Michael Dominguez, Principal Deputy Under Secretary for Defense (Personnel and Readiness); Lieutenant General Michael D. Rochelle, Deputy Chief of Staff G-1, United States Army; and Ms. Brenda S. Farrell, Director, Defense Capabilities and Management, U.S. Government Accountability Office.

- On September 10, 2008, the Subcommittee held a hearing titled “Oversight Hearing on Sexual Assault in the Military—Part 2.” Witnesses included: Dr. Kaye Whitley, Director, Sexual Assault Prevention and Response Office, U.S. Department of Defense; and Ms. Brenda S. Farrell, Director, Defense Capabilities and Management, U.S. Government Accountability Office.

(2) Other

- At the Subcommittee’s request, the Government Accountability Office report “Military Personnel: The DOD and Coast Guard Academies Have Taken Steps to Address Incidents of Sexual Harassment and Assault, but Greater Federal Oversight Is Needed” (GAO-08-296) was released on January 17, 2008.

- The Subcommittee sponsored a briefing on July 10, 2008, by the Department of Veterans Affairs regarding military sexual trauma. Briefers included: Dr. Gerald Cross, Principal Deputy Under Secretary for Health and Dr. Antonette Zeiss, VHA-Mental Health Services.

- At the Subcommittee’s request, the Government Accountability Office report “Military Personnel: DOD’s and the Coast Guard’s Sexual Assault Prevention and Response Programs Face Implementation and Oversight Challenges” (GAO-08-924) was released in August 2008.

c. Missile Defense

The Subcommittee conducted robust and sustained oversight of the U.S. ballistic missile defense system, the largest research de-

velopment program in the Department of Defense, consisting in recent years of over \$10 billion a year.

The initial stage of this investigation culminated in a series of three hearings. Themes explored during this investigation included: examining the threats and realities associated with ballistic missiles; determining how that ballistic missile threat compares to other vulnerabilities facing the United States; weighing the technical prospects for success in the U.S.'s missile defense efforts, especially with the ground-based, mid-course system; and measuring the costs involved in this effort.

This series of hearings aimed to achieve the most accurate picture possible of where the U.S. currently stands on its missile defense efforts, and to provide a solid foundation for efficient and effective decision-making going forward.

(1) *Hearings*

- On March 5, 2008, the Subcommittee held a hearing titled "Oversight of Ballistic Missile Defense (Part 1): Threats, Realities, and Tradeoffs." Witnesses included: Mr. Joseph Cirincione, President of the Ploughshares Fund; Mr. Steven Hildreth, Specialist in National Defense, Foreign Affairs, Defense, and Trade Division, Congressional Research Service; Mr. Baker Spring, F.M. Kirby Research Fellow in National Security Policy at the Heritage Foundation; and Dr. Stephen E. Flynn, Ph.D., CMD, USCG (ret.), Senior Fellow for National Security Studies at the Council on Foreign Relations.

- On April 16, 2008, the Subcommittee held a hearing titled "What are the Prospects, What are the Costs?: Oversight of Missile Defense (Part 2)." Witnesses included: Dr. Lisbeth Gronlund, Senior Scientist and Co-Director of the Global Security Program with the Union of Concerned Scientists; Dr. Richard L. Garwin, Ph.D., Fellow Emeritus, Thomas J. Watson Research Center, IBM; Mr. Jeff Kueter, President, The George C. Marshall Institute; and Mr. Philip E. Coyle, III, Senior Advisor with the Center for Defense Information.

- On April 30, 2008, the Subcommittee held a hearing titled, "Oversight of Missile Defense (Part 3): Questions for the Missile Defense Agency." Witnesses included: Lieutenant General Henry A. "Trey" Obering III, Director of the Missile Defense Agency, Department of Defense; Mr. Philip E. Coyle, III, Senior Advisor with the Center for Defense Information; Dr. Henry F. Cooper, Ph.D., Chairman of High Frontier; and Mr. Joseph Cirincione, President of the Ploughshares Fund.

(2) *Official Travel/Delegations*

- The Subcommittee led a congressional delegation that conducted business in *Prague, Czech Republic, on March 29, 2008*. The delegation was led by Subcommittee Chairman John F. Tierney (D-MA) and included Rep. Betty McCollum (D-MN) and Subcommittee staff, and Subcommittee guest Members Rep. Jim Moran (D-VA), Rep. Maurice Hinchey (D-NY), Rep. Keith Ellison (D-MN), and Rep. Barbara Cubin (R-WY). The Subcommittee met with key Czech legislators and civil society members to discuss the U.S. proposal to build a missile defense radar station in the Czech Republic.

(3) Other

- On March 4, 2008, the Subcommittee hosted a briefing by the Missile Defense Agency on agency activities.
- On April 9, 2008, the Subcommittee hosted a delegation of legislators from the Czech Republic focused on the U.S. proposal to build a missile defense radar station in the Czech Republic.

7. Nonproliferation

Oversight of nuclear weapons activities was a high priority for Subcommittee actions during the 110th Congress. Topics of Subcommittee hearings included the monitoring of present and future U.S. responsibilities in the current nuclear regime; the potential for the militarization of space; and the effect of planned deployments or changes to the U.S. nuclear posture, such as the continued deployment and testing by the Missile Defense Agency of a missile shield, and its effect on relations with foreign countries. In addition, the nuclear activities of Iran, Russia, and Pakistan were also topics of Subcommittee investigations. This multifaceted approach, which entailed careful examination of U.S. compliance with international treaty obligations and the role of current U.S. agencies, Administration programs, and policies in these areas, led to several oversight hearings and actions.

*a. Weaponization of Space**(1) Hearings*

- On May 23, 2007, the Subcommittee held an oversight hearing titled “Weaponizing Space: Is Current U.S. Policy Protecting Our National Security?” The hearing was held to explore the Administration’s military and diplomatic policies toward the use of space. The hearing examined the 2006 National Space Policy (unclassified version) and the impact of Administration policies on the use of space by other countries and on space debris mitigation, such as that created by the January 2007 anti-satellite test by the People’s Republic of China. Witness included: Major General James B. Armor, Jr., Director, National Security Space Office, U.S. Department of Defense; Hon. Donald Mahley, Deputy Assistant Secretary for Threat Reduction, U.S. Department of State; Dr. Laura Grego, Ph.D. Staff Scientist, Global Security Program, Union of Concerned Scientists; Ms. Theresa Hitchens, Director, Center for Defense Information; Mr. Jeff Kueter, President, The George C. Marshall Institute; and Mr. David Cavossa, Executive Director, Satellite Industry Association.

(2) Other

- As a result of questions raised by the Subcommittee’s May 2007 hearing, the Subcommittee requested that the GAO compare the current National Space Policy with that issued by previous Administrations, and that given the increasing number of civil, commercial, and military satellite objects in space, whether rules of the road type guidelines and increased international cooperation on space issues are needed. The Subcommittee was also interested in determining the extent to which the U.S. military is taking a risk-based approach to dealing with the emerging threats to space-based assets, from an all-hazards perspective. This would include

a comprehensive review of threats, identifying critical space assets, weighing risk, and determining ways to mitigate the risk, including through the use of diplomatic tools.

- In September 2008, the GAO issued a report titled “U.S. Efforts to Protect Space Assets and Capabilities” (classified).

b. International Nonproliferation Efforts

(1) Hearing

- The Subcommittee sponsored a briefing on June 27, 2007, titled International Perspectives on Strengthening the Nonproliferation Regime. Briefers included: the Hon. Martin Briens, Counselor, Ministry of Foreign Affairs, Embassy of France; Alexei Arbatov, Ph.d., former member of the Russian parliament and currently a scholar in residence at the Carnegie Moscow Center; Pierre Goldschmidt, Ph.d., Former IAEA Deputy Director General and Head of the Department of Safeguards, former Director General of company responsible for fuel supply and spent fuel management of seven Belgian nuclear plants, and currently a Visiting Scholar at the Carnegie Endowment for International Peace; George Perkovich, Ph.d., Vice President for Studies—Global Security and Economic Development, Carnegie Endowment for International Peace; and Mr. Henry Sokolski, Executive Director, Nonproliferation Policy Education Center.

8. Defense Department Acquisitions, Property Controls, and Supplier Base

The Subcommittee has actively explored instances of waste, fraud, and abuse in the Department of Defense’s acquisitions process, including by conducting a hearing focused on the overall picture of the current state of Defense Department acquisitions as well as with separate and ongoing Subcommittee investigations.

The Subcommittee also conducted oversight of the Department of Defense’s disposal and controls over excess military property. The Subcommittee requested that the GAO investigate whether sensitive military equipment and supplies were being made available to the general public, such as via purchases and auction sales on the Internet.

Finally, the Subcommittee initiated an investigation into the Defense Department’s own knowledge of its defense supplier base.

(1) Hearings

- On April 29, 2008, the Subcommittee, in conjunction with the full Oversight and Government Reform Committee, held a hearing titled “Oversight of Defense Department Acquisitions.” Witnesses included: Michael J. Sullivan, Director of Acquisition and Sourcing Management with the GAO; James Finley, Deputy Undersecretary for Acquisition and Technology with the Department of Defense; and David Patterson, Principle Deputy Undersecretary of Defense for Comptroller.

- On April 10, 2008, the Subcommittee held a hearing titled “Investigation into the Sale of Sensitive, In-Demand Military Equipment and Supplies on the Internet.” This hearing followed an undercover investigation tasked by the Subcommittee and carried out by the GAO’s Special Investigations Unit. Witnesses included: Mr.

Gregory D. Kutz, Managing Director of Forensic Audits and Special Investigations with the Government Accountability Office; Mr. Charles W. Beardall, Deputy Inspector General for Investigations with the Department of Defense; Mr. Tod Cohen, Vice President for Government Relations, eBay Inc.; Mr. Jim Buckmaster, CEO of Craigslist.org; Mr. Alan F. Estevez, Principal Assistant Deputy Under Secretary of Defense (Logistics and Materiel Readiness) with the U.S. Department of Defense; and Ms. Sarah H. Finneccum, Director of Supply and Maintenance Directorate with the United States Army, G-4 (Logistics).

(2) *Other*

- On October 7, 2008, at the request of the Subcommittee, the GAO issued a report titled “A Departmentwide Framework to Identify and Report Gaps in the Defense Supplier Base Is Needed” (GAO-09-5).

9. *Emerging Thinking in National Security Strategy*

The Subcommittee devoted substantial attention to highlighting the best of emerging thinking in overarching national security strategy. This inherently interagency subject area was a natural fit for the Subcommittee’s broad oversight jurisdiction. The Subcommittee explored guiding security principles and innovative thinking with the benefit of the perspective gained over the seven years following the September 11, 2001, terrorist attacks.

a. *Hearings*

- On October 10, 2007, the Subcommittee held a hearing titled “Six Years Later: Assessing Long-Term Threats, Risks and the U.S. Strategy for Security in a Post-9/11 World.” Witnesses included: Mr. Walter Isaacson, President & CEO, The Aspen Institute; Dr. Robert J. Lieber, Professor & International Relations Field Chair, Georgetown University; and Jessica T. Mathews, President, Carnegie Endowment for International Peace.

- On November 6, 2007, the Subcommittee held a hearing titled “Six Years Later (Part II): ‘Smart Power’ and the U.S. Strategy for Security in a Post-9/11 World.” Witnesses included: the Hon. Richard L. Armitage, former Deputy Secretary of State; and Dr. Joseph S. Nye, Jr., former Assistant Secretary of Defense for International Security Affairs and Chairman, National Intelligence Council.

- On February 14, 2008, the Subcommittee held a hearing titled “Six Years Later (Part III): Innovative Approaches to Combating Terrorists.” Witnesses included: Col. Michael J. Meese, US Army, Professor and Head, Social Sciences Department, United States Military Academy, West Point; Dr. Angel Rabasa, Senior Policy Analyst, RAND Corporation; Dr. Amitai Etzioni, University Professor, The George Washington University; and Dr. Daniel L. Byman, Director, Center for Peace and Security Studies, Georgetown University.

10. *The Future of American Diplomacy*

The Subcommittee investigated the effectiveness of current American diplomatic efforts, with a particular focus on the impact of post-9/11 security measures on U.S. embassy activities and outreach. More broadly, the Subcommittee evaluated the overarching

purposes of U.S. diplomatic presence abroad and best practices for maintaining and improving U.S. relations with foreign governments and the people those governments represent.

a. Hearing

- On January 23, 2008, the Subcommittee held a hearing titled “Fortress America Abroad: Effective Diplomacy and the Future of U.S. Embassies.” Witnesses included: Ambassador Thomas R. Pickering, former Undersecretary of State for Political Affairs (1997–2001); Ambassador Marc A. Grossman, former Undersecretary of State for Political Affairs (2001–2005) and currently Vice Chairman of the Cohen Group; Dr. Jane C. Loeffler, author of *The Architecture of American Diplomacy and Fortress America*, and Mr. John K. Naland, President of the American Foreign Service Association (AFSA).

11. International Police Training

The Subcommittee began an investigation into the current efforts by the United States government—through a variety of departments—to assist other countries in training their police forces. This investigation included a preliminary hearing on the State Department’s Antiterrorism Assistance Program.

a. Hearing

- On June 4, 2008, the Subcommittee held a hearing titled “Oversight of the State Department’s Antiterrorism Assistance Program.” Witnesses included Charles M. Johnson, Jr., Director, International Affairs and Trade, U.S. Government Accountability Office; Gina Abercrombie-Winstanley, Deputy Coordinator, Programs, Policy, Budget and Operations, Office of the Coordinator for Counterterrorism, U.S. Department of State; and Lynda Tibbetts, Acting Director, Office of Antiterrorism Assistance, Bureau of Diplomatic Security, U.S. Department of State.

