

## Union Calendar No. 221

113TH CONGRESS }  
*1st Session*

HOUSE OF REPRESENTATIVES

{ REPORT  
113-303

ACTIVITIES  
OF THE  
HOUSE COMMITTEE ON OVERSIGHT AND  
GOVERNMENT REFORM

ONE HUNDRED THIRTEENTH CONGRESS

FIRST SESSION

DECEMBER 2013

(Pursuant to House Rule XI, 1(d)(1))



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DECEMBER 20, 2013.—Committed to the Committee of the Whole House  
on the State of the Union and ordered to be printed

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**LETTER OF TRANSMITTAL**

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HOUSE OF REPRESENTATIVES,  
COMMITTEE ON OVERSIGHT  
AND GOVERNMENT REFORM,  
*Washington, DC, December 20, 2013.*

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

DEAR MR. SPEAKER: In accordance with Rule XI(1)(d)(1) of the Rules of the House of Representatives, I respectfully submit the Committee on Oversight and Government Reform's activities report for the First Session of the 113th Congress.

Sincerely,

DARRELL ISSA,  
*Chairman.*



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### ACTIVITIES OF THE HOUSE COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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

### R E P O R T

In 2013, the Committee on Oversight and Government Reform has continued the work it began in the 112th Congress to conduct the meaningful oversight of the Executive Branch, and offer substantive reform proposals to save taxpayer money and improve the efficiency and effectiveness of the federal government.

In its efforts to highlight the federal government's waste, fraud, mismanagement, and malfeasance, the Committee and its Subcommittees have held 96 hearings, conducted nearly 100 transcribed interviews and depositions, sent some 500 letters to federal agencies and recipients of federal funding requesting documents and information, and reviewed several million documents produced to the Committee in response to requests and subpoenas.

Pursuant to House Rule XI, this report contains a detailed list of legislative and oversight activities, as well as summaries of actions taken with respect to the Committee's adopted oversight plan, additional oversight and investigation activities, and hearings held on items in the Government Accountability Office's biannual High Risk list or the federal government's financial statements.

#### I. LEGISLATIVE ACTIVITIES

##### BILLS ENACTED INTO LAW

H.R. 1171, FOR VETS Act of 2013. Introduced by Rep. Dan Benishek on March 14, 2013; reported by the Committee on 6/25/13 (H. Rept. 113-126); passed the House on 7/8/13 (387-1); passed Senate on 8/1/13 (UC); and became Public Law 113-26 on 8/9/13.

H.R. 1246, District of Columbia Chief Financial Officer Vacancy Act. Introduced by Rep. Eleanor Holmes Norton on 3/19/2013; reported by the Committee on 4/12/13 (H. Rept. 113-37); passed the House on 4/15 (voice vote); passed the Senate on 4/18/13 (UC); and became Public Law 113-8 on 5/1/13.

BILLS PASSED BY THE HOUSE

H.R. 273, to eliminate the 2013 statutory pay adjustment for Federal employees. Introduced by Rep. Ron DeSantis on 1/15/13. History: Was not acted on by the OGR Committee; passed House on 2/15/13 by vote of 261-154.

H.R. 313, Government Spending Accountability Act of 2013. Introduced by Rep. Jo Ann Emerson on 1/18/13 (Rep. Farenthold later was added as the sponsor upon the retirement of Rep. Emerson). History: Marked up by the Committee on 3/20/13 and reported favorably, as amended, by voice vote; report filed in House on 7/30/13 (H. Rept. 113-183); passed House on 7/31/13 by a voice vote.

H.R. 850, Nuclear Iran Prevention Act of 2013. Introduced by Rep. Edward Royce on 2/27/13. History: Was not acted on by OGR Committee and on 7/30/13 OGR Committee discharged; passed House on 7/31/13 by a vote of 400-20-1.

H.R. 882, Contracting and Tax Accountability Act of 2013. Introduced by Rep. Jason Chaffetz on 2/28/13. History: Marked up by the Committee on 3/20/13 and reported favorably, by voice vote; report filed in House on 4/12/13 (H. Rept. 113-35); passed House on 4/15/13 by a vote of 407-0.

H.R. 1162, Government Accountability Office Improvement Act. Introduced by Rep. Darrell Issa on 3/14/13. History: Marked up by the Committee on 3/20/13 and reported favorably, by voice vote; report filed in House on 4/12/13 (H. Rept. 113-36); passed House on 4/15/13 by a vote of 408-0.

H.R. 1163, Federal Information Security Amendments Act of 2013. Introduced by Rep. Darrell Issa on 3/14/13. History: Marked up by the Committee on 3/20/13 and reported favorably, by voice vote; report filed in House on 4/16/13 (H. Rept. 113-40); passed House on 4/16/13 by a vote of 416-0.

H.R. 1660, Government Customer Service Improvement Act of 2013. Introduced by Rep. Henry Cuellar on 4/19/13. History: Marked up by the Committee on 7/24/13 and reported favorably, as amended, by voice vote; passed House on 7/31/13 by a voice vote.

H.R. 1797, Pain-Capable Unborn Child Protection Act. Introduced by Rep. Trent Franks on 4/26/13. History: Was not acted on by OGR Committee and on 6/14/13 OGR Committee discharged; passed House on 6/18/13 by a vote of 228-196.

H.R. 2061, Digital Accountability and Transparency Act of 2013. Introduced by Rep. Darrell Issa on 5/21/13. History: Marked up by the Committee on 5/22/13 and reported favorably, as amended, by voice vote; report filed in House on 11/18/13 (H. Rept. 113-270); passed House on 11/18/13 by a vote of 388-1.

H.R. 2879, Stop Government Abuse Act. Introduced by Rep. Lynn Jenkins on 7/31/13. History: Was not acted on by OGR Committee; passed House on 8/1/13 by a vote of 239-176.

H.R. 3223, Federal Employee Retroactive Pay Fairness Act. Introduced by Rep. James Moran on 9/30/13. History: Was not acted

on by OGR Committee; passed House on 10/5/13 by a vote of 407–0.

H.R. 3343, to amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia. Introduced by Rep. Eleanor Holmes Norton on 10/28/13. History: Marked up by the Committee on 10/29/13 and reported favorably, by voice vote; report filed in House on 11/15/13 (H. Rept. 113–267); passed House on 11/18/13 by voice vote.

#### BILLS FAILED IN HOUSE

H.R. 249, Federal Employee Tax Accountability Act of 2013. Introduced by Rep. Jason Chaffetz on 1/15/2013. History: Marked up by the Committee on 3/20/13, and reported favorably, by voice vote; report filed in House on 4/12/13 (H. Rept. 113–38); failed in House under suspension of the rules by a vote of 250–159.

#### BILLS PASSED BY THE COMMITTEE

H.R. 328, the Excess Federal Building and Property Disposal Act of 2013. Introduced by Rep. Jason Chaffetz on 1/22/13. History: Marked up by the Committee on 3/20/13 and reported favorably, by voice vote.

H.R. 568, to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees. Introduced by Rep. Dennis Ross on 2/6/13. History: Marked up by the Committee on 5/22/13 and reported favorably, as amended, by voice vote. Report filed in House on 7/16/13 (H. Rept. 113–154).

H.R. 899, Unfunded Mandates Information and Transparency Act of 2013. Introduced by Rep. Virginia Foxx. History: Marked up by the Committee on 7/24/13 and reported favorably, as amended, by a recorded vote of 22 ayes to 17 noes.

H.R. 1104, Federal Advisory Committee Reform Act. Introduced by Rep. Wm. Lacy Clay on 3/13/13. Marked up by the Committee on 3/20/13 and reported favorably, by voice vote.

H.R. 1133, Presidential Library Donation Reform Act of 2013. Introduced by Rep. John J. Duncan on 3/13/13. History: Marked up by the Committee on 3/20/13 and reported favorably, by voice vote; report filed in House on 6/20/13 (H. Rept. 113–118).

H.R. 1211, FOIA Act. Introduced by Rep. Darrell Issa on 3/15/13. History: Marked up by the Committee on 3/20/13 and reported favorably, as amended, by voice vote; report filed in House on 7/16/13 (H. Rept. 113–155).

H.R. 1232, Federal Information Technology Acquisition Reform Act. Introduced by Rep. Darrell Issa on 3/18/13. History: Marked up by the Committee on 3/20/13 and reported favorably, by voice vote.

H.R. 1233, Presidential and Federal Records Act Amendments of 2013. Introduced by Rep. Elijah Cummings on 3/18/13. History: Marked up by the Committee on 3/20/13 and reported favorably, as amended, by voice vote; report filed in House on 6/25/13 (H. Rept. 113–127).

H.R. 1234, Electronic Message Preservation Act. Introduced by Rep. Elijah Cummings on 3/18/13. History: Marked up by the Com-

mittee on 3/20/13 and reported favorably, as amended, by voice vote; report filed in House on 6/25/13 (H. Rept. 113–128).

H.R. 1380, Access to Congressionally Mandated Reports Act. Introduced by Rep. Mike Quigley on 3/21/13. History: Marked up by the Committee on 5/22/13 and reported favorably, as amended, by voice vote.

H.R. 1423, Taxpayers Right-to-Know Act. Introduced by Rep. James Lankford on 4/9/13. History: Marked up by the Committee on 7/24/13 and reported favorably, as amended, by voice vote.

H.R. 1541, Common Sense in Compensation Act. Introduced by Rep. Mark Meadows on 4/12/13. History: Marked up by the Committee on 7/24/13 and reported favorably, as amended, by voice vote. On 7/31/13, considered in House under suspension of the rules, and on 8/1/13 was laid on the table.

H.R. 2067, Alcohol and Tobacco Tax and Trade Bureau Personnel Flexibilities Act. Introduced by Rep. Mark Meadows on 5/21/13. History: Marked up by the Committee on 5/22/13 and reported favorably, by voice vote; report filed in House on 7/16/13 (H. Rept. 113–156).

H.R. 2579, Government Employee Accountability Act. Introduced by Rep. Mike Kelly on 6/28/13. History: Marked up by the Committee on 7/24/13 and reported favorably, as amended, by voice vote; report filed in House 7/31/13 (H. Rept. 113–186). On 7/31/13, considered in House under suspension of the rules, and on 8/1/13 was laid on the table.

H.R. 2711, Citizen Empowerment Act. Introduced by Rep. Lynn Jenkins on 7/17/13. History: Marked up by the Committee on 7/24/13 and reported favorably, as amended, by voice vote; report filed in House on 7/30/13 (H. Rept. 113–184). On 7/31/13, considered in House under suspension of the rules, and on 8/1/13 was laid on the table.

H.R. 2748, Postal Reform Act of 2013. Introduced by Rep. Darrell Issa on 7/19/13. History: Marked up by the Committee on 7/24/13 and reported favorably, as amended, by a vote of 22–17.

H.R. 2793, District of Columbia Financial Efficiency Act of 2013. Introduced by Rep. Darrell Issa on 7/23/13. History: Marked up by the Committee on 7/24/13 and reported favorably, by unanimous consent.

H.R. 2860, OPM IG Act. Introduced by Rep. Blake Farenthold on 7/30/13. History: Marked up by the Committee on 10/29/13 and reported favorably, by voice vote.

H.R. 3316, GRANT Act. Introduced by Rep. James Lankford on 10/23/13. History: Marked up by the Committee on 10/29/13 and reported favorably, as amended, by a vote of 19 ayes to 15 nays.

H.R. 3345, SUSPEND Act. Introduced by Rep. Darrell Issa on 10/28/13. History: Marked up by the Committee on 10/29/13 and reported favorably, by voice vote.

## II. OVERSIGHT ACTIVITIES

### COMMITTEE MEETINGS AND HEARINGS HELD

Jan. 22, 2013, 12:30 p.m.—Full Committee Organization Meeting.

Jan. 22, 2013, 1:00 p.m.—Full Committee hearing entitled, “Wasting Information Technology Dollars: How Can the Federal



Government Reform its IT Investment Strategy?” Witnesses: The Honorable Tom Davis, Former Member of Congress, and Chairman of the Government Reform Committee; Mr. Steven VanRoekel, Federal CIO, Office of Management and Budget; Mr. David Powner, Director, Information Technology Management Issues, U.S. Government Accountability Office; Douglas Bourgeois, Vice President, Chief Executive, VMware, Inc.; Michael Klayko, Advisor and CEO, Brocade Communications Systems, Inc.; Chris Niehaus, Director, Office of Civic Innovation, Microsoft Corporation

Feb. 5, 2013, 12:30 p.m.—Full Committee Business Meeting.

Feb. 5, 2013, 1:00 p.m.—Full Committee hearing entitled, “Government Spending: How Can We Best Address the Billions of Dollars Wasted Every Year?”. Witnesses: Mr. Thomas A. Schatz, President, Citizens Against Government Waste; Mr. Ryan Alexander, President, Taxpayers for Common Sense; The Honorable Dan G. Blair, President, National Academy of Public Administration; Mr. John M. Kamensky, Senior Fellow, IBM Center for the Business of Government.

Feb. 13, 2013, 10:00 a.m.—Subcommittee on National Security hearing entitled, “U.S. Direct Assistance in Afghanistan: Ensuring Transparency and Accountability.” Witnesses: Mr. John F. Sopko, Special Inspector General for Afghanistan Reconstruction.

Feb. 14, 2013, 10:15 a.m.—Full Committee Business Meeting.

Feb. 14, 2013, 10:30 a.m.—Full Committee hearing entitled, “Exploring GAO’s High Risk List and Opportunities for Reform.” Witnesses: The Honorable Gene L. Dodaro, Comptroller General of the United States, U.S. Government Accountability Office.

Feb. 14, 2013, 1:00 p.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “The Effects of Rising Energy Costs on American Families and Employers.” Witnesses: Mr. George Hand, General Manager, Canadian Valley Electric Cooperative; Ms. Paula Carmody, President, National Association of State Utility Consumer Advocates; Mr. Eugene M. Trisko, Attorney at Law and Energy Economist; Mr. Daniel Weiss, Senior Fellow, Center for American Progress Action Fund; Mr. Daniel R. Simmons, Director of Regulatory and State Affairs, Institute for Energy Research.

Feb. 14, 2013, 2:00 p.m.—Subcommittee on Economic Growth, Job Creation and Regulatory Affairs hearing entitled, “Unintended Consequences: Is Government Effectively Addressing the Unemployment Crisis?” Witnesses: Casey B. Mulligan, Ph.D., Professor in Economics, The University of Chicago; Eugene Steuerle, Ph.D., Institute Fellow and Richard B. Fisher Chair, The Urban Institute; Ms. Annie Carter, Owner and President, Carter Machine Company; Chad Stone, Ph.D., Chief Economist, Center on Budget and Policy Priorities; The Honorable Stacey Reece, Former Member of the Georgia State House, Franchise Owner, Spherion.

Feb. 26, 2013, 10:00 a.m.—Subcommittee on Economic Growth, Job Creation and Regulatory Affairs hearing entitled, “Bailout Rewards: The Treasury Department’s Continued Approval of Excessive Pay for Executives at Taxpayer-Funded Companies.” Witnesses: The Honorable Christy Romero, Special Inspector General for the Troubled Asset Relief Program, U.S. Department of the Treasury; Ms. Patricia Geoghegan, Acting Special Master for TARP Executive Compensation, U. S. Department of the Treasury.

Feb. 27, 2013, 9:30 a.m.—Full Committee hearing entitled, “Time to Reform Information Technology Acquisition: The Federal IT Acquisition Reform Act.” Witnesses: Mr. Richard Spires, Chief Information Officer, Department of Homeland Security; Ms. Cristina Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office; The Honorable Daniel Gordon, Associate Dean for Government Procurement Law Studies, George Washington University Law School, Former Administrator, Office of Federal Procurement Policy, OMB; Mr. Stan Soloway, President and CEO, Professional Services Council; Mr. Paul Misener, Vice President, Global Public Policy, Amazon.com.

Feb. 27, 2013, 1:30 p.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “The Road Less Traveled: Reducing Federal Travel & Conference Spending.” Witnesses: The Honorable Rush Holt, Representative for the 12th Congressional District of New Jersey; The Honorable Danny Werfel, Controller, U.S. Office of Management and Budget; Ms. Cynthia Metzler, Chief Administrative Services Officer, U.S. General Services Administration.

Feb. 27, 2013, 2:00 p.m.—Subcommittee on Government Operations hearing entitled, “Failures in Managing Federal Real Property: Billions in Losses.” Witnesses: Dorothy Robyn, Ph.D., Commissioner, Public Buildings Service, U.S. General Services Administration; Mr. David Wise, Director, Physical Infrastructure Team, U.S. Government Accountability Office; Mr. Leonard Gilroy, Director of Government Reform, Reason Foundation.

March 5, 2013, 10:00 a.m.—Full Committee hearing entitled, “Reducing Waste and Mismanagement: Implementing Agency Watchdogs’ Recommendations Could Save Taxpayers Billions” Witnesses: The Honorable Anthony W. Miller, Deputy Secretary, U.S. Department of Education; The Honorable Kathleen S. Tighe, Inspector General, U.S. Department of Education; The Honorable John D. Porcari, Deputy Secretary, U.S. Department of Transportation; and The Honorable Calvin L. Scovel III, Inspector General, U.S. Department of Transportation.

Mar. 13, 2013, 10:00 a.m.—Full Committee hearing entitled, “Addressing Transparency in the Federal Bureaucracy: Moving Toward A More Open Government.” Witnesses: Ms. Angela Canterbury, Director of Public Policy, Project on Government Oversight; Mr. Jim Harper, Director of Information Policy Studies, Cato Institute; Mr. Daniel Schuman, Policy Counsel, Director of the Advisory Committee on Transparency, The Sunlight Foundation; Ms. Celia Viggo Wexler, Senior Washington Representative, Center for Science and Democracy, Union of Concerned Scientists.

Mar. 19, 2013, 10:00 a.m.—Full Committee hearing entitled, “DOD and DHS: Implementing Agency Watchdogs’ Recommendations Could Save Taxpayers Billions.” Witnesses: The Honorable Robert Hale, Under Secretary of Defense (Comptroller), U.S. Department of Defense; Ms. Lynne Halbrooks, Principal Deputy Inspector General, U.S. Department of Defense; The Honorable Rafael Borrás, Under Secretary for Management, U.S. Department of Homeland Security; Mr. Charles Edwards, Deputy Inspector General, U.S. Department of Homeland Security.

Mar. 19, 2013, 1:30 p.m.—A Joint Hearing of the Subcommittee on Economic Growth, Job Creation and Regulatory Affairs and the

Subcommittee on Federal Workforce, U.S. Postal Service and the Census entitled, “Sequestration Oversight: Understanding the Administration’s Decision on Spending Cuts and Furloughs.” Witnesses: Mr. David Robbins, Managing Director, Federal Communications Commission; Mr. Michael Young, USDA Budget Director, U.S. Department of Agriculture; Mr. Hari Sastry, Deputy Assistant Secretary for Resource Management, U.S. Department of Commerce.

Mar. 19, 2013, 3:00 p.m.—Subcommittee on Energy Policy, Health Care and Entitlements entitled, “The Department of Energy’s Strategy for Exporting Liquefied Natural Gas.” Witnesses: Mr. Chris Smith, Acting Assistant Secretary for Fossil Energy, U.S. Department of Energy; Mr. Tom Choi, National Practice Leader—Gas, Deloitte MarketPoint LLC; Mr. Paul N. Cicio, President, Industrial Energy Consumers of America; Charles K. Ebinger, Ph.D, Director, Foreign Policy, Energy Security Initiative, Brookings Institute.

Mar. 20, 2013, 10:00 a.m.—Full Committee Business Meeting.

Apr. 9, 2013, 2:00 p.m.—Full Committee hearing entitled, “Reducing Waste in Government: Addressing GAO’s 2013 Report on Duplicative Federal Programs.” Witnesses: The Honorable Gene L. Dodaro, Comptroller General of the United States, U.S. Government Accountability Office.

Apr. 10, 2013, 9:30 a.m.—Full Committee hearing entitled, “U.S. Foreign Assistance: What Oversight Mechanisms are in Place to Ensure Accountability?” Witnesses: The Honorable John F. Sopko, Special Inspector General for Afghanistan Reconstruction; The Honorable Harold W. Geisel, Deputy Inspector General, U.S. Department of State; Mr. Michael G. Carroll, Deputy Inspector General, U.S. Agency for International Development; The Honorable Kenneth P. Moorefield, Deputy Inspector General for Special Plans and Operations, U.S. Department of Defense; Mr. Paul H. Cooksey, Deputy Special Inspector General for Iraq Reconstruction.

Apr. 10, 2013, 1:30 p.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “Ahead of Postal Reform: Hearing from USPS Business Partners.” Witnesses: Mr. Steven Brandt, President and Publisher, Greenville News; Ms. Joy Franckowiak, Director, Postal Affairs and Distribution, Valpak; Ms. Meta Brophy, Director, Procurement Operations, Consumer Reports; Mr. Carl Janssens, VP Pharmacy Operations, CVS Caremark; Mr. Ken Garner, President & CEO, Association of Marketing Service Providers; Mr. Jerry Cerasale, Senior Vice President of Government Affairs, Direct Marketing Association.

Apr. 11, 2013, 10:00 a.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “The Federal Employees Health Benefit Program: Is it a Good Value for Federal Employees?” Witnesses: Mr. Jonathan Foley, Director, Planning and Policy Analysis, U.S. Office of Personnel Management; Mr. William A. Breskin, Vice President of Government Programs, Blue Cross and Blue Shield Association; Mr. Thomas C. Choate, Chief Growth Officer, UnitedHealthcare; Mr. Mark Merritt, President and CEO, Pharmaceutical Care Management Association; Ms. Jacqueline Simon, Public Policy Director, American Federation of Government Employees.

Apr. 16, 2013, 9:30 a.m.—Full Committee hearing entitled, “Open to Visitors? Assessing the Federal Effort to Minimize the Se-

quester's Impact on Access to Our Nation's Capital and National Treasures." Witnesses: The Honorable David Ferriero, Archivist of the United States, National Archives and Records Administration; The Honorable Jonathan Jarvis, Director, National Park Service; G. Wayne Clough, Ph.D., Secretary, Smithsonian Institution.

Apr. 17, 2013, 9:30 a.m.—Full Committee hearing entitled, "Options to Bring the Postal Service Back from Insolvency." Witnesses: The Honorable Gene Dodaro, Comptroller General, U.S. Government Accountability Office; The Honorable Mickey Barnett, Chairman, Board of Governors, United States Postal Service; The Honorable Patrick Donahoe, Postmaster General and Chief Executive Officer, United States Postal Service; Mr. Frederic Rolando, President, National Association of Letter Carriers, AFL-CIO.

Apr. 17, 2013, 2:00 p.m.—Subcommittee on National Security hearing entitled, "Contracting to Feed U.S. Troops in Afghanistan: How did the Defense Department end up in a Multi-Billion Dollar Billing Dispute?" Witnesses: Mr. Michael Schuster, Managing Director Logistics Division, Supreme Group B.V.; Mr. Daniel Blair, Deputy Inspector General for Auditing, U.S. Department of Defense; Mr. Matthew Beebe, Deputy Senior Acquisition Executive, Defense Logistics Agency; Mr. William Kenny, Acquisition Executive, Troop Support, Defense Logistics Agency; Mr. Gary Shifton, Chief, OCONUS Division, Defense Logistics Agency.

Apr. 18, 2013, 9:30 a.m.—Subcommittee on National Security hearing entitled, "Sequestration Oversight: Prioritizing Security over Administrative Costs at TSA." Witnesses: Mr. John W. Halinski, Deputy Administrator, Transportation Security Administration.

Apr. 24, 2013, 9:30 a.m.—Full Committee hearing entitled, "Broken Promises: the Small Business Lending Fund's Backdoor Bank Bailout." Witnesses: The Honorable Christy L. Romero, Special Inspector General, Office of the Special Inspector General for the Troubled Asset Relief Program.

Apr. 24, 2013, 2:00 p.m.—Subcommittee on Economic Growth entitled, "Green Energy Oversight: Examining the Department of Energy's Bad Bet on Fisker Automotive." Witnesses: Mr. Nicholas Whitcombe, Supervisory Senior Investment Officer, LPO, Department of Energy; Mr. Henrik Fisker, Former Executive Chairman, Fisker Automotive; Mr. Bernhard Koehler, Chief Operating Officer, Fisker Automotive; Mr. Nicolas Loris, Herbert and Joyce Morgan Fellow, The Heritage Foundation; Ms. Zoe Lipman, Independent Consultant.

Apr. 25, 2013, 9:30 a.m.—Subcommittee on Government Operations hearing entitled, "Government Operations Oversight: Addressing Unused and Vacant Federal Property." Off-site hearing located at: 49 L Street S.E. in Washington, D.C. Witnesses: Mr. Michael Gelber, Deputy Commissioner, Public Buildings Service, General Services Administration; Mr. David Wise, Director, Physical Infrastructure Team, U.S. Government Accountability Office; The Honorable Tommy Wells, D.C. Councilmember, Ward 6; Mr. Ed Kaminski, Commissioner, Washington DC Advisory Neighborhood Commissions.

Apr. 25, 2013, 10:00 a.m.—Subcommittee on National Security and Subcommittee on Economic Growth joint hearing entitled, "Oversight of the Federal Government's Procurement of Ammuni-

tion.” Witnesses: Nick Nayak, Ph.D., Chief Procurement Officer, U.S. Department of Homeland Security; Mr. Humberto Medina, Assistant Director, National Firearms and Tactical Training Unit, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security, (Also Chair of the DHS Weapons and Ammunition Commodity Council); The Honorable Patrick P. O’Carroll, Jr., Inspector General, Office of the Inspector General, Social Security Administration; Mr. Jon Adler, National President, National Law Enforcement Officers Association.

Apr. 25, 2013, 10:30 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Examining the Lack of Transparency and Consumer Driven Market Forces in U.S. Health Care.” Witnesses: Marty Makary M.D., M.P.H., F.A.C.S., Surgeon, Johns Hopkins Hospital, Health Policy Professor, Johns Hopkins Bloomberg School of Public Health; John Goodman, Ph.D., President and Chief Executive Officer, National Center for Policy Analysis; Ms. Lynn Quincy, Senior Health Policy Analyst, Consumers Union.

May 7, 2013, 10:00 a.m.—Joint hearing of the Subcommittee on Economic Growth, Job Creation and Regulatory Affairs and the Judiciary Committee’s Subcommittee on Constitution and Civil Justice entitled, “DOJ’s Quid Pro Quo with St. Paul: A Whistleblower’s Perspective.” Witnesses: The Honorable Charles E. Grassley, United States Senator from Iowa; The Honorable Johnny Isakson, United States Senator from Georgia; Mr. Fredrick Newell, Community Activist, St. Paul, Minnesota; Mr. Thomas F. DeVincke, Attorney representing Mr. Newell in *Newell v. City of St. Paul*; Ms. Shelley R. Slade, Partner, Vogel, Slade & Goldstein, LLP.

May 8, 2013, 11:30 a.m.—Full Committee hearing entitled, “Benghazi: Exposing Failure and Recognizing Courage.” Witnesses: Mr. Mark Thompson, Deputy Coordinator for Operations, Bureau of Counterterrorism and Leader, Foreign Emergency Support Team, U.S. Department of State; Mr. Gregory Hicks, Foreign Service Officer and former Deputy Chief of Mission/Chargé d’Affairs in Libya, U.S. Department of State; Mr. Eric Nordstrom, Diplomatic Security Officer and former Regional Security Officer in Libya, U.S. Department of State.

May 9, 2013, 9:00 a.m.—Subcommittee on Government Operations hearing entitled, “Federal Government Approaches to Issuing Biometric IDs.” Witnesses: Mr. Stephen Sadler, Assistant Administrator, Office of Intelligence and Analysis, Transportation Security Administration; Mr. Stephen A. Lord, Director, Forensic Audits and Investigations, U.S. Government Accountability Office.

May 9, 2013, 9:30 a.m.—Subcommittee on Federal Workforce, Postal Service and the Census hearing entitled, “Is OPM Processing Federal Worker Pension Claims on Time?” Witnesses: Mr. Patrick McFarland, Inspector General, U.S. Office of Personnel Management; Mr. Kenneth Zawodny, Associate Director, Retirement Services, U.S. Office of Personnel Management; Ms. Valerie C. Melvin, Director, Information Management & Technology Resource Issues, U.S. Government Accountability Office; Dr. George Kettner, President, Economic Systems, Inc.; Mr. Joseph A. Beaudoin, President, National Active and Retired Federal Employees Assoc. (NARFE).

May 14, 2013, 2:30 p.m.—Subcommittee on Government Operations Field Hearing entitled, “Data Centers and the Cloud: Is the Government Optimizing New Information Technologies Opportunities to Save Taxpayers Money?” Held in the Meese Conference Room in Mason Hall at George Mason University, Fairfax, VA. Witnesses: Mr. David A. Powner, Director, Information Technology Management Issues, U.S. Government Accountability Office; Mr. Bernard Mazer, Chief Information Officer, Department of the Interior; Mr. Steve O’Keeffe, Founder, MeriTalk; Ms. Teresa H. Carlson, Vice President, World Wide Public Sector, Amazon Web Services; Mr. Kenyon Wells, Vice President of U.S. Federal, CGI Federal.

May 15, 2013, 10:00 a.m.—Full Committee Briefing by the Federal Reserve Chairman, Ben Bernanke, on Fed Activities. Closed Briefing only open to Committee Members.

May 16, 2013, 10:30 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Opportunities Lost: Constraints on Oil and Gas Production on Federal Lands and Waters.” Witnesses: Mr. Tommy P. Beaudreau, Acting Assistant Secretary for Land and Minerals Management, U.S. Department of the Interior; Mr. Frank Rusco, Director, Natural Resources and Environment, U.S. Government Accountability Office.

May 21, 2013, 10:00 a.m.—Joint Hearing of the Subcommittee on Energy Policy, Health Care and Entitlements and the Subcommittee on Economic Growth, Job Creation and Regulatory Affairs entitled, “Examining the Concerns About ObamaCare Outreach Campaign.” Witnesses: Mr. Gary Cohen, Deputy Administrator and Director, Center for Consumer Information and Insurance Oversight, Centers for Medicare and Medicaid Services.

May 22, 2013, 9:30 a.m.—Full Committee hearing entitled, “The IRS: Targeting Americans for Their Political Beliefs.” Witnesses: The Honorable J. Russell George Inspector General, Treasury Inspector General for Tax Administration, The Honorable Douglas Shulman, Former Commissioner, Internal Revenue Service; Ms. Lois G. Lerner, Director, Exempt Organizations, Tax Exempt and Government Entities Division, Internal Revenue Service; The Honorable Neal S. Wolin, Deputy Secretary, U.S. Department of the Treasury.

May 22, 2013, 1:00 p.m.—Full Committee Business Meeting.

June 5, 2013, 9:30 a.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “OPM’s Revolving Fund: A Cycle of Government Waste?” Witnesses: The Honorable Patrick E. McFarland, Inspector General, U.S. Office of Personnel Management; Charles D. Grimes, III, Chief Operating Officer, U.S. Office of Personnel Management; Linda E. Brooks Rix, Co-Chief Executive Officer, Avue Technologies Corporation.

June 5, 2013, 10:00 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Up Against the Blend Wall: Examining EPA’s Role in the Renewable Fuel Standard.” Witnesses: Mr. Christopher Grundler, Director, Office of Transportation & Air Quality, U.S. Environmental Protection Agency; Mr. Jack Gerard, President and CEO, American Petroleum Institute; Mr. Lucian Pugliaresi, President, Energy Policy Research Foundation Inc.; Mr. Joel Brandenberger, President, National Tur-

key Federation; Jeremy I. Martin, Ph.D., Senior Scientist, Clean Vehicles Program, Union of Concerned Scientists.

June 6, 2013, 9:30 a.m.—Full Committee hearing entitled, “Collected and Wasted: The IRS Spending Culture and Conference Abuses.” Witnesses: The Honorable J. Russell George, Inspector General, Treasury Inspector General for Tax Administration; Mr. Gregory Kutz, Assistant Inspector General for Audit, Treasury Inspector General for Tax Administration; Mr. Faris Fink, Commissioner, Small Business and Self-Employed Division, Internal Revenue Service; Mr. Danny Werfel, Acting Commissioner, Internal Revenue Service.

June 10, 2013, 10:00 a.m.—Subcommittee on Government Operations Field Hearing entitled, “The Delphi Pension Bailout: Unequal Treatment of Retirees.” Held at the Sinclair Community College in Dayton, Ohio. Witnesses: Mr. Bruce Gump, Delphi Salaried Retirees Association; Ms. Mary Miller, Delphi Salaried Retirees Association; Mr. Tom Rose, Delphi Salaried Retirees Association; Mr. Paul Dobosz, Delphi Salaried Retirees Association; Mr. James Sherk, Senior Policy Analyst in Labor Economics, The Heritage Foundation.

June 12, 2013, 9:30 a.m.—Full Committee hearing entitled, “Protecting Taxpayer Dollars: Is the Government Using Suspension and Debarment Effectively?” Witnesses: Mr. John Neumann, Acting Director, Acquisition and Sourcing Management, U.S. Government Accountability Office; The Honorable Angela B. Styles, Partner, Crowell & Moring, Washington, D.C., (Former Administrator, Office of Federal Procurement Policy, OMB); Mr. Scott H. Amey, General Counsel, Project on Government Oversight.

June 13, 2013, 10:00 a.m.—Subcommittee on National Security hearing entitled, “Examining the Government’s Record on Implementing the International Religious Freedom Act.” Witnesses: The Honorable Suzan Johnson Cook, Ambassador-at-Large for International Religious Freedom, U.S. Department of State; Katrina Lantos Swett, Ph.D., Chair, U.S. Commission on International Religious Freedom; Thomas F. Farr, Ph.D., Director of the Religious Freedom Project, Berkley Center for Religion, Peace and World Affairs, Georgetown University; Ms. Tina Ramirez, President, Hardwired, Inc.; Mr. Amjad Mahmood Khan, National Director of Public Affairs, Ahmadiyya Muslim Community USA; Chris Seiple, Ph.D., President, Institute for Global Engagement.

June 18, 2013, 9:00 a.m.—Full Committee hearing entitled, “Reinventing Government.” Witnesses: The Honorable David M. Walker, Government Transformation Initiative; The Honorable Stephen Goldsmith, Daniel Paul Professor of the Practice of Government, Director, Innovations in Government Program, John F. Kennedy School of Government; Ms. Elaine C. Kamarck, Ph.D., Director, Management and Leadership Institute, Senior Fellow, Governance Studies, The Brookings Institution; Mr. Daniel J. Chenok, Executive Director, IBM Center for the Business of Government; Mr. J. David Cox, National President, American Federation of Government Employees.

June 19, 2013, 9:30 a.m.—Subcommittee on Government Operations hearing entitled, “Federal Government Approaches to Issuing Biometric IDs: Part II.” Witnesses: Mr. Charles H. Romine, Director of the Information Technology Laboratory, National Insti-

tute of Standards and Technology, U.S. Department of Commerce; Mr. Steven Martinez, Executive Assistant Director of the Science and Technology Branch, Federal Bureau of Investigation, U.S. Department of Justice; Mr. John Allen, Director of the Flight Standards Service, Federal Aviation Administration; Ms. Colleen Manaher, Executive Director of Planning, Program Analysis, and Evaluation, Office of Field Operations, Customs and Border Protection, U.S. Department of Homeland Security; Ms. Brenda Sprague, Deputy Assistant Secretary for Passport Services, U.S. Department of State.

June 21, 2013, 9:30 a.m.—Subcommittee on Government Operations Field Hearing entitled, “Building a Better Partnership: Exploring the Mine Safety and Health Administration’s Regulation of Southern Appalachian Mining.” Held at the Mitchell County Historic Courthouse in Bakersville, North Carolina. Witnesses: Mr. Marvin Lichtenfels, Deputy Administrator for Metal/Non-Metal, Mine Safety and Health Administration; Mr. Sam Bratton, President, North Carolina Aggregates Association; Mr. Jeff Stoll, Safety and Health Manager, The Quartz Corporation; Mr. Mack McNeely, Vice President, LBM Industries and Nantahala Talc Limestone.

June 26, 2013, 9:00 a.m.—Full Committee hearing entitled, “The IRS Contracts with Strong Castle, Inc.” Witnesses: Ms. Beth Tucker, Deputy Commissioner for Operations Support, Internal Revenue Service; Mr. Michael Chodos, Associate Administrator, Office of Entrepreneurial Development, U.S. Small Business Administration; Mr. Brad Flohr, Senior Advisor for Compensation Service, Veterans Benefit Administration, U.S. Veterans Administration; Mr. Gregory Roseman, Deputy Director, Enterprise Networks and Tier Systems Support, Internal Revenue Service; Mr. William Sisk, Deputy Commissioner, Federal Acquisition Service, General Services Administration; Mr. Braulio Castillo, President and Chief Executive Officer, Strong Castle, Inc.

June 27, 2013, 9:00 a.m.—Subcommittee on National Security hearing entitled, “Border Security Oversight: Identifying and Responding to Current Threats.” Witnesses: Mr. Michael Fisher, Chief, U.S. Border Patrol, Customs and Border Protection; Mr. David J. Murphy, Assisting Acting Commissioner, Customs and Border Protection; Mr. Thomas Homan, Executive Associate Director, Enforcement and Removal Operations, U.S. Immigration and Custom Enforcement; Ms. Rebecca Gambler, Director, Homeland Security and Justice, U.S. Government Accountability Office

June 27, 2013, 9:30 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Oversight of Rising Social Security Disability Claims and the Role of Administrative Law Judges.” Witnesses: The Honorable Tom Coburn, M.D. (R-Oklahoma), Ranking Minority Member, Committee on Homeland Security and Governmental Affairs, United States Senate; Glenn E. Sklar, Deputy Commissioner, Disability Adjudication and Review, Social Security Administration; The Honorable Larry J. Butler, Administrative Law Judge, Miami Office of Disability Adjudication Review, Social Security Administration; The Honorable Thomas W. Snook, Administrative Law Judge, Miami Office of Disability Adjudication Review, Social Security Administration; The Honorable J.E. Sullivan, Administrative Law Judge, Pittsburgh Office of Administrative Law Judges, U.S. Department of Labor; The Honor-



able Drew A. Swank, Administrative Law Judge, Pittsburgh Office of Administrative Law Judges, U.S. Department of Labor; Thomas D. Sutton, Board of Directors, National Organization of Social Security Claimants' Representatives.

June 28, 2013 9:00 a.m.—Full Committee Business Meeting.

July 10, 2013, 9:30 a.m.—Full Committee hearing entitled, “Unaccountable Government: GAO Reports Show Feds Struggling to Track Money and Performance.” Witnesses: The Honorable Gene L. Dodaro, Comptroller General of the United States, U.S. Government Accountability Office.

July 10, 2013, 1:00 p.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “The Combined Federal Campaign: Making Every Dollar Count.” Witnesses: The Honorable David G. Reichert (WA-08), U.S. House of Representatives; Mr. Mark Lambert, Associate Director for Merit System Accountability and Compliance, U.S. Office of Personnel Management, Ms. Ju'Coby Pittman, President and CEO, Clara White Mission; Mr. Kalman Stein, President and CEO, EarthShare; Ms. Debby Hampton, President and CEO, United Way of Central Oklahoma; Mr. Ken Berger, President and CEO, Charity Navigator.

July 17, 2013, 10:00 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements and Committee on Homeland Security Subcommittee on Cybersecurity, Infrastructure Protection, and Security Technologies joint hearing entitled, “Evaluating Privacy, Security, and Fraud Concerns with ObamaCare's Information Sharing Apparatus.” Witnesses: Mr. Alan R. Duncan, Assistant Inspector General for Security and Information Technology Services, Treasury Inspector General for Tax Administration; Mr. Terence V. Milholland, Chief Technology Officer, Internal Revenue Service; The Honorable Danny Werfel, Principal Deputy Commissioner, Internal Revenue Service; The Honorable Marilyn B. Tavenner, Administrator, Centers for Medicare and Medicaid Services, U.S. Department of Health and Human Services; Mr. Henry Chao, Deputy Chief Information Officer, Deputy Director of the Office of Information Services, Centers for Medicare and Medicaid Services, U.S. Department of Health and Human Services; Mr. John Dicken, Director, Health Care, U.S. Government Accountability Office.

July 17, 2013, 10:15 a.m.—Subcommittee on National Security hearing entitled, “Border Security Oversight, Part II: Examining Asylum Requests.” Witnesses: Mr. Joseph E. Langlois, Associate Director, Refugee, Asylum, and International Operations Directorate, U.S. Citizenship and Immigration Services.

July 17, 2013, 1:30 p.m.—Full Committee hearing entitled, “A Path Forward on Postal Reform.” Witnesses: The Honorable Adrian Smith, Member of Congress; The Honorable Patrick Donahoe, Postmaster General & CEO, United States Postal Service; Mr. Joel Quadracci, Chairman, President & CEO, Quad Graphics; Mr. Cliff Guffey, President, American Postal Workers Union, AFL-CIO.

July 18, 2013, 11:00 a.m.—Full Committee hearing entitled, “The IRS's Systematic Delay and Scrutiny of Tea Party Applications.” Witnesses: Ms. Elizabeth Hofacre, Revenue Agent, Exempt Organizations, Tax Exempt and Government Entities Division, Internal Revenue Service; Mr. Carter Hull (Recently Retired), Tax Law Specialist, Exempt Organizations, Tax Exempt and Government Entities Division, Internal Revenue Service; The Honorable J. Russell

George, Inspector General, Treasury Inspector General for Tax Administration; Mr. Michael McCarthy, Chief Counsel, Treasury Inspector General for Tax Administration; Mr. Gregory Kutz, Assistant Inspector General for Management Services and Exempt Organizations, Treasury Inspector General for Tax Administration.

July 18, 2013, 2:30 p.m.—Subcommittee on Economic Growth, Job Creation and Regulatory Affairs hearing entitled, “Regulatory Burdens: The Impact of Dodd-Frank on Community Banking.” Witnesses: Mr. Eddie Creamer, President and CEO, Prosperity Bank; Ms. Tanya Marsh, Assistant Professor of Law, Wake Forest University School of Law; The Honorable R. Bradley Miller, Senior Fellow, Center for American Progress (Former Member of Congress); Ms. Hester Peirce, Senior Research Fellow, Mercatus Center, George Mason University.

July 18, 2013, 2:30 p.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Examining the Obama Administration’s Social Cost of Carbon Estimates.” Witnesses: The Honorable Howard Shelanski, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

July 24, 2013 10:00 a.m.—Full Committee Business Meeting.

July 25, 2013, 9:30 a.m.—Subcommittee on Government Operations hearing entitled, “Data Centers and the Cloud, Part II: The Federal Government’s Take on Optimizing New Information Technologies Opportunities to Save Taxpayers Money.” Witnesses: Mr. David Powner, Director, Information Technology Management Issues, U.S. Government Accountability Office; The Honorable Steven VanRoekel, Acting Deputy Director for Management, Federal Chief Information Officer, Administrator for E-Government and Information Technology, Office of Management and Budget; Dr. David L. McClure, Associate Administrator, Office of Citizen Services and Innovative Technologies, U.S. General Services Administration.

July 31, 2013, 10:15 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Oversight of IRS’s Legal Basis for Expanding ObamaCare’s Taxes and Subsidies.” Witnesses: The Honorable Scott Pruitt, Attorney General, State of Oklahoma; Charles Willey, M.D., CEO, Innovare Health Advocates Inc.; Mr. Simon Lazarus, Senior Counsel, Constitutional Accountability Center; Mr. Jonathan Adler, Professor of Law, Case Western Reserve University; Ms. Emily McMahan, Deputy Assistant Secretary for Tax Policy, U.S. Department of the Treasury.

August 1, 2013, 10:00 a.m.—Full Committee hearing entitled, “Department of Energy’s Bonneville Power Administration: Discriminating Against Veterans and Retaliating Against Whistleblowers.” Witnesses: The Honorable Gregory H. Friedman, Inspector General, U.S. Department of Energy; The Honorable Daniel B. Poneman, Deputy Secretary, U.S. Department of Energy; Ms. Anita J. Decker, Bonneville Power Administration.

August 2, 2013, 9:00 a.m.—Subcommittee on National Security and Committee on Natural Resources’ Public Lands and Environmental Regulation Subcommittee joint hearing entitled, “Missing Weapons at the National Park Service: Mismanagement and Lack of Accountability.” Witnesses: Mr. Robert A. Knox, Assistant Inspector General for Investigations, Office of Inspector General, U.

S. Department of Interior; Ms. Kim A. Thorsen, Deputy Assistant Secretary, Public Safety, Resource Protection and Emergency Services, U. S. Department of Interior; The Honorable Jonathan B. Jarvis, Director, National Park Service, U. S. Department of the Interior; Ms. Teresa Chambers, Chief of the United States Park Police Force, National Park Service, U. S. Department of the Interior.

August 2, 2013, 9:00 a.m.—Subcommittee on Government Operations hearing entitled, “Examining the Skyrocketing Problem of Identity Theft Related Tax Fraud at the IRS.” Witnesses: The Honorable Daniel Werfel, Principal Deputy Commissioner, Internal Revenue Service; Ms. Nina E. Olson, National Taxpayer Advocate, Office of the Taxpayer Advocate; Mr. Michael McKenney, Acting Deputy Inspector General for Audit, Treasury Inspector General for Tax Administration; Mr. Douglas J. MacGinnitie, State Revenue Commissioner, Department of Revenue.

Sept. 10, 2013, 9:00 a.m.—Full Committee hearing entitled, “Preventing Violations of Federal Transparency Laws.” Witnesses: The Honorable Gary Gensler, Chairman, U.S., Commodity Futures Trading Commission; The Honorable Lisa P. Jackson, Vice President of Environmental Initiatives, Apple Inc. (Former Administrator, U.S. Environmental Protection Agency); Mr. Jonathan Silver Visiting Distinguished Senior Fellow, Third Way (Former Executive Director Loan Program Office, U.S. Department of Energy); Mr. Andrew, McLaughlin, Senior Vice President, Betaworks (Former Deputy Chief Technology Officer, Executive Office of the President); The Honorable David S. Ferriero, Archivist of the United States.

Sept. 11, 2013, 9:30 a.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “Ensuring an Accurate and Affordable 2020 Census.” Witnesses: The Honorable John Thompson, Director, U.S. Census Bureau; Mr. Robert Goldenkoff, Director, Strategic Issues, U.S. Government Accountability Office; Ms. Carol Cha, Director, Information Technology, U.S. Government Accountability Office.

Sept. 11, 2013, 1:30 p.m.—Subcommittee on Government Operations hearing entitled, “Oversight of the SIGTARP Report on Treasury’s Role in the Delphi Pension Bailout.” Witnesses: The Honorable Christy L. Romero, Special Inspector General for the Troubled Asset Relief Program; Mr. Matthew A. Feldman, Partner, Wilkie Farr & Gallagher, LLP; Mr. Steven Rattner, Chairman, Willett Advisors, LLC; Mr. Harry J. Wilson, Chairman, CEO and founder, The MAEVA Group, LLC; Mr. Harvey R. Miller, Partner, Weil, Gotshal & Manges, LLP; Ms. Barbara D. Bovbjerg, Managing Director, Education, Workforce, and Income Security Issues, U.S. Government Accountability Office; Ms. A. Nicole Clowers, Director, Financial Markets and Community Investment, U.S. Government Accountability Office.

Sept. 18, 2013, 10:00 a.m.—Subcommittee on Economic Growth, Job Creation and Regulatory Affairs and the Subcommittee on Energy Policy, Health Care and Entitlements Joint hearing entitled, “Federal Implementation of ObamaCare: Concerns of State Governments.” Witnesses: The Honorable Jeff Colyer, M.D., Lieutenant Governor, State of Kansas; The Honorable C. Bradley Hutto, State Senator, State of South Carolina; The Honorable Alan Wilson, Attorney General, State of South Carolina; The Honorable Katrina R.

Jackson, State Representative, State of Louisiana; Ms. Kathy Kliebert, Secretary, Department of Health and Hospitals, State of Louisiana; The Honorable Eleanor Sobel, State Senator, State of Florida, The Honorable Matthew Hudson, State Representative, State of Florida.

Sept. 19, 2013, 9:30 a.m.—Full Committee hearing entitled, “Reviews of the Benghazi Attack and Unanswered Questions.” Witnesses: Ambassador Thomas R. Pickering, Chairman, Benghazi Accountability Review Board; Admiral Michael G. Mullen, USN (Ret.), Vice-Chairman, Benghazi Accountability Review Board; Mr. Mark J. Sullivan, Chairman, Independent Panel on Best Practices, Former Director, United States Secret Service; Mr. Todd Keil, Member, Independent Panel on Best Practices, Former Asst. Secretary for Infrastructure Protection, U.S. Department of Homeland Security; Ms. Patricia Smith, Mother of Sean Smith; and Mr. Charles Woods, Father of Tyrone Woods.

Oct. 1, 2013, 9:30 a.m.—Full Committee hearing entitled, “Secret Agent Man? Oversight of EPA’s IG Investigation of John Beale.” Witnesses: The Honorable Arthur A. Elkins, Jr., Inspector General, U.S. Environmental Protection Agency; Mr. Patrick Sullivan, Deputy Inspector General for Investigations, U.S. Environmental Protection Agency; Mr. Robert Brenner, Former Director of Policy Analysis and Review, Office of Air and Radiation, U.S. Environmental Protection Agency; Mr. John C. Beale, Former Senior Policy Advisor, U.S. Environmental Protection Agency; The Honorable Bob Perciasepe, Deputy Administrator, U.S. Environmental Protection Agency.

Oct. 2, 2013, 10:00 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Oversight of the Wind Energy Production Tax Credit.” Witnesses: Mr. Curtis G. Wilson, Associate Chief Counsel, Passthroughs and Special Industries, Internal Revenue Service; Mr. Rob Gramlich, Senior Vice-President for Public Policy, American Wind Energy Association; Mr. Dan W. Reicher, Executive Director, Steyer-Taylor Center for Energy Policy & Finance at Stanford University; Robert J. Michaels, Ph.D., Senior Fellow, Institute for Energy Research, Professor of Economics, California State University, Fullerton.

Oct. 9, 2013, 9:30 a.m.—Full Committee hearing entitled, “Examining the IRS’s Role in Implementing and Enforcing ObamaCare.” Witnesses: Ms. Sarah Hall Ingram, Director, Affordable Care Act Office, Internal Revenue Service.

Oct. 16, 2013, 9:30 a.m.—Full Committee and the Committee on Natural Resources joint hearing entitled, “As Difficult As Possible: The National Park Service’s Implementation of the Government Shutdown.” Witnesses: The Honorable Greg Bryan, Mayor, Town of Tusayan; Ms. Anna Eberly, Managing Director, Claude Moore Colonial Farm; The Honorable Jonathan B. Jarvis, Director, National Park Service; Ms. Lisa Simon, President, National Tourism Association; Mr. Myron Ebell, Director, Center for Energy and Environment, Competitive Enterprise Institute; and Mr. Denis P. Galvin, Board Member, National Parks Conservation Association.

Oct. 29, 2013, 10:00 a.m.—Full Committee Business Meeting.

Oct. 30, 2013, 9:30 a.m.—Full Committee hearing entitled, “A Culture of Mismanagement and Wasteful Conference Spending at the Department of Veterans Affairs.” Witnesses: The Honorable

Gina Farrisee, Assistant Secretary for Human Resources and Administration, U.S. Department of Veterans Affairs; Mr. Edward Murray, Deputy Assistant Secretary for Finance, U.S. Department of Veterans Affairs; The Honorable John Sepulveda, Former Assistant Secretary for Human Resources and Administration, U.S. Department of Veterans Affairs; The Honorable Richard Griffin, Deputy Inspector General, U.S. Department of Veterans Affairs; Mr. Gary Abe, Deputy Assistant Inspector General for Audits and Evaluations, U.S. Department of Veterans Affairs.

Nov. 13, 2013, 9:30 a.m.—Full Committee hearing entitled, “ObamaCare Implementation: The Rollout of Healthcare.gov.” Witnesses: Mr. David A. Powner, Director of IT Management Issues, U.S. Government Accountability Office; Mr. Henry Chao, Deputy Chief Information Officer, Deputy Director of the Office of Information Services, Centers for Medicare and Medicaid Services; Mr. Frank Baitman, Deputy Assistant Secretary for Information Technology and Chief Information Officer, U.S. Department of Health and Human Services; Mr. Todd Park, Chief Technology Officer of the United States, Office of Science and Technology Policy; Mr. Steven VanRoekel, Chief Information Officer of the United States, and Administrator, Office of Electronic Government, Office of Management and Budget; Mr. Richard A. Spires, Former Chief Information Officer, U.S. Department of Homeland Security; and Ms. Karen Evans, Partner, KE&T Partners, LLC.

Nov. 14, 2013, 10:00 a.m.—Subcommittee on National Security hearing entitled, “Border Security Oversight, Part III: Border Crossing Cards and B1/B2 Visas.” Witnesses: Mr. John Wagner, Acting Deputy Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection; Mr. John P. Woods, Assistant Director, National Security Investigations Division, Homeland Security Investigations, U.S. Immigration and Customs Enforcement, Mr. Edward J. Ramotowski, Deputy Assistant Secretary for Visa Services, Bureau of Consular Affairs, U.S. Department of State; and Mr. Juan Osuna, Director, Executive Office for Immigration Review, U.S. Department of Justice.

Nov. 14, 2013, 9:30 a.m.—Subcommittee on Government Operations hearing entitled, “Reviewing Alternatives to Amtrak’s Annual Losses in Food and Beverage Service.” Witnesses: Mr. Tom Hall, Chief of Customer Services, Amtrak, Mr. Ted Alves, Inspector General, Amtrak Office of the Inspector General; Mr. Dwayne Bateman, Amtrak Food and Beverage Service Employee.

Nov. 19, 2013, 10:00 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Continuing Oversight of the Social Security Administration’s Mismanagement of Federal Disability Programs.” Witnesses: The Honorable Patrick O’Carroll, Inspector General, Social Security Administration; Mr. Glenn E. Sklar, Deputy Commissioner, Disability Adjudication and Review, Social Security Administration; and Mr. Jasper J. Bede, Regional Chief Administrative Law Judge, Region 3 Office of Disability Adjudication and Review, Social Security Administration.

Nov. 20, 2013, 10:00 a.m.—Subcommittee on National Security hearing entitled, “Abuse of Overtime at DHS: Padding Paychecks and Pensions at Taxpayer Expense.” Witnesses: Mr. John Florence, Branch Chief, Use of Force Policy Division, Field Operations Academy, U.S. Customs and Border Protection; The Honorable Carolyn

N. Lerner, Special Counsel, U.S. Office of Special Counsel; Ms. Catherine V. Emerson, Chief Human Capital Officer, U.S. Department of Homeland Security; Mr. Ronald Vitiello, Deputy Chief, Office of Border Patrol, U.S. Customs and Border Protection; and Mr. Brandon Judd, President, National Border Patrol Council, American Federation of Government Employees.

Nov. 22, 2013, 10:00 a.m.—Full Committee field hearing entitled, “ObamaCare Implementation: Sticker Shock of Increased Premiums for Healthcare Coverage.” Witnesses: Mr. Dan Waters, President, Dan Waters & Associates; Mrs. Sherry Overbey, Director, Belmont Crisis Pregnancy Center; Mr. Joel Long, President, Gastonia Sheet Metal Services; Mr. Jason Falls, Owner, Falls Insurance; and Mr. Tav Gauss, President, The Action Group Human Resources Solutions.

Nov. 25, 2013, 10:00 a.m.—Full Committee field hearing entitled, “ObamaCare Implementation: High Costs, Few Choices for Rural America.” Witnesses: Mr. Raymer M. Sale, Jr., President, E2E Benefits Services, Inc.; Jeff Charles Reinhardt, Ph.D., President, The Longstreet Clinic, P.C.; Mr. Michael Boyette, Owner, Owl Town Auto; and Mrs. Emma Lucille Collins, Owner, Synergy Wellness.

Dec. 2, 2013, 10:00 a.m.—Full Committee hearing entitled, “Changes to The Heights Act: Shaping Washington, D.C., for the Future, Part II.” Witnesses: Ms. Harriet Tregoning, Director, DC Office of Planning; and Mr. Marcel C. Acosta, Executive Director, National Capital Planning Commission.

Dec. 3, 2013, 10:00 a.m.—Subcommittee on Government Operations field hearing entitled, “Federal Trade Commission and General Services Administration Thwart Cost Saving Consolidation.” Witnesses: Mr. David Robbins, Executive Director, Federal Trade Commission; and Mr. Chris Wisner, Assistant Commissioner, Office of Leasing, Public Buildings Service, General Services Administration.

Dec. 3, 2013, 10:00 a.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “Assessing Government’s Use of Design-Build Contracts.” Witnesses: Mr. James Dalton, Chief of the Engineering and Construction Division, Directorate of Civil Works, United States Army Corps of Engineers (USACE); Mr. Charles Dalluge, Executive Vice President, Leo A Daly Company, On behalf of the American Institute of Architects; and Mr. Randall Gibson, President, Whitesell-Green, Inc., On behalf of the Associated General Contractors of America.

Dec. 4, 2013, 9:30 a.m.—Full Committee hearing entitled, “The Roll Out of HealthCare.gov: The Limitations of Big Government.” Witnesses: Veronique de Rugy, Ph.D., Senior Research Fellow, Mercatus Center, George Mason University; Clifford Winston, Searle Freedom Trust Senior Fellow, Economic Studies Program, The Brookings Institution; Mark A. Calabria, Ph.D., Director of Financial Regulation Studies, Cato Institute; and Karen Kruse Thomas, Ph.D., Historian and Communications Associate, Johns Hopkins Bloomberg School of Public Health.

Dec. 6, 2013, 10:00 a.m.—Full Committee field hearing entitled, “ObamaCare Implementation: The Broken Promise: If You Like Your Current Plan You Can Keep It.” Witnesses: Mrs. Julie Dalton, Arizona; Ms. Diana Robinson, Arizona; Mr. Steve Montgomery, Arizona/California Border; and Mrs. Christie Hamman, Arizona.

## FULL COMMITTEE BUSINESS MEETINGS HELD

*January 22, 2013—Full Committee Organization Meeting*

## Summary:

- (1) Adopted Committee Rules for the 113th Congress; and
- (2) Approved Subcommittee Membership.

*February 5, 2013—Full Committee Business Meeting*

## Summary:

Committee on Oversight and Government Reform Oversight Plan for the 113th Congress. The Oversight Plan was approved by voice vote.

\*\* Subcommittee assignments approved for Democrat Members recently named to the Committee.

*February 14, 2013—Full Committee Business Meeting*

## Summary:

The Committee on Oversight and Government Reform met in open session to consider:

Committee Report entitled, “Billions of Federal Tax Dollars Misspent on New York’s Medicaid Program.”

Mr. Issa offered an amendment in the nature of a substitute. The amendment was agreed to by voice vote.

The report, as amended, was reported to the House favorably, by voice vote.

*March 20, 2013—Full Committee Business Meeting*

## Summary:

The Committee on Oversight and Government Reform met in open session to consider:

1. H.R. 249 (Chaffetz), the Federal Employee Tax Accountability Act of 2013.

Rep. Speier offered an amendment to change the definition of “seriously delinquent tax debt.” She later withdrew the amendment.

H.R. 249 was reported favorably to the House, a quorum being present, by voice vote.

2. H.R. 882 (Chaffetz), the Contracting and Tax Accountability Act of 2013.

H.R. 882 was reported favorably to the House, a quorum being present, by voice vote.

3. H.R. 313 (Emerson/Farenthold), the Government Spending Accountability Act of 2013.

Rep. Farenthold offered an amendment in the nature of a substitute (ANS).

Rep. Clay offered an amendment to the Farenthold ANS expanding on the international conference rule to allow the head of an agency to grant a waiver in some circumstances. The amendment was agreed to by voice vote.

Rep. Clay offered an amendment to the Farenthold ANS exempting the public disclosure requirements for materials used at a conference, as well as providing a detailed breakdown of expenses unless the total cost in either instance exceeded more than \$50,000. Chairman Issa asked unanimous consent to strike any exemption

for producing materials, and to change “\$50,000” to “\$10,000.” There was no objection.

The Clay amendment (as modified by the Issa U.C.) was agreed to by voice vote.

Rep. Pocan offered an amendment to the Farenthold ANS to modify the language regarding annual travel expense limits. He later withdrew the amendment.

The Farenthold ANS, as amended, was agreed to by voice vote.

H.R. 313, as amended, was reported favorably to the House, a quorum being present, by voice vote.

4. H.R. 328 (Chaffetz), the Excess Federal Building and Property Disposal Act of 2013.

H.R. 328 was reported favorably to the House, a quorum being present, by voice vote.

5. H.R. 1163 (Issa), the Federal Information Security Amendments Act of 2013.

H.R. 1163 was reported favorably to the House, a quorum being present, by voice vote.

6. H.R. 1232 (Issa), the Federal Information Technology Acquisition Reform Act.

H.R. 1232 was reported favorably to the House, a quorum being present, by voice vote.

7. H.R. 1211 (Issa), the FOIA Oversight and Implementation Act of 2013.

Rep. Turner offered an amendment to add a section at the end of the bill—“Sec. 4. Applicability of FOIA.” He later withdrew the amendment.

Rep. Duckworth offered an amendment which added language regarding duplication fees. The amendment was agreed to by voice vote.

Rep. Turner offered an amendment which expanded on the requirements of the Government Accountability Office with regard to section 552 of title 5 of the U.S. Code. The amendment was agreed to by voice vote.

Rep. Mica offered an amendment to add a section to the end of the bill to require each agency’s Office of Inspector General to review FOIA compliance—“Sec. 4. Inspector General Review; Adverse Actions.” The amendment was agreed to by voice vote.

H.R. 1211, as amended, was reported favorably to the House, a quorum being present, by voice vote.

8. H.R. 1162 (Issa), the Government Accountability Office Improvement Act.

H.R. 1162 was reported favorably to the House, a quorum being present, by voice vote.

9. H.R. 1133 (Duncan), the Presidential Library Donation Reform Act.

H.R. 1133 was reported favorably to the House, a quorum being present, by voice vote.

10. H.R. 1104 (Clay), the Federal Advisory Committee Reform Act.

H.R. 1104 was reported favorably to the House, a quorum being present, by voice vote.

11. H.R. 1246 (Norton), the DC CFO Vacancy Act.

H.R. 1246 was reported favorably to the House, a quorum being present, by voice vote.



12. H.R. 1233 (Cummings), Presidential and Federal Records Act Amendments of 2013.

Chairman Issa offered an amendment which added language regarding disclosure requirements for personal e-mail use regarding government business. The amendment was agreed to by voice vote.

H.R. 1233, as amended, was reported favorably to the House, a quorum being present, by voice vote.

13. H.R. 1234 (Cummings), the Electronic Message Preservation Act.

Chairman Issa offered an amendment which added language regarding disclosure requirements for personal e-mail use regarding government business. The amendment was agreed to by voice vote.

H.R. 1234, as amended, was reported favorably to the House, a quorum being present, by voice vote.

*May 22, 2013—Full Committee Business Meeting*

Summary:

The Committee on Oversight and Government Reform met in open session to consider:

1. H.R. 2061 (Issa), the “Digital Accountability and Transparency Act of 2013.”

Chairman Issa offered an amendment in the nature of a substitute (ANS). The amendment was agreed to by voice vote.

H.R. 2061 was reported favorably to the House, as amended, a quorum being present, by voice vote.

2. H.R. 568 (Ross), to amend title 5, United States Code, to require that the Office of Personnel Management submit an annual report to Congress relating to the use of official time by Federal employees.

Chairman Issa offered an amendment in the nature of a substitute (ANS). The amendment was agreed to by voice vote.

H.R. 568 was reported favorably to the House, as amended, a quorum being present, by voice vote.

3. H.R. 1380 (Quigley), the “Access to Congressionally Mandated Reports Act.”

Chairman Issa offered an amendment in the nature of a substitute (ANS). The amendment was agreed to by voice vote.

H.R. 1380 was reported favorably to the House, as amended, a quorum being present, by voice vote.

4. H.R. 2067 (Meadows), the “Alcohol and Tobacco Tax and Trade Bureau Personnel Flexibilities Act.”

H.R. 2067 was reported favorably to the House, a quorum being present, by voice vote.

5. H.R. 1171 (Benishek), the “FOR VETS Act of 2013.”

H.R. 1171 was reported favorably to the House, a quorum being present, by voice vote.

*June 28, 2013—Full Committee Business Meeting*

Summary:

The Committee on Oversight and Government Reform met in open session to consider:

A resolution concerning whether Lois Lerner, the Director of Exempt Organizations at the Internal Revenue Service, waived her Fifth Amendment privilege against self-incrimination when she made a statement at the Committee hearing on May 22, 2013.

Rep. Norton offered an amendment in the nature of a substitute. The amendment was defeated by a recorded vote of 16 Ayes to 20 Noes.

Voting Aye: Cummings, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cárdenas, and Horsford.

Voting No: Issa, Mica, Turner, Duncan, Jordan, Chaffetz, Walberg, Amash, Gosar, Meehan, DesJarlais, Gowdy, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

The Chairman moved that the Committee on Oversight and Government Reform approve the resolution finding that Lois Lerner waived her Fifth Amendment privilege on May 22, 2013. The motion was approved by a recorded vote of 22 Ayes to 17 Noes.

Voting Aye: Issa, Mica, Turner, Duncan, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Massie, Collins, Meadows, Bentivolio, and DeSantis.

Voting No: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Horsford, and Lujan Grisham.

*July 24, 2013—Full Committee Business Meeting*

Summary:

The Committee on Oversight and Government Reform met in open session to consider:

H.R. 2748, the Postal Reform Act of 2013—reported favorably, as amended, by a vote of 22–17.

Voting Yes: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

Voting No: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cárdenas, and Lujan Grisham.

Amendments:

(1) Cummings ANS—defeated by a vote of 17–22.

Voting Yes: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cárdenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

(2) Woodall—limits the size of non-cash compensation to very senior postal executives until the financial crisis is resolved—agreed to by voice vote.

(3) Tierney—strikes Sec. 306 (Postal Service workers' compensation reform)—defeated by a vote of 17–22.

Voting Yes: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cárdenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy,

Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

(4) Farenthold—adds new Sec. 703—ensures that the USPS adheres to generally accepted accounting principles in developing plans to return the USPS to solvency—agreed to by voice vote.

(5) Lynch—strikes Sec. 102 (Delivery-point modernization)—defeated by a vote of 17–22.

Voting Yes: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cardenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

(6) Meehan—to ensure that local communities have specific input into the delivery point modernization process—agreed to by voice vote.

(7) Lynch—strikes Sec. 301 (Applicability of reduction-in-force procedures)—defeated by a vote of 17–22.

Voting Yes: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cardenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

(8) Lynch—strikes Sec. 501 (Treatment of Postal Service post-employment benefit funding projected surpluses)—defeated by a vote of 17–22.

Voting Yes: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cardenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

(9) Turner en bloc (2 parts)—encourages the increased use of innovative mailpiece design as a way to spur the increased use of mail—agreed to by voice vote.

(10) Pocan—regarding pre-fund requirement—WITHDRAWN

(11) Davis—regarding air carriers of packages—WITHDRAWN

(12) Meehan—adds Sec. 107 (Sense of Congress with respect to delivery points)—WITHDRAWN

(13) Mica—“amends the Obama healthcare bill”—WITHDRAWN

H.R. 2793, the District of Columbia Financial Efficiency Act of 2013—reported favorably, without amendment, by unanimous consent.

H.R. 1541, the Common Sense in Compensation Act—reported favorably, as amended, by voice vote.

Amendments:

(1) Meadows ANS—agreed to by voice vote (as amended by Lynch 2)

(2) Lynch (to Meadows ANS)—waiver on 5% cap—agreed to by voice vote (as amended by Issa 3)

(3) Issa (to Lynch)—agreed to by voice vote

H.R. 2579, the Government Employee Accountability Act—reported favorably, as amended, by voice vote

Amendments:

(1) Issa ANS (for Farenthold)—agreed to by voice vote, as amended.

(2) Lynch (to Issa ANS)—regarding due process—defeated by a vote of 17–22.

Voting Yes: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cardenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

(3) Connolly (to Issa ANS)—prohibits an agency from using the expedited termination procedure to retaliate against a Senior Executive Service whistleblower or to bring expedited termination against an SES employee who has a pending claim of whistleblower retaliation—agreed to by voice vote.

(4) Cummings (to Issa ANS)—prohibits an agency from using the expedited termination procedure to discriminate against a Senior Executive Service employee or to bring expedited termination against an SES employee who has a pending claim of discrimination—agreed to by voice vote.

(5) Speier (to Issa ANS)—The Speier amendment makes several changes to the standard for immediate termination, allowing an agency to terminate a Senior Executive Service (SES) employee for “serious” neglect of duty, misappropriation of funds, or malfeasance if the agency determines the SES employee acted in a manner that “knowingly” endangers the interest of the agency mission—agreed to by voice vote.

(6) Lynch (to Issa ANS)—prevents an agency head from terminating a Senior Executive Service employee without an administrative waiting period (essentially gutting half of the bill). The effect of the amendment is to grant SES employees a minimum 30 days advance notice of the termination, a minimum of 7 days to respond to the notice of termination, and the potential for an internal hearing (the procedures agencies currently follow when taking disciplinary action against an SES employee)—agreed to by voice vote.

H.R. 899, the Unfunded Mandates Information and Transparency Act of 2013—reported favorably by a vote of 22–17.

Voting Yes: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cardenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

Amendments:

(1) Lynch—regarding sequestration—defeated by voice vote (2) Connolly—to apply early stakeholder consultation requirement to “any interested individual”—defeated by a vote of 17–22.

Voting Yes: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Cooper, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Davis, Welch, Cardenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

H.R. 1423, the Taxpayers Right-To-Know Act—reported favorably, as amended, by voice vote

Amendments:

(1) Speier—regarding duplication of funds and overlaps—agreed to by voice vote.

H.R. 2711, the Citizen Empowerment Act—reported favorably, as amended, by voice vote

Amendments:

(1) Issa ANS—agreed to by voice vote.

(2) Cummings (to Issa ANS)—inserting a new subsection “Coordination Provision”—defeated by vote of 14–18.

Voting Yes: Cummings, Maloney, Tierney, Clay, Lynch, Cooper, Connolly, Cartwright, Pocan, Duckworth, Davis, Welch, Cárdenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Walberg, Lankford, Amash, Gosar, Meehan, DesJarlais, Gowdy, Farenthold, Hastings, Lummis, Woodall, Massie, Collins, and Bentivolio.

H.R. 1660, the Government Customer Service Improvement Act of 2013—reported favorably, as amended, by voice vote.

Amendments:

(1) Issa ANS—agreed to by voice vote.

*October 29, 2013—Full Committee Business Meeting*

Summary:

The Committee on Oversight and Government Reform met in open session to consider:

H.R. 2860 (Farenthold), the OPM IG Act—reported favorably, by voice vote.

H.R. 3343 (Norton), to amend the District of Columbia Home Rule Act to clarify the rules regarding the determination of the compensation of the Chief Financial Officer of the District of Columbia—reported favorably, by voice vote.

H.R. 3316 (Lankford), the Grant Reform and New Transparency Act of 2013 (or the “GRANT Act”).

Ms. Speier offered an amendment to allow agencies to reduce the pre-grant financial management evaluation process only for grantees that have received more than \$10 million in federal grants in the past 3 years. The amendment was agreed to by voice vote.

Mr. Connolly offered an amendment to substitute posting only grant application abstracts for the posting of full successful grant applications. The amendment failed by a recorded vote of 15–19.

Voting Aye: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Welch, Cárdenas, and Lujan Grisham.

Voting No: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, DesJarlais, Gowdy, Farenthold, Hastings, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

Mr. Pocan offered an amendment and then withdrew the amendment.

The bill, H.R. 3316, was reported favorably, as amended, by a vote of 19–15.

Voting Aye: Issa, Mica, Turner, McHenry, Jordan, Chaffetz, Walberg, Lankford, Amash, DesJarlais, Gowdy, Farenthold, Hastings, Woodall, Massie, Collins, Meadows, Bentivolio, and DeSantis.

Voting No: Cummings, Maloney, Norton, Tierney, Clay, Lynch, Connolly, Speier, Cartwright, Pocan, Duckworth, Kelly, Welch, Cárdenas, and Lujan Grisham.

H.R. 3345 (Issa), the Stop Unworthy Spending Act (or the “SUSPEND Act”).

Mr. Chaffetz (with Ms. Speier and Mr. Tierney) offered an amendment to further strengthen the SUSPEND Act by requiring timely referral and consideration of suspension and debarment cases. Specifically, the amendment provides a 30-day time limit for the referred cases to be either accepted or rejected by the suspension and debarment official. It also requires all S&D cases to be resolved within 6 months from the initial referral date. The amendment further requires that the annual report to Congress include the number and summary of any instances where the agency head made determinations to allow a suspended or debarred entity to receive new contracts or grants. The amendment was agreed to by voice vote.

The bill, H.R. 3345, was reported favorably, as amended, by voice vote.

### III. SUMMARY OF COMMITTEE OVERSIGHT PLAN

Pursuant to Rule X, Clause 2(d) of the Rules of the House, the Committee on Oversight and Government Reform for the 113th Congress adopted the following plan to guide the work of its subcommittees and the full committee. Because of the Committee’s role as the principal oversight body of the federal government and its mandate to investigate “any matter at any time,” this plan did not preclude oversight and investigation of other matters of importance to the American people.

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

- Waste, Fraud, Abuse, and Mismanagement.
- Financial Sector Regulation—including the implementation of Dodd-Frank, reviewing the FCIC, the creation of the CFBP, the Troubled Asset Relief Program and the recommendations of the Special Inspector General, including the failure of the Home Affordable Mortgage Program, and the Federal Housing Finance Agency’s oversight of Fannie Mae and Freddie Mac.
- Consumer Protection—including abuses by the mortgage industry which, coupled with high unemployment and a stagnant economy, have contributed to the foreclosure crisis.
- Government Accountability Office—including the effectiveness of federal government inspectors general and their freedom from political interference, and ensuring the independence and integrity of the GAO, and the federal government’s actions on the recommendations in their biannual High Risk Series and their new annual list of duplicative, overlapping, and fractured federal programs.
- Federal Financial Management—including the record \$125 billion in improper payments made in 2010, growth in non-tax debt owed to the Federal Government, the persistent inability of many federal agencies to achieve a clean audit, and a comprehensive de-

tailed review of financial management systems in place in the Federal Government.

- Federal Real Property Disposal—including the proposal for a pilot program at GSA to reduce the federal deficit by disposing of excess property.
- Government Contracting—including information technology acquisition and suspension and debarment.
- Open Government and Transparency—including federal spending data accuracy, grant reform, the implementation of the Government Performance and Review Act and Performance.gov, compliance with the Presidential Records Act and the Federal Records Act and the need to update those acts to keep up with technology, political travel and the Hatch Act, allegations of political interference with the Freedom of Information Act, and a government-wide review of FOIA backlogs and agency efforts to eliminate them.
- Technology Policy—including the Committee’s ongoing oversight of the Federal Information Security Management Act, and the emergence of a federal cybersecurity policy.
- Federal Regulation and the Regulatory Process—including updating and strengthening the Unfunded Mandates Review Act of 1995, reviewing the role of the White House Office of Information and Regulatory Affairs in rulemaking, and initiating a government-wide and economy-wide review of regulatory impediments to job creation, and soliciting input from the private sector.
- Energy—including actions taken by the Federal Government that have impeded the development of domestic energy resources, including actions taken to discourage the use of new and newly deployed technologies.
- Environment—including oversight of the management of the Environmental Protection Agency.
- Healthcare and Entitlements—including the Affordable Care Act and federal disability programs.
- District of Columbia—including D.C. fiscal management, and general oversight of the D.C. government.
- Census—including ensuring the accuracy of the 2020 census.
- National Archives and Federal Records—including improving transparency of presidential and federal records.
- Government Management and the Federal Workforce—including pay and benefits, the use of “official time” to conduct union activities, and the administration of the Office of Personnel Management.
- United States Postal Service—focusing on policies that will address the actual long-term fiscal sustainability of USPS and avoid a taxpayer bailout.
- National Security and Foreign Operations—including the growing delays in the transition process from DOD to Veterans Affairs health care systems for wounded warriors, contracting in Afghanistan, and the failures that led to the Benghazi attack.
- Homeland Security—border security operations and decision-making at the Department of Homeland Security, and policies regarding privacy and security at airports and the effectiveness of the Transportation Security Administration.

#### IV. SUMMARY OF ACTIONS TAKEN AND RECOMMENDATIONS MADE WITH RESPECT TO THE OVERSIGHT PLAN

##### *Waste, Fraud, Abuse and Mismanagement*

The Committee held numerous hearings in 2013 focused on waste, fraud, abuse, and mismanagement throughout the federal government. On February 5th, the Committee held a hearing entitled, "Government Spending: How Can We Best Address the Billions of Dollars Wasted Every Year?" The Committee heard from Citizens Against Government Waste alongside Taxpayers for Common Sense. Dan Blair, a Bush administration OMB official, testified on behalf of National Academy of Public Administration, and John Kamensky, a former staffer for Vice President Gore, represented the IBM Center for the Business of Government.

In February, the Subcommittee on Economic Growth, Job Creation and Regulatory Affairs and Regulatory Affairs convened a hearing to coincide with the fourth anniversary of the passage of the stimulus in 2009. The witnesses were experts on government spending and unemployment insurance, including Casey Mulligan, a University of Chicago economist who spoke about the impact that increased unemployment insurance has on the jobless rate and beneficiaries' likeliness to seek full-time employment.

On April 16th, 2013, the Committee held a hearing to examine how the National Archives and Records Administration, the National Park Service, and the Smithsonian planned to implement spending adjustments related to sequestration. Archives and the Smithsonian appeared to have started planning for the possibility of sequestration as far back as late 2011 and therefore did not anticipate significant impacts to the public. Witnesses included David S. Ferriero, Archivist of the United States, National Archives and Records Administration; Jonathan B. Jarvis, Director, National Park Service; and Dr. G. Wayne Clough, Secretary, Smithsonian Institution.

Continuing the Committee's multi-year oversight of the DOE's Loan Program Office, on April 24th, 2013, Mr. Jordan's subcommittee held a hearing on loan given to Fisker Automotive. The hearing explored the circumstances leading to the DOE offering taxpayer support for Fisker and its ill prospects for repayment. Witnesses at the hearing included Henrik Fisker, Former Executive Chairman, Fisker Automotive; Tony Posawatz, CEO, Fisker Automotive; Bernhard Koehler, Chief Operating Officer, Fisker Automotive.

On June 6, 2013, the Committee held a hearing to examine the IRS's wasteful spending culture and excessive agency conference spending. This abuse of taxpayer funds was also the subject of an audit by the Treasury Inspector General for Tax Administration. Witnesses included J. Russell George, Inspector General, Treasury Inspector General for Tax Administration; Gregory Kutz, Assistant Inspector General for Audit, Treasury Inspector General for Tax Administration; Faris Fink, Commissioner, Small Business and Self-Employed Division, Internal Revenue Service; and Danny Werfel, Acting Commissioner, Internal Revenue Service.

On October 1, 2013 the Committee held a hearing to examine the recent EPA Inspector General investigation into former EPA employee John Beale, who pleaded guilty to defrauding the EPA and



receiving approximately \$900,000 in pay for work not performed. Mr. Beale also allegedly impersonated a CIA agent. Witnesses included: the Honorable Arthur A. Elkins, Jr., Inspector General, EPA; Patrick Sullivan, Deputy Inspector General for Investigations, EPA; John C. Beale, Former Senior Policy Advisor, EPA; Robert Brenner, Former Director of Policy Analysis and Review, Office of Air and Radiation, EPA; and the Honorable Bob Perciasepe, Deputy Administrator, EPA.

On October 16, 2013 the Committee held a joint hearing with the Committee on Natural Resources to examine the National Park Service's closure decisions. Chairman Issa issued a subpoena to secure the testimony of Jonathan B. Jarvis, Director, National Park Service. Other witnesses included Kevin Gardner, a legal expert on private concessionaires; Anna Eberly, Managing Director, Claude Moore Colonial Farm; and Mark Hoffman, Chairman, National Tourism Association.

#### *Financial Sector*

On April 24, 2013, the Committee held an oversight hearing on the Small Business Lending Fund. Created in 2010, the goal of the SBLF was to increase the availability of credit to small businesses, allowing them to expand and hire. The program permitted the Department of the Treasury to invest up to \$30 billion in small banks. However, the Special Inspector General for the Troubled Asset Relief Program (SIGTARP) found that banks used the SBLF funds to exit TARP, rather than make loans to small businesses. The Special Inspector General testified that TARP banks participating in SBLF did not effectively increase lending to small business, and offered specific recommendations to improve the program. The Treasury Department was unavailable to participate in the hearing on that date.

On July 18, 2013, the Subcommittee on Economic Growth, Job Creation and Regulatory Affairs held an oversight hearing examining the impact of the Dodd-Frank Act on community banks. It is widely acknowledged that community banks in no way contributed to the 2008 financial crisis. Nonetheless, Dodd-Frank imposes onerous regulatory burdens on community banks. Because small banks are the least able to absorb the tremendous compliance costs, the end result has been growing trend of bank closures and consolidation. Ironically, this only contributed to the "too big to fail" phenomenon that left taxpayers on the hook for poor business decisions. The Subcommittee received testimony from the President of a community bank in St. Augustine, Florida, a former Member of Congress, and two academics who have studied Dodd-Frank's impact on community banking.

The Committee is overseeing the Securities and Exchange Commission's consideration of a rule mandating that public companies disclose their political expenditures. Documents produced to the Committee demonstrate that the SEC's professional staff strongly opposed such a rulemaking. Staff argued that a corporate political disclosure rule is well-outside the Commission's mandate, unnecessary in light of existing shareholder proxy statement rules, and inappropriate given outstanding mandatory rules in the Dodd-Frank Act and JOBS Act. Notwithstanding these objections, the Commission elected to place the rulemaking on the Office of Management

and Budget's Unified Regulatory Agenda. Documents produced to the Committee indicate this decision was the product of intense political pressure from external parties.

The Committee is conducting oversight of the Financial Stability Oversight Council. Created by Title I of the Dodd-Frank Act, FSOC is constituted of a broad swath of federal financial regulators. Documents produced to the Committee in an ancillary investigation provide strong evidence that FSOC's operations may be infringing on the independence and core competence of the Council's constituent regulatory bodies. This infringement is particularly troubling in the cases where the regulatory agency is headed by an independent, bipartisan commission and not a single political appointee. The Committee is particularly concerned with the Council's authority under Section 120 of the Dodd-Frank Act to issue formal recommendations for regulatory action.

#### *Consumer Protection*

On January 4, 2013, Chairman Issa and Ranking Member Cummings jointly wrote the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency to learn more about discussions both agencies had to amend consent orders they had made in April 2011 with several mortgage servicing companies regarding loan servicing and foreclosure processing. In May 2013, Chairman Issa and Ranking Member Cummings also wrote the FRB and the OCC to request information regarding the amended consent orders the agencies ultimately entered into with these companies on January 7, 2013.

Committee staff reviewed responsive documents at the OCC on June 25, 2013, and reviewed responsive documents at the FRB on November 1, 2013. The Committee continues discussions with the OCC and FRB to receive copies of these documents and to understand more fully how the amended consent orders are operating in practice.

#### *The Government Accountability Office*

On February 14, 2013, the Committee held a hearing on the Government Accountability Office's (GAO) high risk list entitled "Exploring GAO's High Risk List and Opportunities for Reform." The hearing reviewed GAO's biannual high risk list, which identified 30 areas of government that are most susceptible to waste, fraud, abuse, and mismanagement. Comptroller General Gene Dodaro testified about the high risk areas, including climate change, federal contract management, modernizing insurance and benefit programs, and transforming the Department of Defense's program management.<sup>1</sup>

On April 9, 2013, the Committee held a hearing on the GAO's third annual report on duplication, overlap, fragmentation, and opportunities for cost saving in government. The hearing was entitled, "Reducing Waste in Government: Addressing GAO's 2013 Report on Duplicative Federal Programs," and Comptroller General Dodaro testified. The report identified 31 new areas, including 17

<sup>1</sup>U.S. House of Representatives, Committee on Oversight and Government Reform, Hearing, "Exploring GAO's High Risk List and Opportunities for Reform," February 14, 2013. Available at: <http://oversight.house.gov/hearing/exploring-gaos-high-risk-list-and-opportunities-for-reform-2/>.

instances of fragmentation, duplication, and overlap, and 14 areas of potential cost savings. Comptroller General Dodaro testified that many of the nearly 300 recommendations GAO had made in past reports remained unaddressed.<sup>2</sup>

On July 10, 2013, the Committee held a hearing entitled, “Unaccountable Government: GAO Reports Show Feds Struggling to Track Money and Performance.” Comptroller General Dodaro testified about GAO’s work on the Government Performance and Results Modernization Act (GPRAMA) and the 2012 Financial Report of the U.S. Government. According to two reports released by GAO on June 26, 2013, the federal government has not fully implemented the program performance measurements established under GPRAMA, and the measures that have been implemented are not always useful to government program managers or Congress. GAO also found that only 37 percent of managers had conducted an evaluation for any program, operation, or project in the last five years.<sup>3</sup>

#### *Federal Real Property Disposal*

On January 22, 2013, Subcommittee Chairman Jason Chaffetz reintroduced the “Excess Federal Building and Property Disposal Act of 2013.” This bill, H.R. 328, directs the Administrator of the General Services Administration (GSA) to conduct a pilot program, in consultation with the Director of the Office of Management and Budget (OMB), for the expedited disposal of real property that is no longer meeting the needs of the Federal Government. The bill establishes a grant program under which homeless-serving organizations use a portion of property sale proceeds under the pilot to provide permanent housing for the homeless. H.R. 328 also makes permanent changes to the Federal property disposal process and incentivizes agencies to appropriately manage and efficiently dispose of their real property assets. The bill was unanimously agreed to by voice vote at a Committee mark up on March 20, 2013.

The Government Operations Subcommittee, led by Chairman John Mica, held several hearings highlighting excess and underutilized federal buildings. On February 27, 2013, Chairman Mica held a hearing entitled, “Failures in Managing Federal Real Property: Billions in Losses.” David Wise, director of the Physical Infrastructure Team at the Government Accountability Office (GAO), Dorothy Robyn, Commissioner of Public Building Services at GSA, and Leonard Gilroy, Director of the Government Reform Reason Foundation, served as hearing witnesses. The hearing brought to light the facts that nationally, the federal government owns 77,000 structures that have been deemed vacant or underutilized —14,000 have been deemed excess, and the government spends \$1.67 billion per year to maintain and operate these properties. David Wise testified that poor communication between agencies and out-of-date or unreliable data on the condition of federal properties has exacerbated this problem.

<sup>2</sup>U.S. House of Representatives, Committee on Oversight and Government Reform, Hearing, “Reducing Waste in Government: Addressing GAO’s 2013 Report on Duplicative Federal Programs,” April 9, 2013. Available at: <http://oversight.house.gov/hearing/reducing-waste-in-government-addressing-gaos-2013-report-on-duplicative-federal-programs/>.

<sup>3</sup>U.S. House of Representatives, Committee on Oversight and Government Reform, Hearing, “Unaccountable Government: GAO Reports Show Feds Struggling to Track Money and Performance,” July 10, 2013. Available at: <http://oversight.house.gov/hearing/unaccountable-government-gao-reports-show-feds-struggling-to-track-money-and-performance/>.

On March 8, 2013, the Subcommittee held a field hearing entitled, “Addressing Unused and Vacant Federal Courthouses: A Case Study in Miami-Dade, Florida” at the David W. Dyer Federal Building and U.S. Courthouse in Miami, Florida. This particular courthouse has been vacant for approximately five years. GSA has struggled to reposition it, and, unfortunately, it costs the taxpayers \$1.2 million annually to maintain.

On April 25, 2013, the Subcommittee held a field hearing entitled, “Government Operations Oversight: Addressing Unused and Vacant Federal Property,” in GSA’s vacant L Street Warehouse in Washington, D.C. The hearing examined the cost to the taxpayers of underperforming or vacant assets and, in particular, the status of the vacant GSA L Street Warehouse, which costs GSA approximately \$70,000 per year to operate and maintain. In addition, the hearing also highlighted the continued problems with the collection and accuracy of data contained in the Federal Real Property Profile, a database owned by OMB.

#### *Government Contracting*

##### *Suspension and Debarment*

In June 2013, the Committee held a hearing entitled: “Protecting Taxpayer Dollars: Is the Government Using Suspension and Debarment Effectively?” GAO had identified serious weaknesses in the suspension & debarment programs of numerous agencies, which were supposed to keep the over \$1 trillion taxpayer dollars awarded annually in contracts and grants out of the hands of individuals and companies who should not get them. Witnesses from a non-partisan public interest group and a law firm with extensive practice in the field of suspension and debarment pointed out persistent problems with procedural inconsistencies among various agency policies and practice and the lack of transparency and timeliness in handling cases. These fractured practices, in turn, led to the government-wide excluded parties database used by all contracting and grant officers remaining incomplete and unreliable. The Committee, in response, introduced and advanced a bipartisan legislation that reforms suspension and debarment procedures and overhauls the organizational management of suspension and debarment activity across the government.

##### *Government Contracting and Information Technology Acquisition*

From the beginning of the 113th Congress, mismanagement of federal information technology (IT) investments and the weakness in overall acquisition practices have been a priority of the Committee, and the Committee held a series of hearings on the subject. In January, the Committee held a hearing entitled, “Wasting Information Technology Dollars: How Can the Federal Government Reform its IT Investment Strategy?” This hearing confirmed that despite spending more than \$600 billion over the past decade, federal IT investments, too often, run over budget, behind schedule, or never deliver on the promised solution or functionality. Industry experts have estimated that as much as 25 percent of the annual \$80 billion spent on IT is attributable to mismanaged or duplicative IT investments.

In February, the Committee held a follow-up hearing entitled, “Time to Reform IT Acquisition: The Federal IT Acquisition Reform Act” during which the Committee heard from a variety of industry experts, academia, and government IT leaders regarding the ways to reform IT acquisition as proposed in the draft Federal IT Acquisition Reform Act.

In May, the Subcommittee on Government Operations held a field hearing in Fairfax, Virginia entitled, “Data Centers and the Cloud: Is the Government Optimizing New Information Technologies Opportunities to Save Taxpayers Money?” In July, the Subcommittee held a follow-up hearing entitled “Data Centers and the Cloud Part II: The Federal Government’s Take on Optimizing New Information Technologies Opportunities to Save Taxpayers Money.” The two hearings revealed serious weaknesses in the Federal Data Center Consolidation Initiative (FDCCI), an OMB-driven program to reduce waste and duplication in government IT infrastructure. Weaknesses included the lack of complete inventory of data centers to be closed or consolidated, the lack of consistent method for tracking cost savings, and the lack of adequate management oversight over the governance of the FDCCI program. GAO witness also provided the current list of 17 troubled IT investments with the total value of \$102 billion, highlighting the significance of the need for a reform.

Taking into consideration various findings and recommendations from the above hearings and extensive stakeholder feedback, the Committee advanced the bipartisan IT acquisition reform legislation as an amendment to the House version of Fiscal Year 2014 National Defense Authorization Act.

With respect to oversight of general acquisition practices, in April, the Subcommittee on National Security held a hearing entitled, “Contracting to Feed U.S. Troops in Afghanistan: How did the Defense Department end up in a Multi-Billion Dollar Billing Dispute?” This hearing examined problems associated with the Defense Department’s subsistence prime vendor contract in Afghanistan with Supreme Foodservice GmbH (Supreme) a privately held foreign company based in Amsterdam. Witnesses from the Defense Logistics Agency (DLA) and the prime contractor confirmed that while the scope of the contract dramatically expanded to meet the needs of the military operations within Afghanistan, the parties never finalized or definitized the contract terms and prices, resulting in ongoing legal dispute and overpayments.

In June, the Committee held a hearing entitled, “The IRS Contracts with Strong Castle, Inc.” examining contracting improprieties and mismanagement at the Internal Revenue Service. This was the result of the Committee’s 4-month long investigation after learning that during 2012, the IRS awarded contracts with a potential value of more than \$500 million to Strong Castle, Inc., which had no federal contracts prior to 2012. The Committee’s investigation has raised serious questions about the integrity of the acquisition process at the IRS and how the agency is using the taxpayer money it collects.

#### *Open Government and Technology*

On March 13, 2013, the Committee on Oversight and Government Reform held a Committee hearing on open government and

transparency in government entitled, “Addressing Transparency in the Federal Bureaucracy: Moving Toward A More Open Government.” The Committee heard testimony from representatives of transparency watchdog groups, including Ms. Angela Canterbury, Director of Public Policy, Project on Government Oversight; Mr. Jim Harper, Director of Information Policy Studies, Cato Institute; Mr. Daniel Schuman, Policy Counsel, The Sunlight Foundation; and Ms. Celia Wexler, Senior Washington Representative, Center for Science and Democracy, Union of Concerned Scientists. The witnesses suggested areas of reform needed in the Freedom of Information Act and other open government laws.<sup>4</sup>

On September 10, 2013, the Committee held a Committee hearing entitled, “Preventing Violations of Federal Transparency Laws.” Witnesses included the Honorable Gary Gensler, Chairman of the U.S. Commodity Futures Trading Commission, The Honorable Lisa Jackson, former Administrator of the U.S. Environmental Protection Agency, Mr. Jonathan Silver, former Executive Director of the Loan Program Office at the U.S. Department of Energy, Mr. Andrew McLaughlin, former Deputy Chief Technology Officer at the Executive Office of the President, and the Honorable David Ferriero, Archivist of the United States. The hearing reviewed the government’s policy on email use, particularly using unofficial email to conduct official work. Witnesses testified that the government does not adequately train staff on how to use unofficial emails or store their emails to comply with federal records laws.<sup>5</sup>

#### *Technology Policy*

On April 16, 2013, on a vote of 416–0, the Federal Information Security Amendments Act of 2013 (H.R. 1163) was approved by the House of Representatives. During the House Oversight and Government Reform Committee Markup on March 20, 2013, the bill was also approved on a unanimous bipartisan voice vote. H.R. 1163 enhances the Federal Information Security Management Act (FISMA) of 2002 by improving the framework for securing federal computer information technology systems. It also establishes a mechanism for stronger oversight of information technology systems by focusing on automated and continuous monitoring of cybersecurity threats and regular “threat assessments.”

Since its enactment, FISMA has become a compliance activity, where all too often ‘check-the-box’ compliance has taken precedence over security enhancement. To ensure that FISMA focuses on ‘real-time’ threats and incorporates technological developments occurring in the decade since its enactment, H.R. 1163 was introduced. To address the increasing security breaches highlighted by the aforementioned GAO study, H.R. 1163 requires automated and continuous monitoring, when possible, and regular threat assessments.

Under H.R. 1163, each agency is directed to develop, document, and implement an agency-wide information security program that includes a system that involves automated and continuous monitoring. Each agency is also directed to conduct vulnerability assess-

<sup>4</sup>U.S. House of Representatives, Committee on Oversight and Government Reform, Hearing, “Transparency in the Federal Bureaucracy: Moving Toward A More Open Government,” March 13, 2013. Available at: <http://oversight.house.gov/hearing/addressing-transparency-in-the-federal-bureaucracy-moving-toward-a-more-open-government/>.

<sup>5</sup>U.S. House of Representatives, Committee on Oversight and Government Reform, Hearing

ments and penetration tests commensurate with the risk posed to agency information systems.

Moreover, the legislation highlights the need for a stronger public/private relationship, by emphasizing the importance of commercially developed information security products to national security. The bill has received strong support from cybersecurity experts and industry.

The Committee is continuing its oversight of cybersecurity policy from the previous Congress, where the National Security, Homeland Defense and Foreign Operations Subcommittee held several hearings, including, “Cybersecurity: Assessing the Immediate Threat to the United States” to examine cybersecurity. Several private sector witnesses testified, as well as Sean McGurk from the National Cyber Security Division of the Department of Homeland Security, who informed the Subcommittee that “The United States confronts a combination of known and unknown vulnerabilities, strong and rapidly expanding adversary capabilities, and a lack of comprehensive threat and vulnerability awareness.”

#### *Federal Regulation and the Regulatory Process*

The Committee’s federal regulation and regulatory process activities in the 113th Congress included passing regulatory reform legislation out of Committee, sending letters of inquiry and recommendation to agencies, and holding hearings on specific regulatory action. In July 2013, the Unfunded Mandates Reform Act was reported by the Committee. In the spring, the Committee inquired with the Office of Budget and Management Office of Information and Regulatory Affairs (OIRA) about the status of the Unified Agenda. Earlier in the year, the Committee sent a joint letter with the Judiciary Committee and the Senate Committee on Homeland and Government Affairs Subcommittee on Financial and Contracting Oversight to OIRA encouraging the implementation of the Government Accountability Office’s recommendations in the “Federal Rulemaking: Agencies Could Take Additional Steps to Respond to Public Comments” report.

On June 21, 2013, the Subcommittee on Government Operations held a field hearing in Bakersville North Carolina entitled “Building a Better Partnership: Exploring the Mine Safety and Health Administration’s Regulation of Southern Appalachian Mining. The hearing examined the Mine Safety and Health Administration (MSHA) and its role in regulating metal/non-metal mining in Southern Appalachia. Witnesses included Mr. Marvin Lichtenfels, MSHA Deputy Administrator, Mr. Sam Bratton, President of North Carolina Aggregates Association, Mr. Jeff Stoll, Safety and Health Manager at the Quartz Corporation, and Mr. Mack McNeely, Vice President at LBM Industries.

On July 18, 2013, the Subcommittee on Economic Growth, Job Creation and Regulatory Affairs held a hearing entitled “Regulatory Burdens: The Impact of Dodd-Frank on Community Banking.” Witnesses included the Honorable R. Bradley Miller, former Member of Congress and Senior Fellow at the Center for American Progress, Ms. Hester Peirce, Senior Research Fellow at the Mercatus Center, Ms. Tanya Marsh, Assistant Professor of Law at Wake Forest University School of Law, and Mr. Eddie Creamer, President and CEO of Prosperity Bank in St. Augustine Florida.

The hearing examined how federal regulations impact community banks.

Also on July 18, 2013, the Subcommittee on Energy Policy, Health Care and Entitlements held a hearing entitled “Examining the Obama Administration’s Social Cost of Carbon Estimates.” The hearing examined the decision to recalculate the economic cost of carbon emissions for rulemaking. OIRA Administrator Howard Shelanski testified before the Subcommittee as to how an inter-agency working group revised previously issued guidance on the economic cost of carbon emission and how that guidance is used in agency rulemaking.

On July 21, 2013, the Subcommittee on Energy Policy, Health Care and Entitlements held a hearing entitled “Oversight of IRS’s Legal Basis for Expanding ObamaCare’s Taxes and Subsidies.” Witnesses included Mr. Jonathan Adler, Professor of Law at Case Western Reserve University, the Honorable Scott Pruitt, Oklahoma Attorney General, Mr. Charles Willey, M.D., CEO of Innovare Health Advocates Inc., and Ms. Emily McMahon, Assistant Secretary for Tax Policy at the U.S. Department of Treasury. The hearing examined the legal basis for the joint IRS and Treasury rule that extended ObamaCare’s subsidies to individuals in federal exchanges and the impact on individuals, employers, and states.

### *Energy*

In February 2013, the Subcommittee on Energy Policy, Health Care and Entitlements kicked off its energy hearings in the 113th Congress with a hearing entitled, “The Effects of Rising Energy Costs on American Families and Employers.” This hearing set the agenda for energy oversight performed by the Subcommittee by looking at how much increasing energy costs affect American families and how the Administration’s policies and regulations increase energy costs.

In March 2013, the Subcommittee called the U.S. Department of Energy to testify at a hearing about the permitting of facilities to export Liquefied Natural Gas (LNG), entitled, “The Department of Energy’s Strategy for Exporting Liquefied Natural Gas.” At this hearing, the Subcommittee heard testimony from both Deloitte and the Brookings Institute about the net positive benefits to the American economy of approving permits for LNG export to non-free trade agreement countries. Moreover, the Subcommittee asked Acting Assistant Secretary for Fossil Energy, Christopher Smith, about the necessity to expedite the LNG export permitting process in order for the U.S. economy to capitalize on the country’s abundance of natural gas resources.

On May 16, 2013 at 10:30 a.m., the Subcommittee on Energy Policy held a hearing entitled “Opportunities Lost: Constraints on Oil and Gas Production on Federal Lands and Waters.” The hearing examined Department of the Interior policies governing oil and gas production on federal lands and waters. Testimony was received from the Acting Assistant Secretary for Land and Minerals Management and an analyst from the Government Accountability Office. Specific topics addressed at the hearing included a proposed rule governing hydraulic fracturing on federal lands managed by the Bureau of Land Management, and the Bureau of Ocean Energy



Management's policies with respect to offshore oil and gas exploration.

On June 5, 2013, the Subcommittee on Energy Policy, Health Care and Entitlements held a hearing entitled, "Up Against the Blend Wall: Examining EPA's Role in the Renewable Fuel Standard." The hearing examined the Renewable Fuel Standard (RFS) including the U.S. Environmental Protection Agency's management of the program. The RFS determines the specific amount of renewable fuel, most commonly corn-derived ethanol, that must be contained within transportation fuel sold in the United States. However, the high amount of renewable fuel called for by the law is having profound negative consequences for consumers. The Subcommittee heard from a variety of affected parties, ranging from turkey farmer representatives to gasoline producers about the negative effects of the RFS. The Subcommittee also heard testimony from EPA about the waiver authority afforded it by law and urged the agency to use it to ameliorate the situation.

On July 18, 2013, the Subcommittee held a hearing entitled, "Examining the Obama Administration's Social Cost of Carbon Estimates." The hearing examined the Obama Administration's decision to recalculate how it determines the economic cost of carbon emissions for rulemaking. Testimony was provided by Howard Shelanski, the Administrator of the Office of Information and Regulatory Affairs at the White House. The Subcommittee was concerned about the lack of transparency about this process and pressed Mr. Shelanski to conduct these analyses in a more open and transparent manner.

On October 2, 2013, at 9:30 a.m., the Subcommittee on Energy Policy held a hearing entitled "Oversight of the Wind Energy Production Tax Credit." The American Taxpayer Relief Act of 2013, also known as the "fiscal cliff deal," included a 1-year extension of the Internal Revenue Code §45 tax credit for electricity produced from wind sources. The hearing considered the arguments for and against another extension of the credit. A revenue estimate from the Joint Committee on Taxation, prepared at the request of Subcommittee Chairman James Lankford, found that a 1-year extension would cost taxpayers \$6.2 billion, while a 5-year extension would cost \$18.5 billion. The hearing also examined how the Internal Revenue Service intends to enforce the "beginning of construction" requirement of the current law, and featured testimony from the IRS Associate Counsel for Passthroughs and Special Industries.

### *Environment*

The Committee held a hearing in October 2013, about fraud committed by an employee of the U.S. Environmental Protection Agency. The hearing entitled, "Secret Agent Man: Oversight of the EPA IG's Investigation of John Beale," brought to light many of the facts surrounding the fraudulent actions of John Beale, an EPA employee who claimed that he was a CIA agent while working at the EPA. The Committee found that Beale was never a CIA agent and that he instead used that as cover to go on expensive trips and take time off from work at the same time receiving a salary above the legal limit for federal employees. The Committee continues to investigate the actions of EPA and Mr. Beale in determining the extent to which fraud was committed with taxpayer money.

The Committee continues to pursue an investigation into EPA's conduct regarding the Pebble Mine project in Bristol Bay, Alaska. EPA has been considering the use of an unprecedented preemptive veto under the Clean Water Act of a mining permit that has yet to be applied for. The agency has also undertaken a study of the Bristol Bay watershed based on a hypothetical mine plan that does not actually exist as part of its review of this project. The Committee has requested email communications and transcribed interviews with present and former EPA officials in order to learn more and continues to investigate the matter.

The Committee continues to pursue an investigation into the use of alias email accounts at EPA as well as the implications these accounts have for producing documents through the Freedom of Information Act and in response to Congressional inquiries. In April 2013, in conjunction with Ranking Member David Vitter of the Senate Committee on Environment and Public Works, Chairman Issa sent a letter to EPA requesting email communications from Administrator Gina McCarthy as well as former Administrator Lisa Jackson's alias email account that were produced in a heavily redacted form pursuant to a FOIA request. The Committee continues to investigate this matter.

#### *Health Care and Entitlements*

In March of 2013, the Committee on Oversight and Government Reform in its relentless pledge to the American people of continuing to watch out for taxpayers' dollars released a report entitled "Billions of Federal Tax Dollars Misspent on New York's Medicaid Program". The report focused on New York because New York State's Medicaid program is the largest in the country. In fiscal year 2010, New York's \$2,700 per resident Medicaid spending exceeded per capita Medicaid spending in the rest of the country by more than \$1,500. Poor program oversight by both the State and federal Government has contributed to these problems. The report discussed past findings of the Office of Inspector General (OIG) of the Department of Health and Human Services (HHS), investigative reporters, whistle-blowers and this Committee of waste, fraud, and abuse within New York's Medicaid program. It also explicitly recognized the positive and significant reform efforts of New York Governor Andrew Cuomo, highlighted continuing concerns and offered several recommendations aimed at protecting future tax dollars.

In April, the Subcommittee on Energy Policy, Health Care and Entitlements held a hearing entitled, "Examining the Lack of Transparency and Consumer-Driven Market Forces in U.S. Health Care." The hearing examined serious problems within the U.S. health care system, including adverse health care events experienced by patients resulting from poor care and overtreatment and the burden on families and taxpayers resulting from rising health care spending. The hearing also looked into the causes and consequences of medical mistakes and the lack of publicly available information about provider performance. The Subcommittee heard testimony from two witnesses, Dr. Marty Makary and Dr. John Goodman, both of whom have studied the problems that exist in the U.S. health care system.

In May, the Subcommittee on Energy Policy, Health Care and Entitlements in a joint effort with the Subcommittee on Economic Growth, Job Creation and Regulatory Affairs held a joint hearing entitled, "Examining the Concerns About ObamaCare Outreach Campaign." The Subcommittees heard testimony from Mr. Gary Cohen, an official from the Centers for Medicare and Medicaid Services (CMS), regarding the funding, selection, training and oversight of Navigators and in-person assisters (Assisters), who are responsible for education and outreach efforts to individuals covered by the new health insurance exchanges set up by the Patient Protection and Affordable Care Act. The hearing closely examined ObamaCare's outreach program in an effort to better understand how these multi-faceted and wide-reaching programs are being implemented. This hearing enabled the Subcommittees to seek further clarification on the issues and better understand HHS's vision for the Navigators and Assisters in the program.

On July 17th, a joint hearing effort took place between the Committee on Oversight and Government Reform's Subcommittee on Energy Policy, Health Care, and Entitlements, and the Committee on Homeland Security's Subcommittee on Cybersecurity, Infrastructure Protection and Security Technologies when a hearing entitled, "Evaluating Privacy, Security, and Fraud Concerns with ObamaCare's Information Sharing Apparatus" was held. The Subcommittees examined the development of the federal data hub established by ObamaCare, the Department of Health and Human Services' plans for protecting the personal data of individuals who purchase coverage through the new state health insurance exchanges and the new federally-facilitated health insurance exchanges. This hearing also focused on how the data that will be gathered through these sources will be used to verify applicant's eligibility for tax credits. The hearing also placed focus on how the data hub will transmit personally identifiable information, such as social security numbers, dates of birth, marital status, number of dependents, household income and citizenship status. It was important to understand how the department plans to implement and operate this system as it will hold very delicate information from citizens signing up for Obamacare, as well as for determining any credits that individuals receive.

The same month on July 31st, the Subcommittee on Energy Policy, Health Care, and Entitlements held a hearing entitled, "Oversight of IRS's Legal Basis for Expanding ObamaCare's Taxes and Subsidies." ObamaCare made health insurance subsidies available in states that established their own health insurance exchanges, but the IRS and Treasury department issued a rule that extended those subsidies to individuals in states that decided not to establish their own health insurance exchanges. The Subcommittee examined the legal basis for the joint IRS and Treasury rule that extended ObamaCare's subsidies to individuals in federal exchanges as well as the rule's impact on individuals, employers and states. The subcommittee invited and took testimony from stakeholders and experts on the legality of IRS and Treasury's rule, the process used to form the rule, and the effects of the rule on the general public. This investigation is still on-going.

In September 28th, Majority staff released a preliminary report entitled "Risks of Fraud and Misinformation with ObamaCare Out-

reach Campaign: How Navigator and Assister Program Mismanagement Endangers Consumers". ObamaCare requires states to establish "Navigators" to conduct outreach about the law, provide fair and impartial information to consumers, and facilitate enrollment in new health insurance exchanges and state Medicaid programs. However, ObamaCare explicitly prohibited states from using federal exchange establishment grants to fund Navigator organizations; instead ObamaCare required that Navigators receive funding from a state exchange's operational funds. When several states objected to financing Navigators with state revenue, the Administration created a twin program called In-Person Assisters (Assisters) in states with state-based exchanges. This year alone, the Administration will provide several hundred million dollars of unauthorized taxpayer funds to Assister organizations. The committee has and will continue to further look into this matter to make sure that all statutes are followed and that taxpayer funds are not victims of waste, fraud or abuse.

On October 9, the Committee on Oversight and Government Reform held a hearing entitled, "Examining the IRS's Role in Implementing and Enforcing ObamaCare." The Committee examined the operational challenges that the IRS faces in implementing ObamaCare, including the many new taxes that IRS will implement as well as the determination, payment, and reconciliation of the advanced tax credits. Sarah Hall Ingram, of the IRS's Affordable Care Act Office and Former Commissioner for Tax Exempt and Government Entities was invited to testify at this hearing. Additionally, the committee touched upon on the IRS's role in enforcing ObamaCare's taxes and implementing its subsidies and its central role in the data-sharing network created by the Department of Health and Human Services to conduct eligibility determinations and calculations for advanced health insurance tax credits.

On November 13th, the Committee on Oversight and Government Reform held a hearing entitled, "ObamaCare Implementation: The Rollout of HealthCare.gov". The Committee examined the Administration's development and rollout of Healthcare.gov, including whether the Administration followed industry best practices in the development of ObamaCare's information technology systems. The launch of Healthcare.gov which was to go live on October 1, 2013 in accordance to industry standards was anything but a success. The website given the user volume experienced could not handle the amount of traffic, leading to its service interruptions/glitches which led the Committee to contact and call for documentation from twelve different vendors involved in its construction and eight tech giants to see whether they had involvement on the IT project.

The Committee received thousands of pages in document productions by these vendors and entities. The hearing examined the operational challenges at the root of the troubled website launch, and compared them to best practices in the industry. Invited to testify were Mr. Steven VanRoekel, CIO of the United States, Mr. Todd Park, CIO Office of Science and Technology Policy, Mr. Henry Chao, Deputy CIO for Centers for Medicare and Medicaid Services, Mr. Frank Baitman, CIO of HHS, Mr. David Powner, Director of IT Management Issues with the GAO, Mr. Richard Spires, former CIO of Homeland Security and lastly Ms. Karen Evans, Partner at KE&T Partners, LLC. While the investigation is still on-going,

given the testimony and evidence presented at the hearing and received productions, it is clear that there was poor implementation, development, and testing of HealthCare.gov. This investigation is still on-going.

The Committee held four field hearings to examine the impact of Obamacare on individuals and employers across the nation. On November 22, the first hearing entitled “ObamaCare Implementation: Sticker Shock of Increased Premiums for Healthcare Coverage” took place in Gastonia, NC and examined the impacts of ObamaCare on the citizens of that State. The second hearing “ObamaCare Implementations: High Costs, Few Choices for Rural America” took place on November 25th in Gainesville, GA and this hearing focused on ObamaCare’s impact on health insurance coverage and premiums in Georgia as well as its effects on the local economy.

In December the committee traveled to the states of Arizona and Texas to further examine Obamacare’s regulations and its effect on the U.S. general public. These two hearings entitled “Obamacare Implementation, The Broken Promise: If You Like Your Current Plan You Can Keep It” and “ObamaCare Implementation: Who Are The Navigators?” further examined the ObamaCare implementation issues including the controversy of who the Navigators are, and what are the requirements necessary to become one. In preparation for questions/inquiries for these hearings the committee performed two transcribed interviews in regards to the Navigators program, additionally a transcribed interview with Mr. Henry Chao, Deputy CIO for Centers for Medicare and Medicaid Services, and seven other additional interviews related to Healthcare.gov and its failed launch.

In addition to the hearings, staff reports, and witnesses invited to testify in front of the Oversight and Government Reform committee and Subcommittees, in 2013 we have sent over 17 letters addressed to Health and Human Services Secretary Kathleen Sebelius ranging in topic and depth in regards to HHS’s role on the implementation, development and rollout of ObamaCare. The level of response has varied from the department and we will continue to address letters as needed in the future as we see fit to seek clarification to the committee’s inquiries and on-going investigations.

#### *Federal Disability Programs (SSDI/SSI)*

In March, the Committee began a major oversight effort to examine the Social Security Administration’s management of the federal disability programs including the pressure the agency applied on administrative law judges (ALJs) to decide an increasing number of cases and the failure to guarantee program integrity by completing continuing disability reviews (CDRs) in a timely manner to ensure that beneficiaries are still eligible for the programs.

To date, the Committee has written four letters to SSA requesting documents and information and engaged in a series of briefings with SSA on various issues relating to the oversight including the agency’s decision to establish production goals for ALJs in order to pay down the backlog. SSA’s own data shows that from 2005–2013, over 930,000 individuals were added to the program by ALJs who approved over 80 percent of their cases. Many of these individuals have never been reviewed to determine whether or not they were

added to the program appropriately since the agency has a 1.3 million backlog of CDRs.

In addition, the Committee wrote the Inspector General (OIG) about unimplemented recommendations for SSA and engaged in a series of briefings regarding OIG's investigation of a criminal conspiracy to defraud the federal disability programs in Puerto Rico.

On June 27th, the Energy Policy, Health Care, and Entitlements subcommittee held a hearing entitled "Oversight of Rising Social Security Disability Claims and the Role of Administrative Law Judges" where four current or former SSA ALJs testified about fundamental problems with the disability adjudication process. Former SSA ALJ J.E. Sullivan testified that "the SSA management's high volume and speedy production goal agenda results in management pressuring judges to stop all meaningful adjudication work" and results "in production of a large number of disability decisions that have not been properly reviewed, analyzed, or decided." The SSA official responsible for managing the disability adjudication and review process also testified about current SSA initiatives to improve the adjudication process.

The Committee also was contacted by over a dozen current or former SSA ALJs who echoed their concerns about SSA's emphasis of quantity over quality as well as other problems including attorney misconduct and outdated SSA policies that impacted the ability of ALJs to make fair and timely decisions.

The Energy Policy, Health Care, and Entitlements subcommittee held a follow up hearing on November 19th entitled "Continuing Oversight of the Social Security Administration's Mismanagement of Federal Disability Program." Three SSA officials and the Inspector General testified about various program integrity initiatives and timetables for reform.

The committee has also conducted three transcribed interviews of SSA officials to assist with the oversight. The three witnesses testified that while SSA introduced a 500-700 production goal for ALJs in 2007, many ALJs decided thousands of cases per year until the agency started limiting case assignments in 2011. The witnesses also testified that any ALJs who decide more than 700 cases per year may be sacrificing quality yet the agency currently still allows ALJs to be assigned 860 cases per year. The Committee also learned that there are inconsistencies among ALJs regarding methods for case review and application of rules and regulations.

The Committee also wrote to the U.S. Government Accountability Office (GAO) requesting that it review the role of private consultants and organizations in increasing the number of individuals enrolled in federal disability programs. GAO accepted this project and will complete the review in 2014.

The Administrative Conference of the United States also briefed the Committee, Chairman Lankford, and Ranking Member Speier on its recommendations for how SSA can improve the programs.

#### *District of Columbia*

During the 113th Congress, legislation and oversight relating to the District of Columbia is being handled by the full Committee, rather than by a subcommittee.

The Committee continues to monitor and oversee the implementation of the Opportunity Scholarship Program, which was reau-

thorized in 2011. The program has seen modest growth since that time and the Committee continues to work with the city and the Department of Education to strengthen the program and boost enrollment.

Following up on the D.C. Subcommittee's 2012 work on the law that governs the city's building heights, the Chairman asked the National Capital Planning Commission and the city to jointly study how modifying the city's height restrictions might impact both the federal and local constituencies inside the District. The Committee is reviewing both NCPA and the city's findings on building heights.

The Committee also is committed to granting D.C. autonomy over its locally-generated budget. The federal government shut-down in October 2013 illustrated how important it is for the city to have authority to spend its own dollars outside of the federal appropriations process.

#### *The Census*

On September 11, 2013, the Subcommittee on Federal Workforce, U.S. Postal Service, and the Census held a hearing entitled: "Ensuring an Accurate and Affordable 2020 Census." The hearing examined the status of a number of cost saving reforms the Census Bureau is considering implementing for the 2020 decennial census. These potential reforms include offering an internet census response option, the use of electronic devices for enumerators, improved IT infrastructure, and an expanded use of administrative records. Discussion at the hearing focused, in particular, on shifting to a more flexible "bring your own device" model for enumerators and the potential disadvantages of building an internal proprietary IT infrastructure. Witnesses at the hearing included Census Bureau Director John Thompson, as well as two representatives from the Government Accountability Office.

#### *National Archives and Federal Records*

On March 20, 2013, the Committee considered two pieces of legislation designed to help modernize and improve the transparency of presidential and federal records. H.R. 1233, the Presidential and Federal Records Act Amendments of 2013, was introduced by Ranking Member Cummings and approved by the Committee on a voice vote. H.R. 1234, the Electronic Message Preservation Act, was introduced by Ranking Member Cummings and also was approved by the Committee on a voice vote. Both bills were reported from the Committee as H.R. 3071 during the 112th Congress. Additionally, this Congress identical text was added to both pieces of legislation in order to create a framework for the use of personal electronic messaging accounts to conduct official business.

#### *Government Management and the Federal Workforce*

The Committee held five hearings to examine key issues impacting government management and the federal civilian workforce.

On April 11, 2013, the Subcommittee on Federal Workforce, U.S. Postal Service, and the Census held a hearing entitled, "The Federal Employees Health Benefits Program: Is it a Good Value for Federal Employees?" The hearing, which reviewed the Office of Personnel Management's (OPM) administration of the Federal Employees Health Benefits (FEHB) Program, followed the Committee's

oversight and legislative work during the 112th Congress on federal employee compensation. Committee members examined the Administration's proposed legislative changes designed to improve the program, including policies to allow additional health plan types, establish a third enrollment category, and tier premiums to participation in wellness initiatives. Chairman Issa introduced legislation, H.R. 3319, to allow non-federal workers access to the FEHB Program.

During the May 9, 2013, hearing entitled, "Is OPM Processing Federal Worker Pension Claims on Time?" the Subcommittee challenged OPM to identify and implement effective solutions to improve the retirement claims process and better manage costs so that federal employees may receive their earned benefits in a timely manner. The Subcommittee assessed OPM's efforts to reduce the backlog for processing claims, leverage information technology to modernize the process, and decrease improper payments of retirement benefits. The hearing followed the Subcommittee's November 15, 2011 hearing which examined the extent to which OPM is meeting its core mission. OPM failed to meet its July 2013 goal to eliminate the backlog of retirement claims and process 90 percent of retirement claims received within 30 days.

On June 5, 2013, the Subcommittee held a hearing entitled, "OPM's Revolving Fund: A Cycle of Government Waste." The hearing examined OPM's revolving fund programs, including the quality of services provided and internal controls. Committee members reviewed the Administration's legislative proposal to provide OPM Inspector General resources to more adequately audit and investigative revolving fund activity. The hearing led to the introduction of H.R. 2860, the OPM IG Act, that will enhance the OPM Inspector General's oversight of the more than \$2 billion in revolving fund activity.

On June 18, 2013, the Committee held a hearing entitled, "Reinventing Government." The hearing focused on improving government efficiency and performance as a means to control government spending. Committee members discussed establishing a Government Transformation Committee as a way to consolidate and reorganize government to more effectively deliver core government services. Legislation establishing a government transformation commission, H.R. 2675, was introduced by Representative Bustos on July 11, 2013, and referred to the Committee.

During the July 10, 2013 Subcommittee hearing entitled, "The Combined Federal Campaign: Making Every Dollar Count," the Subcommittee sought to better understand the impact of OPM's proposed regulatory changes to the Combined Federal Campaign (CFC), with an eye toward reaching consensus on sensible changes to better support federal workers who choose to donate. The Subcommittee continues to monitor OPM's efforts to work with participating charities and donors to strengthen the integrity, streamline operations, and increase the effectiveness of the CFC.

#### *The United States Postal Service*

The Committee and the Subcommittee on Federal Workforce, U.S. Postal Service, and the Census conducted significant oversight of the United States Postal Service and its deteriorating financial condition. In its work, the Committee placed a particular focus on



the impacts of the Postal Service's deterioration in the mailing industry, as well as on the discussion of potential legislative reforms.

On April 10, 2013 the Federal Workforce Subcommittee held a hearing entitled, "Ahead of Postal Reform: Hearing from USPS Business Partners." The hearing presented committee members with testimony from broad segments of the mailing community, including advertising mailers, a magazine publisher, a newspaper publisher, and a mail-order pharmacy, all of whom shared their thoughts on the future of the Postal Service and the impacts that proposed reforms could have on their business. On April 17, 2013, the Committee expanded on the work on the Subcommittee's hearing with a second hearing entitled, "Options to Bring the Postal Service Back from Insolvency." At this hearing, members heard testimony from Mickey Barnett, the Chairman of the Postal Service's Board of Governors; Patrick Donahoe, the Postmaster General; Gene Dodaro, the Comptroller General of the United States; and Frederick Rolando, the President of the National Association of Letter Carriers. At this hearing, specific reform proposals were discussed at length and the Postal Service's financial condition was characterized in its own words.

By the time of these two hearings, the Postal Service was already in default to the federal government for \$11.1 billion to prefund its already accrued retiree health care liability and the Postal Service had lost a record \$15.6 billion in fiscal year 2012. While partial year returns showed slightly better than expected finances for fiscal year 2013, due in part to revenue generated by the 2012 presidential election, the Postal Service was still operating at a loss and was projected to default on a further \$5.6 billion payment for retiree health care liability on September 30, 2013, a default that did ultimately occur.

Given the Postal Service's tenuous position, on July 19, 2013, Chairman Issa, along with Federal Workforce Subcommittee Chairman Blake Farenthold and his predecessor as Subcommittee Chairman, Dennis Ross, introduced H.R. 2748, the Postal Reform Act of 2013. H.R. 2748 was modeled after H.R. 2309 from the 112th Congress, which had been ordered reported by the Oversight Committee on October 13, 2011. However, in addition to many of the provisions from H.R. 2309, H.R. 2748 also included a number of provisions from H.R. 2690, the Innovate to Deliver Act of 2013, introduced by Ranking Member Elijah Cummings, including a provision to create a Chief Innovation Officer within the Postal Service. On July 24, 2013, the Committee held a markup to consider H.R. 2748. A total of 5 amendments were adopted and the legislation was subsequently ordered to be reported to the House of Representatives by a vote of 22-17.

#### *National Security and Foreign Operations*

In February 2013, the Subcommittee on National Security continued a series of hearing on issues regarding taxpayer expenditures in Afghanistan. The Subcommittee heard testimony from the Special Inspector General for Afghanistan Reconstruction, who conducted an audit of the Afghanistan National Army's logistics capability for petroleum, oil, and lubricants provided via U.S. resources. In April, the Subcommittee also held a hearing titled, "Contracting to Feed U.S. Troops in Afghanistan: How did the Defense Depart-

ment end up in a Multi-Billion Dollar Billing Dispute?” to examine concerns with a major Defense Department subsistence contract in Afghanistan. Officials from the Defense Logistics Agency, the Defense Department’s Inspector General, and an executive from the contracting company testified before the Subcommittee.

In April 2013, the Subcommittee conducted a joint hearing with the Subcommittee on Economic Growth, Job Creation, and Regulatory Affairs to examine the federal government’s procurement processes and storage logistics regarding ammunition. Members heard testimony from the Homeland Security Department’s Chief Procurement Officer, the Inspector General of the Social Security Administration, as well as the President of the National Law Enforcement Officers Association. In August, the Subcommittee held its second hearing examining federal government weapons management. The Subcommittee focused on an inspector general report highlighting missing weapons at the National Park Service.

In May 2013, the Committee on Oversight and Government Reform held a hearing entitled, “Benghazi: Exposing Failure and Recognizing Courage.” The Committee received testimony from three State Department officials with direct knowledge of the facts and circumstances of the September 11, 2012, terrorist attack in Benghazi, Libya. Gregory Hicks, Deputy Chief of Mission at Embassy Tripoli on the night of the terrorist attacks, and Mark Thompson, Deputy Coordinator for Operations in the State Department’s Bureau of Counterterrorism offered new testimony that provided additional insight into events in Libya and at the State Department on the night of the September 11, 2012 terrorist attacks. Eric Nordstrom, the former Regional Security Officer at Embassy Tripoli, provided context about security procedures and resourcing at U.S. diplomatic facilities in Libya.

In September 2013, the Committee on Oversight and Government Reform held a hearing entitled, “Reviews of the Benghazi Attack and Unanswered Questions.” The Committee received testimony from two panels of witnesses. On the first panel, Ambassador Thomas Pickering and Admiral Michael Mullen, USN (Ret.), Chair and Vice-Chair respectively of the State Department’s Accountability Review Board, convened to review the facts and circumstances of the September 11, 2012 terrorist attack on U.S. diplomatic facilities in Benghazi, Libya. Joining them were Mark Sullivan, a former Director of the Secret Service and Todd Keil, a former Assistant Secretary of Homeland Security, who served on an Independent Panel on Best Practices, convened by the State Department to review the diplomatic security function of the Department. On the second panel, the Committee heard from Patricia Smith and Charles Woods, parents of two of the victims of the Benghazi attack—Sean Smith and Tyrone Woods.

#### *Homeland Security*

The Subcommittee on National Security held a hearing in April on the impact of sequestration on the Transportation Security Administration. The Subcommittee received testimony from Mr. John Halinski, the Deputy Administrator of TSA. Also in April, the Subcommittee on National Security, along with the Subcommittee on Economic Growth, Job Creation, and Regulatory Affairs, jointly held a hearing entitled, “Oversight of the Federal Government’s

Procurement of Ammunition” to examine the procurement and use of ammunition by Federal Government agencies. Members heard testimony from: Dr. Nick Nayak, the Department of Homeland Security Chief Procurement Officer; Mr. Humberto Medina, the Assistant Director for Immigration and Customs Enforcement’s National Firearms and Tactical Training Unit, and also the Chair of the DHS Weapons and Ammunition Commodity Council; and The Honorable Patrick P. O’Carroll, Jr., the Social Security Administration Inspector General.

In May 2013, the Subcommittee on Government Operations held a hearing examining government-issued identification card programs administered by the Transportation Security Administration. The hearing focused on agencies’ efforts to incorporate secure biometric technologies into their identification card programs using TSA’s Transportation Worker Identification Credential (TWIC) program as a case study. The hearing also featured testimony from the Government Accountability Office concerning a report regarding the use of biometric and other advanced technologies for the TWIC program. In June, the Subcommittee on Government Operations held a hearing entitled: “Federal Government Approaches to Issuing Biometric IDs: Part II.” The hearing examined the status, costs, and management of various federal identification cards. The hearing also focused on agencies’ efforts to incorporate secure biometric technologies into their identification card programs.

In June 2013, the Subcommittee on National Security held a hearing on border security entitled, Border Security Oversight: Identifying and Responding to Current Threats.” Accordingly, the hearing examined various risks at the southwest border and discussed government responses to each threat, ranging from technological solutions to strategic placement of border patrol agents. Members received testimony from Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), Customs and Immigration Services (USCIS), and the Government Accountability Office.

In July 2013, the Subcommittee heard testimony from senior government witnesses about challenges in the asylum process at the border. The hearing assessed U.S. border security efforts and challenges to obtaining operational control of the southwest border, including the process and procedures relating to asylum requests.

The Committee has been conducting extensive oversight of TSA’s policies and programs since the agency’s inception. The Aviation and Transportation Security Act of 2001, P.L. 107–71, requires TSA to provide for the screening of individuals boarding commercial aircraft. To comply with this requirement, TSA has primarily relied upon technology to screen passengers at airport checkpoints. In response to the Christmas Day Bomber, however, TSA procured and deployed Advanced Imaging Technology (“AIT” also known as “Whole Body Imaging”) machines.

Since the previous Congress, the Committee has been investigating alternative options for passenger screening that may be more effective than Advanced Imaging Technology. Accordingly, at the request of the Committee, GAO conducted tests examining other potential screening mechanisms, including the utility of an increased canine presence at airports.

The Committee has conducted oversight and investigations of a broad range of other TSA policies and programs. To that end, it continues to examine aviation security matters including information sharing, federal workforce issues in managing airport security, and the training and supervision of airport screeners, and storage of equipment.

The Committee has continued conducting oversight of U.S. Border Patrol and Customs operations, intended to secure the Southwest border. Since the Committee's July 9, 2009, hearing, drug cartel-related violence in Mexico has continued to escalate in both frequency and intensity. According to reports, "2,826 people were killed in 2007; more than twice that number, 6,837, in 2008; an additional forty per cent [sic], 9,614, in 2009; and almost sixty per cent [sic] more, 15,273, last year [in 2010]." Since December 2006, the total number of deaths in Mexico has risen above 50,000. Most of these crimes occurred within a short distance of the U.S. border, raising concerns about the security of U.S. citizens. Meanwhile, the Committee continues to conduct oversight in order to answer questions about whether the U.S. Southwest border is adequately secured.

The Committee has been conducting oversight of cybersecurity policy. In July 2011, the Oversight and Government Reform Committee held a hearing, "Cybersecurity: Assessing the Nation's Ability to Address the Growing Cyber Threat" to further examine cybersecurity threats and challenges. The Committee has been continuing its effort to update FISMA.

#### *Financial Management*

On July 10, 2013, the Committee held a hearing entitled, "Unaccountable Government: GAO Reports Show Feds Struggling to Track Money and Performance." Comptroller General Dodaro testified about GAO's work on the Government Performance and Results Modernization Act (GPRAMA) and the 2012 Financial Report of the U.S. Government. The Comptroller General reported that the government failed to pass an audit of its financial statements. To date, the government has never passed an audit. As a result, GAO could not verify the accuracy or reliability of the government's spending. The Comptroller General noted that unless policy changes are made, the federal government faces an unsustainable fiscal path. The hearing also revealed that the government cannot track spending information. Comptroller General Dodaro testified that legislation to create unique identifiers and standardize spending information would help.<sup>6</sup>

On August 2, 2013, the Subcommittee on Government Operations held a hearing entitled, "Examining the Skyrocketing Problem of Identity Theft Related Tax Fraud at the IRS." Witnesses included the Honorable Daniel Werfel, Acting Commissioner of the Internal Revenue Service (IRS), Mr. Michael McKenney, Deputy Inspector General for Audit at the Treasury Inspector General for Tax Administration (TIGTA), Ms. Nina Olson, the National Taxpayer Advocate at the Taxpayer Advocate Service at IRS, and Mr.

<sup>6</sup>U.S. House of Representatives, Committee on Oversight and Government Reform, Hearing, "Unaccountable Government: GAO Reports Show Feds Struggling to Track Money and Performance," July 10, 2013. Available at: <http://oversight.house.gov/hearing/unaccountable-government-gao-reports-show-feds-struggling-to-track-money-and-performance/>.

Douglas MacGinnitie, State Revenue Commissioner at the Department of Revenue for the State of Georgia. The National Taxpayer Advocate reported that she has seen a 78 percent increase in identity theft cases at the IRS from FY 2011 to FY 2012. Over the last five years, the number of cases has increased by 413 percent. TIGTA testified that the IRS could pay out over \$5 billion in potentially fraudulent returns in 2013. Mr. MacGinnitie testified that the State of Georgia was working with third party data providers to detect fraud on a state level and stop fraudulent payments before they are issued. Acting Commissioner Werfel acknowledged that it was a serious problem, and the IRS's work to combat identity theft related tax fraud will continue to grow.<sup>7</sup>

V. SUMMARY OF ADDITIONAL OVERSIGHT ACTIVITIES UNDERTAKEN,  
AND RECOMMENDATIONS MADE AND ACTIONS TAKEN THEREON

*IRS Targeting*

The Committee has been investigating the Internal Revenue Service's inappropriate treatment of conservative applicants for tax-exempt status. On May 10, 2013, IRS Exempt Organizations Director Lois Lerner acknowledged via a planted question at a tax-law panel that the IRS used "incorrect, insensitive, and inappropriate" screening criteria such as "tea party" in selecting applications for tax-exempt status for further review. Ms. Lerner's remarks were prompted by an audit that was to be issued the following week by the Treasury Inspector General for Tax Administration (TIGTA), which was requested by Chairman Issa and Subcommittee Chairman Jordan in March 2012.

The Committee has held two hearings as a part of this investigation. At the Committee's May, 22, 2013, hearing, Ms. Lerner stated that she was invoking her Fifth Amendment privilege against self-incrimination to refuse to answer questions after voluntarily offering an opening statement. On June 28, 2013, the Committee held a business meeting and voted to determine that Ms. Lerner's opening statement constituted a waiver on her Fifth Amendment privilege against self-incrimination.

The Committee has reviewed over 300,000 pages of documents and conducted 33 transcribed interviews with former and current IRS employees. The Committee has issued two subpoenas, one for IRS documents and one for Treasury Department documents. The Committee continues to gather facts through documents and testimony to examine potential wrongdoing at the IRS.

*Fast and Furious*

In fall 2009, the Department of Justice and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) implemented a risky strategy known as "gunwalking" to track illegal firearms along the Mexican border. On December 14, 2010, ATF agent Brian Terry was killed in Arizona; two weapons found at the scene were traced to the gunwalking program, Operation Fast and Furious. The Com-

<sup>7</sup>U.S. House of Representatives, Committee on Oversight and Government Reform, Hearing, "Examining the Skyrocketing Problem of Identity Theft Related Tax Fraud at the IRS," August 2, 2013. Available at: <http://oversight.house.gov/hearing/examining-the-skyrocketing-problem-of-identity-theft-related-tax-fraud-at-the-irs/>.

mittee's comprehensive investigation has exposed serious management and operational failures.

On June 28, 2012, by a margin of 258–95, the House of Representatives voted to hold Attorney General Eric Holder in contempt of Congress. This vote authorized the Oversight and Government Reform Committee to seek redress in federal court in order to compel the Attorney General to produce documents pursuant to a duly authorized subpoena issued by the Committee. On August 13, 2012, the Committee filed a complaint against the Attorney General in U.S. District Court for the District of Columbia.

On October 15, 2012, the Justice Department filed a Motion to Dismiss. This Motion was argued before the court on April 24, 2013, and on September 30, 2013, Judge Amy Berman Jackson denied the Motion. On November 15, 2013, the Justice Department filed a Motion for Interlocutory Appeal pursuant to 28 U.S.C. § 1292(b). On November 18, 2013, Judge Jackson denied the Motion. The Committee will file a Motion for Summary Judgment by December 16, 2013.

The Committee has also engaged in three court-ordered mediation sessions with the Justice Department in an attempt to settle the lawsuit. These sessions occurred on March 26, November 12, and November 20, 2013. To date, mediation has not yielded a settlement.

#### *Wasteful Conference Spending*

During 2013, the Committee continued to build on its prior work on the now-infamous General Services Administration (GSA) conference in Las Vegas. Two conferences in particular—one held by the IRS and one held by the U.S. Department of Veterans Affairs (VA)—deserved scrutiny for the excessive and wasteful spending that occurred at each.

In June 2013, the Committee held a hearing to examine excessive spending that occurred at an IRS conference in Anaheim, California. An Inspector General audit revealed that the IRS employees who planned the conference approved excessive expenditures and engaged in questionable contracting practices. According to TIGTA, the IRS held 225 conferences at a total cost of over \$50 million between 2010 and 2012. In particular, the Anaheim conference cost more than \$4 million. It was a conference for IRS managers with approximately 2,700 attendees. Like the GSA conference planners, the IRS conference planners hired expensive speakers, held private receptions, produced expensive videos for entertainment, and occupied executive level suites at several hotels in Anaheim.

With regard to the VA conference, the Committee learned in August 2012 about two conferences held in July 2011 and August 2011 in Orlando, Florida. These two conferences, purportedly organized to train human resources professionals, cost taxpayers approximately \$6.1 million. Financial mismanagement and ineffective oversight were widespread throughout the conference planning process. On October 1, 2012, the VA Office of Inspector General released a report focusing on the Department's wasteful expenditures associated with the conferences. The Committee requested documents from the Department in August 2012. After several follow-up document requests, the Committee issued a subpoena on July 9, 2013. On October 30, 2012, the full Committee held a hearing,

which examined the Department's response to the waste and misconduct that occurred in relation to the planning and execution of the conferences. The Committee also released a Majority staff report detailing how conference expenditures skyrocketed due to failed oversight and financial irresponsibility. The report can be found on the Committee's website: <http://oversight.house.gov/wp-content/uploads/2013/10/VA-Conferences-Majority-Staff-Report-10-30-2013OGR-Committee.pdf>.

The Committee plans to continue to monitor the Department's progress in implementing the Inspector General's recommendations for improving policies and procedures within VA and making the necessary changes to prevent future waste of taxpayer dollars.

#### *Affordable Care Act Implementation*

Building on its work in the 112th Congress, when the Committee conducted oversight of the implementation of the Affordable Care Act (ACA), potential negative economic effects, and its impact on individuals and businesses, the Committee in 2013 has continued to devote significant resources to the laws effect on the insurance industry. In particular, the Committee has focused on several specific areas of ACA implementation, described below:

**Healthcare.gov**—The Committee is investigating the causes of problems with the launch of the Healthcare.gov website, a critical feature of the President's health care law. The Committee sent several letters to the Department of Health and Human Services and the Executive Office of the President requesting documents and information related to the launch. After the Department failed to immediately provide the requested information, the Chairman issued a subpoena to Secretary Sebelius demanding unredacted documents containing information about HealthCare.gov's technical problems and other issues related to testing, design, and software.

The Committee also requested information from top contractors involved with creation of the website. One of the main contractors, QSSI Inc., also refused to provide the requested information and was served with a subpoena issued by the Chairman. The Committee has received and is in the process of reviewing well in excess of one million documents received in response to the Committee's letters and subpoenas.

The Committee has held three hearings on the Administration's failed website launch, and plans to hold three additional hearings by the end of December; four of the hearings are taking place outside of Washington (North Carolina, Georgia, Arizona, and Texas) to highlight the impact of the Affordable Care Act on individuals across the country. The Chairman issued a subpoena to the White House Office of Management and Budget Chief Technology Officer, Todd Park, to appear before the Committee. Finally, the Committee is currently conducting multiple transcribed interviews of federal employees who were involved with building or testing HealthCare.gov.

**Navigators/Assisters**—The Affordable Care Act requires states to establish "Navigators" to conduct outreach about the law, provide fair and impartial information to consumers, and facilitate enrollment in new health insurance exchanges and state Medicaid programs. When several states objected to financing Navigators with state revenue, the Administration created a twin program called

In-Person Assisters (Assisters) in states with state-based exchanges. This year alone, the Administration will provide several hundred million dollars of unauthorized taxpayer funds to Assister organizations. There is significant risk for fraud and abuse in these programs; top HHS officials expressed concerns about the risk of scam artists and identity thieves, but did nothing to place eligibility requirements on Navigators and Assisters that would prevent them.

In September, the Majority staff released a report with preliminary findings showing that the Navigators and Assisters pose security risks to consumers. The report can be found on the Committee's website: <http://oversight.house.gov/wp-content/uploads/2013/09/Republican-Staff-Report-on-Navigators.pdf>. The Committee held a hearing on the Navigators and Assisters programs in May 2013; the topic has also been highlighted in several other Committee hearings throughout the year. Additionally, the Committee is currently receiving and reviewing information in response to document requests to the Department of Health and Human Services and 17 state based exchanges.

Consumer Operated and Oriented Plan—The Consumer Operated and Oriented Plan (CO-OP) program used taxpayer money to loan \$2 billion to companies establishing non-profit health insurance issuers. However, the Office of Management and Budget estimated the taxpayer losses for the loans at 43.2 percent. Moreover, several companies have experienced legal or financial troubles. For instance, the Vermont Health CO-OP, which received a \$34 million taxpayer-backed loan, was in May 2013 denied an insurance license by the state of Vermont. In letters to the Administration, the Committee expressed concern that the process used to select loan recipients was flawed and lacked transparency. The Committee also uncovered several emails and visits between company officials and White House employees.

The Committee initially requested information on the CO-OP program in October 2012 and again in March 2013. After these requests were ignored by the Department of Health and Human Services, the Chairman issued a subpoena for documents related to the risky Obamacare health CO-OP loan program in June 2013. The subpoena requires HHS to produce all documents related to the reviews which assessed each CO-OP applicant's financial viability, as well as communication between HHS employees, contractors and Executive Office employees discussing the applicants' financial viability or ability to repay the CO-OP loan. The Committee continues to receive and review documents from HHS in response to the Chairman's subpoena. In addition, the Committee is currently conducting transcribed interviews with key officials from the various CO-Ops.

### *Benghazi*

In the wake of the September 11, 2012 terrorist attack on U.S. diplomatic facilities in Benghazi, Libya which claimed the lives of four Americans, the Committee launched an investigation into the Administration's actions before, during and after the attack. To date, the Committee has sent more than 45 letters, conducted approximately 20 witness interviews totaling 80+ hours and 3000+ pages of transcripts, reviewed more than 25,000 pages of docu-



ments, and issued nine subpoenas for documents and testimony. Several subpoenas for testimony were withdrawn after witnesses agreed to appear voluntarily.

In addition, the Committee has held three hearings. The first hearing occurred on October 10, 2012 and included testimony from State Department and DOD personnel responsible for security in Libya prior to the attack. The second hearing took place on May 8, 2013 and the Committee received testimony from State Department personnel involved in the events before, during and after the attack. The hearing featured the first public testimony from an individual who was on the ground in Libya on the night of the attack. On September 19, 2013, the Committee held a third hearing to examine the work of the Accountability Review Board (ARB) and the findings of the Independent Panel on Best Practices, convened by the State Department at the ARB's recommendation to review the diplomatic security function of the Department. In advance of the September 19, 2013 hearing, the Majority released a 99-page interim staff report on ARB's process and conclusions, especially regarding accountability of State Department personnel. Additionally, the Minority released an 80-page staff report on the attacks, response, and the subsequent investigations.

#### *Sequester Oversight*

The Committee thoroughly analyzed the federal government's response to budget changes in 2013. On April 16, 2013, the Full Committee held a hearing featuring three agencies—the National Archives, the Smithsonian, and the National Park Service—to evaluate how each had coped with funding reductions under sequestration. The Smithsonian and the National Archives both handled sequestration with little to no pain as a result of judicious planning.

The Committee revisited this issue in October, when it held a joint hearing with the Natural Resources Committee to examine the Park Service's response to the government shutdown. At this hearing, Chairman Issa issued a subpoena to the Park Service for documents not produced in response to the Committee's sequestration investigation and which were the subject of a March 3, 2013, letter, which was followed by two letters in October seeking information about sequestration.

Since the subpoena has been issued, the Committee has been in discussions with the Park Service about the production of responsive documents. So far, the Park Service has produced the sequestration plans implemented by each park, but the Committee still seeks drafts of these reports and the correspondence relating to chosen cuts. The Committee plans to continue its investigation into the Park Service's handling of sequestration and monitor its responses to future budget adjustments.

#### *IRS Contracting Abuse*

In February 2013, the Committee learned of allegations concerning a series of contracts, potentially worth more than \$500 million, awarded by the Internal Revenue Service over a six-month period to Strong Castle, Inc., an information technology contractor. Witnesses who contacted the Committee alleged that Strong Castle engaged in fraud to win the IRS contracts. Strong Castle obtained contracts with the IRS largely based on the company's access to

contracting set-asides for small businesses owned by service-disabled veterans (SDVOSB) and connections to economically disadvantaged neighborhoods (HUBZone).

The Committee's investigation involved reviewing more than 25,000 pages of documents produced by the IRS, Strong Castle, the U.S. Small Business Administration (SBA), and the Department of Veterans' Affairs (VA). Committee staff conducted 16 transcribed interviews of IRS procurement officials, Strong Castle employees, and other relevant witnesses. Chairman Issa sent nine letters about the investigation to SBA, VA, IRS, and Strong Castle. SBA, VA, and IRS provided multiple briefings.

A Majority staff report released on June 25, 2013, detailed the findings and recommendations of the investigation in anticipation of a full Committee hearing held June 26, 2013. The report is available on the Committee's website: <http://oversight.house.gov/report/staff-report-questionable-acquisitions-problematic-it-contracting-at-the-irs/>. A video clip of Congresswoman Duckworth questioning Strong Castle's CEO about his service disability has been viewed over two million times on YouTube: <http://www.youtube.com/watch?v=rPOKm20wP4s>.

As a result of the Committee's investigation, the SBA decertified Strong Castle as a HUBZone firm, observing that the company provided inaccurate, unreliable, and misleading information. In addition, the IRS pledged to suspend orders for IT products and services from Strong Castle and on December 5, 2013, executed a bilateral contract action to discontinue the contract arrangement with Strong Castle under a blanket purchase agreement in support of the IBM Software Relationship Offering (SRO), worth an estimated total dollar value of \$300 million over five years. Moreover, on the legislative front, Chairman Issa and Congresswoman Duckworth have introduced the SERV Act (H.R. 3469), which would ensure that only individuals who have actually served in the military can qualify to receive government contracting preferences and other related benefits.

The Committee's findings regarding Strong Castle should serve as a deterrent for other current and prospective government contractors who may be considering ways to abuse set-aside programs established to benefit disadvantaged populations and underutilized communities. While the Committee was able to stop the abuses of one contractor, the Committee learned that these problems are widespread and require government-wide solutions. The Committee continues to monitor Strong Castle and other similarly-situated contractors to prevent similar abuses in the future.

#### *New York State Medicaid Abuse*

The Committee is investigating waste, fraud, abuse, and mismanagement in New York State's Medicaid program. A March Committee Report from the House Oversight and Government Reform Committee described the findings discovered and uncovered by the Committee. In response to the Committee's oversight and discovery of a significant problem with overpayments received by State-operated institutions in New York, the Department of Health and Human Services sharply reduced some Medicaid overpayments to the State of New York in April, saving taxpayers an estimated

\$1.2 billion over 18 months. New York State's Medicaid program is the largest in the country.

According to the Committee report, in fiscal year 2010, New York's \$2,700 per resident Medicaid spending exceeded per capita Medicaid spending in the rest of the country by more than \$1,500. When problems with the State's program have been identified, the cost associated has often been large as well. The bipartisan Committee report found that poor program oversight by both the State and federal Government has contributed to these problems.

A September 2012 staff report estimated that over the past two decades the federal government had made roughly \$15 billion in overpayments to the State of New York since 1990 for the developmental centers alone. By 2011, Medicaid's daily reimbursement rate exceeded \$5,100 for each patient residing in a developmental center.

This Committee continues to investigate allegations that New York State's Office of Medicaid Inspector General (OMIG), the state agency responsible for oversight of state Medicaid spending, has been pressured by Governor Andrew Cuomo, and that the agency offered preferential treatment to companies with ties to prominent politicians including former Pennsylvania Governor Ed Rendell.

#### VI. DELINEATION OF HEARINGS HELD PURSUANT TO CLAUSES 2 (N), (O), AND (P) OF HOUSE RULE 11.

##### *Hearings Held Pursuant to Clause 2(n)*

Jan. 22, 2013, 1:00 p.m.—Full Committee hearing entitled, "Wasting Information Technology Dollars: How Can the Federal Government Reform its IT Investment Strategy?"

Feb. 5, 2013, 1:00 p.m.—Full Committee hearing entitled, "Government Spending: How Can We Best Address the Billions of Dollars Wasted Every Year?"

Feb. 27, 2013, 9:30 a.m.—Full Committee hearing entitled, "Time to Reform Information Technology Acquisition: The Federal IT Acquisition Reform Act."

Feb. 27, 2013, 2:00 p.m.—Subcommittee on Government Operations hearing entitled, "Failures in Managing Federal Real Property: Billions in Losses."

March 5, 2013, 10:00 a.m.—Full Committee hearing entitled, "Reducing Waste and Mismanagement: Implementing Agency Watchdogs' Recommendations Could Save Taxpayers Billions"

Mar. 19, 2013, 10:00 a.m.—Full Committee hearing entitled, "DOD and DHS: Implementing Agency Watchdogs' Recommendations Could Save Taxpayers Billions."

Apr. 17, 2013, 9:30 a.m.—Full Committee hearing entitled, "Options to Bring the Postal Service Back from Insolvency."

Apr. 17, 2013, 2:00 p.m.—Subcommittee on National Security hearing entitled, "Contracting to Feed U.S. Troops in Afghanistan: How did the Defense Department end up in a Multi-Billion Dollar Billing Dispute?"

Apr. 25, 2013, 9:30 a.m.—Subcommittee on Government Operations hearing entitled, "Government Operations Oversight: Addressing Unused and Vacant Federal Property."

Apr. 25, 2013, 10:00 a.m.—Subcommittee on National Security and Subcommittee on Economic Growth joint hearing entitled,

“Oversight of the Federal Government’s Procurement of Ammunition.”

June 5, 2013, 9:30 a.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “OPM’s Revolving Fund: A Cycle of Government Waste?”

June 12, 2013, 9:30 a.m.—Full Committee hearing entitled, “Protecting Taxpayer Dollars: Is the Government Using Suspension and Debarment Effectively?”

June 26, 2013, 9:00 a.m.—Full Committee hearing entitled, “The IRS Contracts with Strong Castle, Inc.”

July 10, 2013, 9:30 a.m.—Full Committee hearing entitled, “Unaccountable Government: GAO Reports Show Feds Struggling to Track Money and Performance.”

July 25, 2013, 9:30 a.m.—Subcommittee on Government Operations hearing entitled, “Data Centers and the Cloud, Part II: The Federal Government’s Take on Optimizing New Information Technologies Opportunities to Save Taxpayers Money.”

Sept. 11, 2013, 9:30 a.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “Ensuring an Accurate and Affordable 2020 Census.”

Nov. 20, 2013, 10:00 a.m.—Subcommittee on National Security hearing entitled, “Abuse of Overtime at DHS: Padding Paychecks and Pensions at Taxpayer Expense.”

Dec. 3, 2013, 10:00 a.m.—Subcommittee on Government Operations field hearing entitled, “Federal Trade Commission and General Services Administration Thwart Cost Saving Consolidation.”

*Hearing Held Pursuant to Clause 2(o)*

July 10, 2013, 9:30 a.m.—Full Committee hearing entitled, “Unaccountable Government: GAO Reports Show Feds Struggling to Track Money and Performance.”

*Hearings Held Pursuant to Clause 2(p)*

Feb. 14, 2013, 10:30 a.m.—Full Committee hearing entitled, “Exploring GAO’s High Risk List and Opportunities for Reform.”

Feb. 27, 2013, 9:30 a.m.—Full Committee hearing entitled, “Time to Reform Information Technology Acquisition: The Federal IT Acquisition Reform Act.”

Feb. 27, 2013, 2:00 p.m.—Subcommittee on Government Operations hearing entitled, “Failures in Managing Federal Real Property: Billions in Losses.”

Apr. 9, 2013, 2:00 p.m.—Full Committee hearing entitled, “Reducing Waste in Government: Addressing GAO’s 2013 Report on Duplicative Federal Programs.”

Apr. 10, 2013, 1:30 p.m.—Subcommittee on Federal Workforce, U.S. Postal Service and the Census hearing entitled, “Ahead of Postal Reform: Hearing from USPS Business Partners.”

Apr. 17, 2013, 9:30 a.m.—Full Committee hearing entitled, “Options to Bring the Postal Service Back from Insolvency.”

Apr. 17, 2013, 2:00 p.m.—Subcommittee on National Security hearing entitled, “Contracting to Feed U.S. Troops in Afghanistan: How did the Defense Department end up in a Multi-Billion Dollar Billing Dispute?”

Apr. 24, 2013, 9:30 a.m.—Full Committee hearing entitled, “Broken Promises: the Small Business Lending Fund’s Backdoor Bank Bailout.”

May 9, 2013, 9:00 a.m.—Subcommittee on Government Operations hearing entitled, “Federal Government Approaches to Issuing Biometric IDs.”

May 16, 2013, 10:30 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Opportunities Lost: Constraints on Oil and Gas Production on Federal Lands and Waters.”

June 27, 2013, 9:30 a.m.—Subcommittee on Energy Policy, Health Care and Entitlements hearing entitled, “Oversight of Rising Social Security Disability Claims and the Role of Administrative Law Judges.”

August 2, 2013, 9:00 a.m.—Subcommittee on Government Operations hearing entitled, “Examining the Skyrocketing Problem of Identity Theft Related Tax Fraud at the IRS.”

Dec. 3, 2013, 10:00 a.m.—Subcommittee on Government Operations field hearing entitled, “Federal Trade Commission and General Services Administration Thwart Cost Saving Consolidation.”

