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118th Congress, 1st Session - - - - - House Report 118-36

AUTHORIZATION AND OVERSIGHT PLANS

FOR ALL

HOUSE COMMITTEES

BY THE

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

HOUSE OF REPRESENTATIVES

(Required by House Rule X, Clause 2)



APRIL 17, 2023.—Committed to the Committee of the Whole House on
the State of the Union and ordered to be printed

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JAMES MANDOLFO, *General Counsel and Chief Counsel for Investigations*

MALLORY COGAR, *Deputy Director of Operations and Chief Clerk,*

Contact Number: 202-225-5074

JULIE TAGEN, *Minority Staff Director*, Contact Number: 202-225-5051

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, DC, April 17, 2023.

Hon. KEVIN MCCARTHY,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: In accordance with rule X (2) of the Rules of the House of Representatives, I respectfully submit the authorization and oversight plan of each specified standing committee. Each authorization and oversight plan was adopted by its respective committee and it is recommended that the work outlined is pursued accordingly.

Sincerely,

JAMES COMER,
Chairman, Committee on Oversight and Accountability.

Union Calendar No. 23

118TH CONGRESS <i>1st Session</i>	}	HOUSE OF REPRESENTATIVES	{	REPORT 118-36
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OVERSIGHT PLANS FOR ALL HOUSE COMMITTEES WITH ACCOMPANYING RECOMMENDATIONS

APRIL 17, 2023.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. COMER, from the Committee on Oversight and Accountability,
submitted the following

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One Hundred Eighteenth
Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1308 LONGWORTH HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515-6157
(202) 225-8281 | CHA.HOUSE.GOV

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MINORITY STAFF DIRECTOR

February 28, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Comer,

Pursuant to Rule X, clause 2(d) of the Rules of the United States House of Representatives, I submit the Committee on House Administration's oversight and authorization plan to the Committee on Oversight and Accountability. This plan was adopted by the Committee on House Administration by voice vote with a quorum present early today.

Sincerely,



Bryan Steil
Chairman
Committee on House Administration

COMMITTEE ON HOUSE ADMINISTRATION

OVERSIGHT PLAN FOR THE 118TH CONGRESS

HOUSE OFFICERS AND OPERATIONS, GENERALLY

Rebuilding a House that is:

- **Accountable:**
 - Partner with House Officers to implement more cost effective and efficient operations within the House.
 - Hold accountable the Architect of the Capitol, United States Capitol Police, House Sergeant at Arms, the Capitol Police Board, and other Legislative Branch entities.
 - Implement plans that enhance the security of the Capitol campus for the House community, Members, and visitors of the Capitol.
 - Coordinate the reauthorization of House entities with the Subcommittee on Legislative Branch Appropriations to ensure transparency and accountability in House operations.
 - Coordinate more effective and wholistic oversight of the Legislative Branch through better partnership with the Subcommittee on Legislative Branch Appropriations.
 - Conduct thorough oversight of the resources dedicated to post-January 6th security improvements across the Capitol campus to ensure accountability and increase transparency regarding the use of taxpayer dollars.
 - Partner with House Officers and entities across the Legislative Branch to identify and implement actions that increase effectiveness and reduce costs.
- **Open, Accessible, and Transparent:**
 - Partner with House Officers and officials to fully return the House to pre-COVID-19 pandemic operations, including ensuring that the House buildings are open and accessible to the American people.
 - Coordinate with the Speaker and Officers of the House to facilitate more opportunities for Americans to engage with Congress.
 - Oversee the implementation of the House Officers' strategic plans to increase Legislative Branch entities' efforts to recruit and retain a professional, skilled workforce.
- **Professional:**
 - Examine proposals to increase the recruitment and retention of Americans from across the United States to work in Congress.

- Partner with entities across the Legislative Branch to continue the development of training programs to ensure the highest level of service to American people.
- Coordinate the development and implementation of the House Officers' and officials' strategic plans for the financial and administrative wellbeing of the House.
- Empower and support entities across the legislative branch in implementing recommendations made by their relevant Inspector General.
- Modern:
 - Support the continued coordination among Legislative Branch entities to offer modern, effective support services to build a comprehensive district office support program, including IT, security, and administrative services.
 - Coordinate support for implementing best practices regarding the adoption, review, testing, and improvement of IT security policies and services across all Legislative Branch entities.
 - Oversee the coordination of services across the House entities to ensure Committees may host field hearings across the country and U.S. territories safely and effectively.
- Resilient:
 - Partner with House Officers and Officials to establish courses of action to address all outstanding Inspector General recommendations, management advisories, and initiatives.
 - Strengthen the cybersecurity of the House through close coordination with the House Officers' and other Legislative Branch entities through continued development of defensive measures, including adoption of programs, IT security policies, training initiatives, and best practices.
 - Continue coordination with House Officers to develop predictable, realistic financial and administrative goals with clear paths for implementation both in the short-and long-term.

Chief Administrative Officer (CAO)

- Continue support of the CAO's "One CAO" vision to increase the coordination of support offices across the entity to best serve the House and American people.
- Continue coordination with the CAO to ensure that products offered meet the needs of the House's modern workforce, and that communication of available resources reaches all levels of the House community, including in D.C. and district offices.
- Partner with CAO to prioritize the implementation of recommendations from the Select Committee on the Modernization of Congress.
- Continue to support the development of the House Digital Service.
- Oversee the development and implementation of a committee calendar system to help committees plan and deconflict hearings and business meetings.
- Encourage CAO to explore options to enter into enterprise-wide agreements that save money and increase efficiencies across the House.

- The Congressional Staff Academy, CAO Coach Program, and Congressional Excellence Program have demonstrated that the CAO is listening to the House workforce to meet professional development needs. House Administration will continue to be engaged with the CAO to ensure that course and service offerings further adapt to the modern House.
- Continue oversight of modernization initiatives that streamline data and identify access management, including the continued roll-out of My Expenses and further technology upgrades to the House financial management system.
- Further partner with CAO to expand admissions, reduce the waitlist, and improve the quality of the offerings of the House Childcare Center so that the full expansion of the Center can be utilized by the House community in the immediate future.
- Further ensure that CAO is proactive in combating cybersecurity threats, providing training, and implementing failsafe procedures to guarantee continuity of operations.
- Continue coordination on the review of the House Disaster Recovery Program to identify further advancements the House can undertake to remain secure.

Clerk of the House

- Continue coordination with the Clerk to oversee, support, and implement policy and modernization needs to ensure continuity of Congress, increase efficiencies, boost cyber security, and improve workforce health.
- Help craft and implement solutions to increase the bandwidth of Legislative Counsel through recruitment and retention policy reforms.
- Modernize technologies utilized in the legislative drafting process.
- Continue support of the House's adoption of the e-Hopper and the Comparative Print Tool, two key initiatives that greatly aid Members and staff in undertaking legislative activities.
- Partner with the Clerk to identify functions and administrative operations under the Clerk's jurisdiction that would be better coordinated under another House entity to increase the Clerk's operational bandwidth and effectiveness.
- Standardize format and data-sharing practices, increase public access to the House Legislative Resource Center's resources, and support the continued efforts of the Congressional Data Task Force and the Bicameral Legislative Systems Forum.

House Inspector General

- Continue the Committee's coordination with the Office of the Inspector General to increase accountability across the House.
- Identify improvements to the functions and administrative operations of the Office of the Inspector General.
- Establish priorities for the Inspector General, including, but not limited to, the focus and scope of management advisories.
- Ensure that management advisories, audits, and investigations are prioritized in alignment with the assessment of risk to the operations of the House.

House Office of Whistleblower Ombuds

- Continue close coordination with the Office of the Whistleblower Ombuds to ensure resources, guidance, and policies are authorized in alignment with the office's core function of promulgating best practices for whistleblower intake for offices of the House.

Sergeant at Arms (HSAA)

- Continue to identify and implement cultural changes to increase honor, accountability, retention, and professionalism within the organization.
- Closely coordinate with the Sergeant at Arms regarding his role on the Capitol Police Board to ensure there is accountability and transparency of the Board and its actions.
- Shift the Sergeant at Arms toward a more traditional oversight entity with thorough oversight of the security operations across the House campus and in district offices.
- Encourage more member services initiatives and bipartisanship in the HSAA office. This includes efforts to further partner with the HSAA to independently empower security experts, not politicians, to make security related decisions.
- Explore a modernized campus badging system to streamline the visitor experience and increase awareness of building densities in case of an evacuation-based emergency.
- Review the functions and administrative operations assigned to the HSAA to identify solutions and streamline operations as they relate to the other campus security entities.
- Oversee the implementation of recommendations made by various reviews of the Capitol following the January 6, 2021, attack on the US Capitol.
- Oversee dedicated efforts by the HSAA to increase customer service and availability for Members and staff.
- Ensure HSAA continues to implement a comprehensive district office and home security program to further ensure the safety of Members, their families, and staff. This includes the HSAA's implementation of the law enforcement coordinator program, enterprise-wide security system contract, and processes for mail sent to the district offices. Ensure that this program is managed according to its intent and that the HSAA is held accountable for the quality of services provided to Members and District offices across the country.
- Further partner with HSAA to develop and implement emergency preparedness and training of all Members, staff, and employees, including when home in their districts.
- Review annual reporting requirements to ensure adequate accountability and transparency.
- Continue to increase customer service and experience with the House Parking Office.

LEGISLATIVE BRANCH AND OTHER ENTITIES

Architect of the Capitol (AOC)

- Support the Acting Architect of the Capitol in re-establishing a culture built on accountability and excellence in the work of the AOC.
- Continue oversight of the Cannon House Office Building renovation.
- Ensure that future Capitol construction projects are undertaken with a firm commitment to adopt lessons learned from prior construction projects.
- Align AOC with best practices regarding contracting, building code compliance, ADA accessibility, historic preservation standards, and strategic planning to address deferred maintenance.
- Coordinate with the Senate Rules Committee to increase the bicameral and bipartisan oversight of the AOC's full scope of activities across its jurisdictions.
- Coordinate with the Subcommittee on Legislative Branch Appropriations to explore alternative funding models to better match AOC construction resource management. This includes researching opportunities in which long-term projects can be better insulated against market price fluctuations, inflation, and supply shortages.
- Ensure the prioritization and implementation of recommendations made by the Select Committee on the Modernization of Congress, including but not limited to, improvement of wayfinding technology, evaluating the future of work, developing a portal for using and reserving available "shared" office space, and use of space considerations. This includes the continued build out of former Health and Human Service space in the O'Neill Building.
- Develop and enforce a clear House Office Building Hallway Policy.
- Continue oversight of the AOC's day-to-day maintenance of House Buildings and the House side of the Capitol.
- Continue thorough oversight of the Hearing Room Renovation Plan and increase accountability for the AOC to deliver those rooms on time and on budget. Ensure the AOC and other House support entities provide continued business operation in the House by providing adequate, alternative hearing room locations for committees and subcommittees to gather.
- Increase communication and expedited service as it relates to the National Statuary Hall Collection in coordination with the Joint Committee on the Library.
- Review the internal operational effectiveness of the Capitol Visitor Center to ensure that the services provided are of a level appropriate for visitors who are touring the Capitol of the United States of America. Ensure that CVC continues to modernize the visitor experience in a way that welcomes all Americans.

Government Publishing Office (GPO)

- Continue oversight of GPO's efforts to digitize the Federal Deposit Library Program.
- Further support the GPO in establishment of its tradesmen apprenticeship program to increase workforce recruitment, development, and retention.

- Further collaborate with GPO to explore modernization initiatives that can streamline the legislative posting process, recognizing that the process has many stakeholders and collaborators.
- Support the GPO in efforts to appoint a permanent Inspector General and re-establish a productive relationship with that office.
- Continue to oversee operations of the GPO including the Superintendent of Documents.
- Continue collaboration on GPO's production of next generation passports for the US Department of State.

Library of Congress

- Oversee Library activities to ensure that the LOC remains focused on its founding mission of being Congress' Library.
- Continue to support the Library in its efforts to shift toward a library of the modern information age, where Americans can access documents and information regardless of location.
- Continue to support the Library in efforts to digitize and further build its collection.
- Further emphasize the need for the LOC to implement recommendations of its Inspector General, particularly regarding information technology modernization, enterprise-wide strategic planning and coordination, and better controls on internal processes and project management.
- Conduct rigorous oversight of the Congressional Research Service to better meet the needs of a modern Congress, including shorter reports, more variety of products, thorough internal tracking of activities and product delivery rates, and greater efficiency in work product.
- Ensure greater stakeholder participation in decision-making for prestigious appointments.
- Continue oversight of Copyright modernization efforts, the Visitor Experience Initiative, post-COVID-19 Pandemic posture, storage facility efforts, moving NLS headquarters to a closer location to LOC, and Law Library shelving renovation, among others.
- Continue support of LOC's efforts to ensure greater access to the Main Reading Room by visitors and researchers.
- Oversee the strategic plans and operations of the LOC, with particular focus on Copyright Office, Law Library, OIG, CRS, NLS, and overseas initiatives.

Office of the Attending Physician

- Review the Office of the Attending Physician's actions during the COVID-19 pandemic, including the issuing of inconsistent guidance between the House and the Senate.
- Implement necessary changes to ensure future public health guidance is issued in a non-political manner.
- Make strides to modernize the OAP fee payment structure to streamline accounting and improve customer experience.

Office of Congressional Accessibility Services (OCAS)

- Oversee the management and operations of Office of Congressional Accessibility Services in conjunction with Senate Committee on Rules and Administration. Continue coordination regarding the

needs of the office to accomplish long-term strategic plans that increase Americans' accessibility of the Capitol Campus and events.

- Continue to build connections between the OCAS and AOC to ensure that construction activities and future building upgrades are undertaken in an accessibility conscious way.

Smithsonian Institution

- Continue to address storage capacity concerns and deferred maintenance with the Smithsonian Institution.
- Reduce the Smithsonian's reliance on timed-ticketing efforts to improve access and increase accountability for when such efforts are taken advantage of by ticket scalpers or bots.
- Increase accountability for the process of site selection for the future National Women's History Museum and the National Museum of the American Latino. Engage with Smithsonian and other stakeholders to ensure that appropriate, realistic recommendations are made regarding site locations.
- Re-establish the expectation that the Smithsonian is accountable and responsive to congressional oversight entities.
- Set expectations with the Smithsonian on future development on the National Mall.
- Ensure adequate inventory management across all collections.
- Ensure that the Smithsonian is meeting the expectations of the American people to preserve and communicate the American story and educate Americans on the uniqueness of our history.
- Work with Smithsonian to ensure a full return to pre-COVID-19 Pandemic policies.
- Review appointments to the Board of Regents as necessary.

United States Capitol Police

- Work with the Department to improve its culture by improving leadership, accountability, transparency, and initiative throughout its operations.
- Support the Department's efforts to expand their regional offices throughout the country, ramp up recruitment of new officers, address threats to members of Congress, prioritize training and dignitary protection, and continue to rebuild after the January 6th attack on the Capitol.
- Conduct a comprehensive review of USCP to determine the viability of transitioning USCP away from a traditional police force toward a protective force.
- Identify opportunities for reforming the Capitol Police Board structure.
- Work with the Department to ensure all outstanding recommendations made to the Department are fulfilled.
- Review the politicization of the Department in recent years and push the Department to have greater bipartisan responsiveness to members.
- Advocate for greater independence for the USCP Inspector General from the Capitol Police Board.
- Encourage the Department to prioritize long-term, strategic planning.
- Partner with Capitol security stakeholders to establish clear guidance for the deployment of global fencing.

- Encourage the Department to prioritize training initiatives throughout the Department and rework accountability structures to ensure training is not only mandated but executed.
- Require the Department to provide semi-annual reports on operations and structure to Congress and regularly report arrest data publicly in a detailed, structured data-format.
- Develop policies and processes to further discourage unmanned aerial systems (UAS) or “drones” from violating Capitol air space.
- Oversee the Departments operations through regular engagement with Department leadership.

ADVICE AND GUIDANCE, MEMBER SERVICES

Members’ Representational Allowance

- Oversee Members’ Representational Allowance (MRA), including amounts, structure, regulations and calculations to ensure that all Members have sufficient resources to effectively represent their constituents.
- Oversee the timely processing of vouchers and direct payments, including those for payroll. Continue to monitor the implementation of My Expenses and other advancement that streamline operations while increasing accountability.
- Ensure that the Members’ Congressional Handbook sets clear, effective guidance for the appropriate use of the Members’ Representational Allowance.

Official Communications

- Coordinate with the Clerk of the House and CAO to identify and implement new applications, resources, and procedures for the House to be more transparent, accountable, and accessible, and to meet Member and Committee office’s obligations related to official communications.
- Implement approved procedures to increase transparency and improve the accounting of franked mail costs.

New Member Orientation

- Proactively plan, implement, and oversee the New Member Orientation program for newly elected Members of Congress. Ensure that programming emphasizes bipartisanship and communicates relevant information that adequately prepares new members to hit the ground running.
- Review the management and planning of the Congressional Research Service’s New Member Issues Seminar.

Intern Program

- Oversee the establishment of the Intern Resource Office.
- Continue and expand the Gregg and Livingston Harper congressional internship program for individuals with intellectual disabilities.
- Continue oversight of the House Paid Internship program, including oversight of paid interns in district offices.
- In coordination with the Senate Committee on Rules and Administration, organize, administer, and oversee the intern lecture series.

CONGRESSIONAL ACCOUNTABILITY ACT OF 1995

- Conduct general oversight of the office of Office of Congressional Workplace Rights, Office of House Employment Counsel, and Office of Employee Assistance.
- Explore advantages of transferring the development and administration of the annual mandatory Workplace Rights and Responsibilities training in-house.
- Evaluate resources available to OCWR and House employing offices to facilitate implementation of the Congressional Accountability Act.
- Monitor the development and deployment of the biannual climate survey.
- Oversee the Office of Employee Advocacy.

FEDERAL ELECTION LAW AND PROCEDURES

- Examine all aspects of election security practices and consider proposals to strengthen election integrity.
- Examine the impact of amendments made by HAVA and the Military and Overseas Voter Empowerment Act (MOVE Act) to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).
- Consider proposals to improve voting methods for those serving and living abroad.
- Examine the role and impact of political organizations and non-profit organizations on federal elections.
- Recommend disposition of House election contests pending before the committee; monitor any disputed election counts.
- Review all aspects of registration and voting practices in federal elections. Monitor allegations of fraud and misconduct during all phases of federal elections and evaluate measures to improve the integrity of the electoral process.
- Review federal campaign-finance laws and regulations, including presidential and congressional public financing, and consider potential reforms.
- Review operations of the Election Assistance Commission (EAC) and evaluate possible changes to improve efficiency and improve implementation of the Help America Vote Act (HAVA).
- Review operations of the Federal Election Commission (FEC) and evaluate possible changes to improve efficiency, improve enforcement of the Federal Election Campaign Act, and improve procedures for the disclosure of contributions and expenditures. Consider authorization issues and make recommendations on the FEC's budget.
- Protect federalism and constitutional principles that instruct that States play the primary role in determining the "the Times, Places and Manner of holding Elections for Senators and Representatives", as provided for in Article I, Section 4, of the Constitution.
- Investigate and monitor HAVA waste, fraud, and abuse (including, but not limited to, allegations of official funds going toward partisan "get-out-the-vote" efforts, lack of transparency in the contract bidding process, and ex parte communications between vendors and state contracting officials).

- Investigate how states and localities that allow non-citizens to vote ensure that federal funds are not used to facilitate non-citizen voting.
- Review and strengthen methods to improve the enforcement of existing federal law that requires States to maintain their voter registration lists to improve the accuracy and integrity of the elections process.
- Review and examine the 2022 election with a focus on ensuring all lawful ballots in congressional races were counted fairly, accurately, and according to law.
- Strengthen the Congressional Election Observer Program that helps the House and Senate gather evidence to fulfill their constitutional responsibility to “be the judge of the Elections, Returns, and Qualifications of its own Members” as provided for by Article I, Section 5 of the Constitution.
- Strengthen and develop our Faith in Elections Program that consists of four primary principles: (1) States have the primary role in establishing election law and administering elections, (2) All eligible voters must be able to vote, and all lawful votes must be counted according to the law, (3) Political speech is protected speech, and (4) Redistricting should be used as a tool to strengthen democracy.
- Restore voter confidence in our elections by highlighting states and localities that are administering elections in an open, fair, and transparent way.

MINORITY VIEWS

LEGISLATIVE BRANCH OVERSIGHT

INTRODUCTION

The oversight and authorization activities of the Committee on House Administration are key to the operations of the Legislative Branch. During the 116th and 117th Congresses, Committee Democrats guided the House through several generational challenges, ensuring continuity of operations during the COVID-19 pandemic and in the aftermath of the January 6, 2021, attack on the Capitol. Even in the face of these historic obstacles, the Committee made unprecedented improvements to House operations, particularly with respect to human capital and institutional capacity.

According to Demand Progress, a nonpartisan, non-governmental organization focused on strengthening democracy, the House “improve[d] the working conditions for its staff in the 117th Congress than Congress has over the last three decades combined.”¹ These reforms improved the ability for the House to recruit and retain top talent and provided Members and staff with tools to perform their jobs more effectively, strengthening the institution. Advances included, among others: creating the House Office of Diversity and Inclusion and House Office of Whistleblower Ombuds; imposing a \$45,000.00 pay floor for full-time House staff; decoupling of Member and staff pay; raising the staff pay cap; increasing the lifetime maximum for the Student Loan Repayment Program (SLRP) and exempting SLRP payments from the pay cap; adoption of regulations recommended by the nonpartisan Office of Congressional Workplace Rights (OCWR) providing for unionization and collective bargaining for House staff who choose to exercise such rights; adoption of regulations recommended by OCWR relating to application of rights under the Family and Medical Leave Act and Fair Labor Standards Act for House staff; extending the House Paid Internship Program to committees; raising the maximum allowable compensation for interns; growing committee capacity by increasing committee funding; expanding the Congressional Staff Academy; launching the CAO Coach Program; creating the House Human Resources Hub; and enlarging the House Child Care Center; and increasing the capacity of the Office of Employee Assistance.

The accomplishments of Committee Democrats in the 116th and 117th Congresses led *Axios* to declare that the Committee, “once seen as a bureaucratic backwater is now at the center of some of

¹Demand Progress, Statement on House Unionization Vote + Establishment of Minimum Wage (May 7, 2022), <https://demandprogress.org/statement-on-house-unionization-vote-establishment-of-minimum-wage/>.

the biggest policy fights in Congress.”² In addition to the reforms discussed above, Committee Democrats took a leading role on issues related to election administration and the assault on voting rights; disinformation surrounding U.S. elections; both physical and cyber security; and the removal of white supremacist and Confederate statuary and art from places of honor in the Capitol. The Committee also drove the authorization of two new Smithsonian museums: the National Museum of the American Latino and American Women’s History Museum.

The Committee Minority looks forward to working with the new Committee Majority to further strengthen the institution. In particular, the Committee Minority appreciates the Committee Majority’s establishment of the Subcommittee on the Modernization of Congress, and the fact that the Majority agreed to an even split among Democratic and Republican Members. The Select Committee on the Modernization of Congress, established by House Rules packages in both the 116th and 117th Congress made many recommendations to improve the institution, and while the Committee implemented or partially implemented more than 130 such recommendations in the previous Congresses, additional implementation work remains.

The Committee Minority is committed to working in a bipartisan fashion in its oversight of the Legislative Branch. However, there will inevitably be matters in which the Committee Minority will disagree with the Committee Majority. For example, the Committee Minority is deeply troubled by public reporting that the Speaker of the House Kevin McCarthy made a deal with Fox News personality Tucker Carlson, who has referred to the January 6, 2021, attack as a “false flag operation”³ to provide him—and him alone—with “unfettered access”⁴ to tens of thousands of hours of security footage of the Capitol related to the January 6, 2021, attack.⁵

United States Capitol Police (USCP or Department) leadership has repeatedly stressed the danger of publicly releasing this footage, explaining that it puts the Capitol at significant risk. For example, in July 2022, the USCP Acting Assistant Chief of Police for Uniformed Operations said, in an affidavit made as part of a federal prosecution, “USCP continues to consider any interior footage of the U.S. Capitol to be highly sensitive information, and any access to it should be strictly limited.”⁶

As has been well publicized, in the runup to the January 6, 2021, attack, rioters attempted to gather information about the interior of the Capitol, including tunnels and non-publicly available floor plans. Providing access to hours of footage will result in security vulnerabilities of the Capitol being collected, exposed, and passed on to those who might wish to attack the Capitol again. That the

²Lachlan Markay, *Capitol Hill’s Smallest Committee Takes Center Stage*, Axios (May 26, 2022), <https://www.axios.com/2022/05/26/house-administrative-committee-capitol-security>.

³Meryl Kornfield and Jacqueline Alemany, *McCarthy gives Tucker Carlson exclusive access to Jan. 6 riot video*, The Washington Post (Feb. 21, 2023), <http://www.washingtonpost.com/politics/2023/02/21/tucker-carlson-kevin-mccarthy-jan-6-insurrection/>.

⁴*Id.*

⁵Mike Allen, *Exclusive: McCarthy gives Tucker Carlson access to trove of Jan. 6 riot tape*, Axios (February 20, 2023), <https://www.axios.com/2023/02/20/kevin-mccarthy-tucker-carlson-jan-6-riot-footage>.

⁶Declaration of Sean P. Gallagher, U.S. v. Egtvedt, No. 1:21-cr-00177 (D.D.C.).

Capitol is open to the public and that video footage of the January 6 attack is widely available does not diminish the need to prevent large swaths of unvetted security footage from being made public. According to a federal judge who issued a protective order related to the footage, “Even if some information about the U.S. Capitol’s layout is available online, USCP’s footage provides far more detailed information, which could raise security concerns if copied and publicized.”⁷ In addition, sophisticated foreign and nonstate actors may be able to use the security camera footage to identify weaknesses in Capitol security, such as potential blind spots and Member evacuation routes. Moreover, release of the footage would cause issues in the prosecutions of January 6 defendants, whose attorneys only have access to security camera footage under a protective order.

The danger associated with these actions is even more significant when considering the individual being provided the footage. Mr. Carlson has a lengthy record of lying and spreading disinformation about the January 6, 2021, attack on his television show in an apparent attempt to rewrite history. According to the *Washington Post*,

“Carlson promoted false and debunked claims about government agents stoking the riot, from the wife of an accused rioter (whom he later interviewed on his show without comment) to elevating evidence-free and obviously flimsy claims about a man named Ray Epps to a national audience. He produced a widely debunked three-part series aimed at reframing the Capitol riot in a way that attributed responsibility to government actors—and slotted the response to the riot in his exhaustingly simplistic us-vs.-them narrative. When the House select committee investigating the riot first aired a hearing in prime time, Carlson’s show was an ad-free hour of handing the microphone to riot sympathizers and conspiracy theorists.”⁸

Historically, Mr. Carlson’s conspiracy theories and false claims are so outrageous that attorneys for Fox News have forced to concede in federal court that he should not be considered an objective source of information.⁹

Any attempts by defenders of these actions to create a false equivalence with the work of the Select Committee to Investigate the January 6, 2021, Attack on the Capitol (Select Committee) should be dismissed. During the course of its investigation, the Select Committee worked directly with the Department to ensure the security camera footage that was ultimately released to the public did not pose a security threat. The Select Committee was required to clear all footage it released publicly with the Department. In some cases, the Department did voice such objections, and the Select Committee worked with the Department to address its concerns. In addition, any individual that reviewed security footage

⁷ U.S. v. Cudd, 534 F.Supp. 3d 48, 54 (D.D.C. 2021).

⁸ Kornfield, *supra* note 3.

⁹ McDougal v. Fox News Network, LLC, 489 F.Supp. 174 (2020); *see also* David Folkenflik, *You Literally Can’t Believe The Facts Tucker Carlson Tells You. So Say Fox’s Lawyers*, NPR (September 29, 2020), <https://www.npr.org/2020/09/29/917747123/you-literally-cant-believe-the-facts-tucker-carlson-tells-you-so-say-fox-s-lawye>.

signed a user agreement, and their individual actions were tracked so there was a record of who accessed what and when. No such safeguards appear to be in place in the present case, and, according to the *New York Times*, Mr. Carlson has explicitly stated that “he and a large team of staff members [are] looking at the footage.”¹⁰

The Committee Minority intends to conduct robust oversight on this issue and hopes that the Committee Majority will rethink this decision, which, according to security professionals, presents a significant security risk. Among the unknowns the Minority intends to uncover are:

- What footage has Tucker Carlson’s representatives already viewed?
- What conditions did the Speaker’s Office put on the review of that footage?
- Does the Speaker intend to physically transfer video files to Tucker Carlson or anybody else?
- What does Tucker Carlson intend to do with the footage?

As part of this Authorization and Oversight Plan, the Majority says that it will “empower security experts, not politicians, to make security related decisions.” Yet, the Department has made clear that it views release of security footage as a prodigious security threat.

HOUSE OFFICERS AND OPERATIONS, GENERALLY

The Committee Minority agrees with the Committee Majority that the House should be accountable, open, accessible, transparent, professional, modern and resilient. In particular, the Minority shares the Majority’s interest in “facilitat[ing] more opportunities for Americans to engage with Congress.” The Minority is therefore disappointed that the new House Majority eliminated the option for hearing witnesses to provide testimony remotely. Remote testimony allows individuals without the financial means to travel to Washington, DC to engage directly with Congress. It also makes it easier for individuals with disabilities, rural Americans, and those with job restrictions to engage with their elected representatives. When Congress limits hearing witnesses to those with enough time, money, child care and job flexibility to travel to Washington for several days, it takes away the voice of millions of Americans who deserve to be heard.

The Committee Majority also expresses a desire to “oversee the coordination of services across the House entities to ensure Committees may host field hearings across the country and U.S. territories safely and effectively.” With the assistance of the House Recording Studio the Committee Minority convened nine field hearings, two field roundtables and one field listening session during the 116th and 117th Congresses. The Minority looks forward to continuing to provide oversight of the House Recording Studio’s field hearing capabilities by participating in additional proceedings outside Washington, DC.

¹⁰Luke Broadwater and Jonathan Swan, *In Sharing Video With Fox Host, McCarthy Hits Rewind on Jan. 6*, *N.Y. Times* (Feb. 22, 2023), <https://www.nytimes.com/2023/02/22/us/politics/tucker-carlson-jan-6-mccarthy.html>.

CHIEF ADMINISTRATIVE OFFICER

The Committee Minority agrees with the Committee Majority's oversight goals for the Chief Administrative Officer (CAO). In addition, the Committee Minority intends to:

- Provide vigorous oversight of services provided to district offices, including the concept of enterprise-wide district office WiFi.
- Examine the House's relationship with the General Services Administration (GSA) to ensure Members can effectively serve their constituents through district offices in GSA-owned buildings.
- Review efforts to diversify the CAO workforce, including oversight of CAO diversity working groups and mentoring programs.
- Continue efforts to improve customer service and communications across all CAO functions and business units.
- Continue oversight of House technology upgrades, including MyExpenses.
- Review proposed reforms to the Office of Finance and Payroll and Benefits, including potential implementation of the Select Committee on the Modernization of Congress recommendation to shift to bimonthly pay periods.
- Continue oversight of the Student Loan Repayment Program.
- Review and oversee information technology services provided, maintained or hosted by House Information Resources (HIR).
- Continue oversight of failsafe procedures to guarantee continuity of operations.
- Continue oversight of House cybersecurity practices, including network security and threat prevention.
- Provide oversight of the House Disaster Recovery Program.
- Oversee web services activities, including new Member website development, with a focus on accessibility.
- Oversee the Technology Partner Program.
- Oversee continued efforts to move toward cloud computing.

HOUSE SERGEANT AT ARMS

The Committee Minority also agrees with the Committee Majority's stated goal of independently empowering security experts, not politicians, to make security related decisions. Unfortunately, this stands in stark contrast with the decision to provide a Fox News personality access to Capitol security camera footage, in direct contravention of the wishes of security experts within USCP.

In addition to many of the priorities noted by the Majority, the Minority intends to:

- Oversee continued implementation of the Residential Security Program initiated during the 117th Congress.
- Continue to review the effectiveness of the district office security center and law enforcement coordinator program.
- Review the HSAA role on the Capitol Police Board and study potential reforms thereto.
- Monitor implementation of security recommendations made by various security experts in the aftermath of the January 6, 2021, attack, including those made by Lt. General Russel Honoré's task force, the USCP Office of Inspector General and Architect of the Capitol Office of Inspector General.

- Oversee efforts to improving emergency preparedness training for Members and staff, both in Washington, DC and in their respective districts.
- Monitor efforts to appoint a permanent Sergeant at Arms, including progress of any national search.

CLERK OF THE HOUSE

The Committee Minority commends the Office of the Clerk for its work during the protracted election for Speaker of the House. The Minority intends to focus its Office of the Clerk-related oversight on the following:

- Review the Clerk's current IT configuration and redundancy posture.
- Oversee the House document repository.
- Oversee lobbying disclosure process, including ways to make data more easily accessible for the general public.
- Review standards for the electronic exchange of legislative information among the chambers of congress and Legislative Branch agencies.
- Coordinate on matters under the jurisdiction of the House Fine Arts Board and the Capitol Preservation Board.
- Continue review of functions and administrative operations assigned to the Clerk.
- Review of semi-annual financial and operational status reports; recommend changes in operations to improve services and increase efficiencies.
- Review the printing needs of the Clerk to evaluate the potential for eliminating duplication.
- Review the application programming interface incorporated in the Clerk's website.
- Oversee preparation of congressionally authorized publications.
- Oversee participation in the Congressional Data Task Force.
- Continued oversight of official reporter participation in field hearings.

HOUSE OFFICE OF INSPECTOR GENERAL

The Committee Minority agrees with the Committee Majority's oversight priorities for the House Office of Inspector General and looks forward to providing direction on audits management advisories on a bipartisan basis.

ARCHITECT OF THE CAPITOL

The Committee Minority agrees with many of the Committee Majority's oversight priorities for the Architect of the Capitol (AOC). In addition to the priorities noted by the Majority, the Minority intends to:

- Review and improve, where it is within the Committee's jurisdiction to do so, the process by which the Architect of the Capitol and the Deputy Architect are appointed.
- Oversee AOC hiring practices, with an emphasis on improving diversity across the AOC, including the C-Suite.
- Oversee continued restoration, repairs and security improvements necessitated by the January 6, 2021, attack at the Capitol.

- Review AOC efforts to improve discipline program and accountability systems, including those applicable to exempt personnel.
- Review mechanisms put in place by the AOC to ensure unallowable costs related to the Cannon House Office Building renovation are not reimbursed and that no costs are reimbursed without sufficient documentation.
- Review plans and proposals for future projects in the House Office Buildings and on the House side of the Capitol.
- Continue oversight of life safety measures, accessibility measures, and improved evacuation mechanisms in House buildings
- Review the AOC office of sustainability's efforts to reduce energy and waste consumption in the Capitol Complex by, for example, use of waterless and low-flow plumbing fixtures in restroom facilities.
- Review workplace safety and health efforts.
- Oversee the pest management practices of the AOC, including in the Capitol, House Office Buildings and House Child Care Center.
- Ensure the existence of a professional workplace culture.
- Oversee the Capitol Visitor Center (CVC), including labor agreements, security concerns set forth by Guides, the renovated Exhibition Hall, and the filling of vacancies in its leadership.

LIBRARY OF CONGRESS

The Committee Minority notes and appreciates the enormous effort put forth by the Library's Congressional Research Service (CRS) staff to plan what would have been an exceptional New Member Seminar (NMS), which was scheduled to take place in Philadelphia, PA in January 2023. Unfortunately, the new House Majority's inability to elect a Speaker of the House within a reasonable timeframe resulted in the cancellation of what would have been an inspiring and productive NMS program. The Minority, though disappointed in the cancellation of such an important program, commends the effort by CRS staff to refresh NMS, particularly its efforts in the more than seven months between the selection of the location and intended commencement of the program.

The Committee Minority intends to focus its Library of Congress-related oversight on the following:

- Continue detailed oversight of CRS operations and consider any need to modify management and organizational structure of the service. Areas of focus to include:
 - Diversity and inclusion;
 - Staff morale and attrition rates;
 - Work environment;
 - Resource allocation; and
 - Administrative support for subject matter experts.
- Continue detailed oversight of the Copyright Office:
 - Review the use of technology generally in Copyright Office operations, and specifically the office's modernization efforts. This includes continued oversight of the development and implementation of the Enterprise Copyright System, including the recordation and registration systems, updated application process and updated user experience platform.

- Review the Copyright Office's efforts to communicate its modernization efforts to stakeholders.
- Review security measures and processes for e-deposits submitted to both the Copyright Office and Library of Congress.
- Review the Copyright Office's spending authority and its ability to budget for multi-year capital projects.
- Continue oversight of Library IT modernization consistent with the guidance from the Government Accountability Office, including efforts to overhaul records storage, utilize the cloud, stabilize the core IT structure, improve IT governance and develop a more centralized and professional IT workforce.
- Oversee Library storage facilities, including the shelving replacement project in the Law Library.
- Continue oversight of the Library's technology hosting environment transition.
- Oversee the operation of the Library's various websites, including Congress.gov and Copyright.gov.
- Review and propose changes to the rules and regulations promulgated by the Joint Committee on the Library.
- Ensure the continued compilation of educational websites and materials tailored for students going to school remotely due to the COVID-19 pandemic.
- Conduct a review of the progress that the Library has made in providing public access to government information, especially in electronic form.
- Continue oversight of the Library's Visitor Experience Initiative, including the Thomas Jefferson Building renovations.
- Continue oversight of Library of Congress operations, including inventory cataloguing systems, preservation efforts and plans to grow collections.
- Continue oversight of Law Library operations.
- Review the use of technology generally in Library of Congress operations, and specifically the ongoing work to centralize technology operations.
- Review reports by Library of Congress Inspector General and implementation of audit recommendations. Examine options to improve operation and structure of the Library of Congress Inspector General's office.
- Oversight of supervisor and employee conduct, workplace environment and culture, discipline and other human resources matters.
- Continue oversight of the National Library Service's efforts to provide the most effective service to their library partners, explore ways to increase the number of users under 65, review the format and content for those users and move to a new physical headquarters.
- Continue oversight of collection development programs and digital collection plans.
- Continue oversight of the Contracts and Grants Directorate, including acquisition workforce training and acquisition planning.
- Continue oversight of Library capital projects.
- Oversight of gift shop financial management and accounting.

UNITED STATES CAPITOL POLICE

The Committee Minority shares many of the Committee Majority's goals with respect to oversight of the Department. In particular, the Minority intends to prioritize improving Department culture as a means of professionalizing the force, improving officer morale and enhancing Department capabilities. The Minority also remains deeply interested in the potential to transition the Department from a traditional law enforcement agency to a force protection organization akin to the Pentagon Force Protection Agency.

The Minority remains deeply frustrated with the Department's responses to requests for information pertaining to the October 28, 2022, assassination attempt on then-Speaker of the House Nancy Pelosi and the assault of her husband, Paul Pelosi. The Minority will continue to examine this matter and expects to receive sufficiently detailed answers to its requests for information.

In addition, the Minority intends to:

- Oversee efforts to improve security for Members of Congress outside Washington, DC, including in their districts and in transit.
- Review proposals to reorganize the Department and oversee implementation of any potential reorganization.
- Oversee the overhaul of the Department Training Services Bureau, including opportunities for in-service training and leadership training, as well as procedures in place for quality control.
- Monitor continued implementations of recommendations made by the Department Office of Inspector General in its series of flash reports issued after the January 6, 2021, attack.
- Oversee the Contract Security Officer program.
- Oversee efforts to improve recruitment and retention of sworn officers.

GOVERNMENT PUBLISHING OFFICE

The Committee Minority intends to focus its Government Publishing Office-related oversight on the following:

- Monitor progress of the GPO committee print project.
- Review and adopt legislative proposals to reform government printing by eliminating redundancies and unnecessary printing, increasing efficiency, and enhancing public access to government publications.
- Continue efforts to reform title 44, United States Code, particularly provisions related to the Federal Depository Library Program (FDLP).
- Oversee the digitization of the FDLP.
- Review the printing needs of the House of Representatives to identify the potential for eliminating duplication.
- Examine current GPO printing and binding regulations to determine advisability of change.
- Oversee GPO labor practices and compliance with labor agreements.
- Review use of GPO facilities and other assets to identify possible alternatives enhancing value to the Congress and the public.

SMITHSONIAN INSTITUTION

The Committee Minority agrees with several of the Committee Majority's stated goals with respect to the Smithsonian Institution. In particular, the Minority will monitor storage capacity concerns and deferred maintenance, and examine whether any authorizations are needed to complete the Pod 6 storage project in Suitland, Maryland. In addition, the Minority will focus on the following priorities:

- Closely examine working conditions at Smithsonian museums, with an emphasis on allegations of sexual harassment and assault at the Smithsonian Tropical Research Institute (STRI).
- Collaborate with the Senate Committee on Rules and Administration and other relevant stakeholders to authorize the construction of the National Museum of the American Latino and American Women's History Museum on the National Mall, as recommended by the Smithsonian Board of Regents.
- Oversee efforts to protect Smithsonian facilities and collections from the impacts of climate change and associated flooding, including the Smithsonian's 2021 Climate Change Action Plan.
- Oversee the continued renovations to the National Air and Space Museum.
- Review efforts to improve diversity and inclusion within the Smithsonian, including, diversity in exhibits/collections and diversity in the workforce, with an emphasis on senior levels of the Smithsonian.
- Monitor efforts to strengthen Smithsonian cybersecurity practices.
- Oversee efforts to increase access to the Smithsonian, including through traveling exhibits and digital resources.
- Oversee the Smithsonian Institution Affiliates Program.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

The Committee Minority agrees with the Committee Majority's intention to oversee management and operations of the Office of Congressional Accessibility Services in conjunction with the Senate Committee on Rules and Administration. The Minority looks forward to collaborating with the Majority to continue to improve accessibility at the Capitol Campus. The Committee Minority also intends to closely monitor the process of naming a permanent director for the office.

OFFICE OF DIVERSITY AND INCLUSION

The Committee Minority continues to prioritize and support the important work of the Office of Diversity and Inclusion (ODI). The Committee Minority intends to focus its ODI-related oversight on the following:

- Oversee and support efforts to direct and guide House employing offices to recruit, hire, train, develop, advance, promote and retain a diverse workforce, especially in district offices.
- Oversee and support ODI's efforts to perform studies regarding compensation and diversity among House employees and the existing barriers to diversity in the House.

- Oversee and support ODI's efforts to expand the pipeline of diverse potential House interns and employees.
- Oversee and support ODI's efforts to provide requested trainings to Member and Committee offices regarding diversity and unconscious bias in the workplace.
- Oversee and support ODI's efforts to build its brand within the House and develop a national footprint.

OFFICE OF WHISTLEBLOWER OMBUDS

The Committee Minority agrees with the Committee Majority's prioritization of the House Office of Whistleblower Ombuds and looks forward to overseeing this important office established during the previous Democratic Majority.

FEDERAL ELECTION LAW AND PROCEDURES

Under the authority of clause 1(k)(12) of rule X, the Committee is responsible for oversight of federal elections, including the “[e]lection of the President, Vice President, Members, Senators, Delegates, or the Resident Commissioner; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally.” *Id.*

Congress, and by extension the Committee, pursuant to rule X, has broad authority to regulate the time, place, and manner of congressional elections under the Elections Clause of the Constitution, article I, section 4, clause 1.¹¹ The Supreme Court has affirmed that the “substantive scope” of the Elections Clause is “broad”; that “Times, Places, and Manner” are “comprehensive words which embrace authority to provide for a complete code for congressional elections”; and “[t]he power of Congress over the Times, Places and Manner of congressional elections is paramount, and may be exercised at any time, and to any extent which it deems expedient; and so far as it is exercised, and no farther, the regulations effected supersede those of the State which are inconsistent therewith.” *Arizona v. Inter Tribal Council of Arizona*, 570 U.S. 1, 8–9 (2013) (internal quotation marks and citations omitted); *see also* “The Elections Clause: Constitutional Interpretation and Congressional Exercise,” Hearing Before Comm. on House Administration, 117th Cong. (2021), written testimony of Vice Dean Franita Tolson.

Indeed, “Congress has plenary and paramount jurisdiction over the whole subject” of congressional elections, *Ex parte Siebold*, 100 U.S. (10 Otto) 371, 388 (1879), and this power “may be exercised as and when Congress sees fit”, and “so far as it extends and conflicts with the regulations of the State, necessarily supersedes them”. *Id.* at 384. Among other things, the Elections Clause was intended to “vindicate the people’s right to equality of representation in the House.” *Wesberry v. Sanders*, 376 U.S. 1, 16 (1964).

Congress also has broad authority pursuant to section 5 of the Fourteenth Amendment to legislate to enforce the provisions of the Fourteenth Amendment, including its protections of the right to

¹¹The Elections Clause, in its entirety, provides: “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing [sic] Senators.” U.S. Const. art. I, § 4, cl. 1.

vote and the democratic process. Section 1 of the Fourteenth Amendment protects the fundamental right to vote, which is “of the most fundamental significance under our constitutional structure.” *Ill. Bd. of Election v. Socialist Workers Party*, 440 U.S. 173, 184 (1979); see *United States v. Classic*, 313 U.S. 299 (1941) (“Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a state to cast their ballots and have them counted . . .”). As the Supreme Court has repeatedly affirmed, the right to vote is “preservative of all rights,” *Yick Wo v. Hopkins*, 118 U.S. 356, 370 (1886). Section 2 of the Fourteenth Amendment also protects the right to vote, granting Congress additional authority to reduce a State’s representation in Congress when the right to vote is abridged or denied. Congress also has authority to legislate to eliminate racial discrimination in voting and the democratic process pursuant to both section 5 of the Fourteenth Amendment, which grants equal protection of the laws, and section 2 of the Fifteenth Amendment, which explicitly bars denial or abridgment of the right to vote on account of race, color, or previous condition of servitude.

Furthermore, Congress has the power to protect the right to vote from denial or abridgment on account of sex, age, or ability to pay a poll tax or other tax pursuant to the Nineteenth, Twenty-Fourth, and Twenty-Sixth Amendments.

Finally, Congress has both the authority and responsibility, as the legislative body for the United States, to fulfill the promise of article IV, section 4, of the Constitution, which states: “The United States shall guarantee to every State in this Union a Republican Form of Government[.]”. U.S. Const. art. IV, § 4. Congress’s authority and responsibility to enforce the Guarantee Clause is clear given that Federal courts have not enforced this clause because they understood that its enforcement is committed to Congress by the Constitution.

OVERSIGHT ACTIVITIES

The Committee Minority intends to further these constitutional prerogatives through federal election-related oversight. Oversight activities will include various forms of Committee activity, including, but not limited to, regular oversight meetings with Committee staff, Member-level meetings, briefings, events, correspondence, studies, reports, and cooperation with relevant inspectors general, as well as federal, state, and local election officials.

GENERAL ELECTIONS OVERSIGHT

The Committee’s Minority plans to build upon the extensive oversight of the federal elections process conducted during the 116th and 117th Congresses. Over the past four years, examining all facets of the voting experience, the Committee and Subcommittee on Elections held numerous hearings and sent oversight letters gathering critical information on the U.S. election process.

During the 118th Congress, the Minority plans to engage in the following oversight activities:

- Use authority under Article 1, Section 4 of the United States Constitution to provide free, fair, equitable, and secure opportunities for all voters to participate in federal elections.

- Build the congressional record in support of a reauthorized federal Voting Rights Act.
- Examine all aspects of election security practices and consider proposals to improve and strengthen election integrity, and bolster security, both cyber and physical, to protect election workers, poll workers, and elected officials.
- Continue examining the proliferation of election-related mis-, dis-, and malinformation to ensure voters have access to accurate information.
- Examine the impact of amendments made by the Help America Vote Act (HAVA) and the Military and Overseas Voter Empowerment Act (MOVE Act) to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and consider proposals to improve voting methods for those serving and living abroad.
- Review state and federal activities under the National Voter Registration Act (NVRA) to identify potential improvements to voter registration and education programs and reducing costs of compliance for state and local governments.
- Work with Executive Branch agencies and partners to ensure the full implementation of the President's March 2021 Executive Order on Promoting Access to Voting (EO 14019).

ELECTION ASSISTANCE COMMISSION

The Committee Minority will continue conducting oversight of the Election Assistance Commission (EAC) by, for example, reviewing operations of the EAC and evaluating possible changes to improve efficiency and improve implementation of the Help America Vote Act and related election grant programs.

FEDERAL ELECTION COMMISSION

The Committee Minority will continue conducting oversight of the Federal Election Commission ("FEC") by, for example, reviewing the operations of the FEC and evaluating possible changes to improve efficiency, improve enforcement of the Federal Election Campaign Act, and improve procedures for the disclosure of contributions and expenditures. The Committee Minority will also consider authorization issues and make recommendations on the FEC's budget. And the Committee Minority will examine the role and impact of political organizations and non-profit organizations on federal elections, reviewing federal campaign-finance laws and regulations, including presidential and congressional public financing, and considering potential reforms.

Section 4 of the Twentieth Amendment

Section 4 of the Twentieth Amendment to the Constitution states in full that:

"The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them."

Congress has never exercised this authority, which would create dangerous uncertainty if, for example, a presidential candidate was to pass away prior to a contingent House election for president. If that were to occur, there would be a strong argument that in the absence of legislation, the deceased candidate's party would simply be eliminated from the contingent election, which would be an unacceptable disenfranchisement of untold millions of voters from either major party (or of independent voters in the case of an independent candidate). The Majority has already expressed a desire to examine this issue,¹² and the Minority agrees that the topic bears examination.

ELECTION-RELATED AUTHORIZATIONS

The Committee on House Administration oversees agency budgets for the U.S. Election Assistance Commission (EAC) and the Federal Election Commission (FEC), totaling \$109.6 million. During the 118th Congress, the Committee Minority remains committed to reviewing the authorizations of agencies within its jurisdiction to ensure the EAC and FEC receive the budgets necessary to fully carry out their missions.

The Committee also oversees the expenditure of Help America Vote Act (HAVA) grant funding. Since 2018, Congress has appropriated more than \$900 million in funding to support federal election administration and improvements. Congress also appropriated \$400 million in elections funding through the CARES Act for conducting elections during the COVID-19 pandemic. The funding appropriated in 2018 was the first time since 2010 that Congress had made resources available through HAVA to support federal elections. More funding is needed.

Election infrastructure was designated as part of the nation's critical infrastructure in January 2017, and it should receive a level of funding commiserate with this designation. President Biden's fiscal year 2022 budget called for an investment of \$10 billion over the next 10 years in our nation's elections. Additionally, state, and local election officials have consistently called on Congress to provide a consistent, sustainable stream of funding for elections to assist in administration and allow for more predictable, long-term planning.

The Committee Minority will continue the work of the Committee in the 116th and 117th Congresses to engage with election officials at the Federal, state, and local level to examine the need for continued funding for federal election administration, election security—both cyber and physical, voting equipment and election technology upgrades and maintenance, and the safety and security of election officials and voters.

Furthermore, the Committee Minority will examine new funding needs, examine ways appropriations language may be revised to allow states and local jurisdictions more flexibility in spending HAVA funds. The Committee Minority will also explore options for enacting and authorizing new and innovative programs to better assist election officials and voters, including funding for election

¹²See H.R. 8528 (117th Congress). § 172 (establishing panel of constitutional experts to examine this issue).

administration policies and procedures that allow voters free, fair, equitable, and secure access to the ballot—such as, but not limited to, automatic voter registration systems, same day voter registration, implementation of online voter registration systems, development and implementation of ballot tracking systems, improved voter accessibility, and post-election audits.

In recent years, election officials and election workers have faced an unprecedented number of threats, significant harassment, and a barrage of election-related mis- and disinformation, all of which require additional resources and add new and complex layers to the jobs of election officials. The Committee Minority remains committed to ensuring election officials receive the support and resources they need to ensure the safety of themselves, their staffs, the voters, and election infrastructure, including working with partner committees to ensure robust funding of partner programs at the Department of Justice and the Cybersecurity and Infrastructure Security Agency.

Finally, the Committee Minority is supportive of efforts to use election-related authorizations for certain other democracy promotion activities. For example, the Committee Minority supports authorizations modeled on Title VIII of the *Freedom to Vote: John R. Lewis Act*, which passed the House in January 2022, which would have established a democracy advancement and innovation program to provide states funding to carry out the following activities:

(1) Activities to promote innovation to improve efficiency and smooth functioning in the administration of elections for Federal office and to secure the infrastructure used in the administration of such elections, including making upgrades to voting equipment and voter registration systems, securing voting locations, expanding polling places and the availability of early and mail voting, recruiting and training nonpartisan election officials, and promoting cybersecurity.

(2) Activities to ensure equitable access to democracy, including enabling candidates to receive payments through a small-donor matching system or for a state to operate a democracy credit program.

(3) Other activities to ensure equitable access to democracy, including administering a ranked-choice voting system and carrying out Congressional redistricting through independent commissions, and

(4) Activities to increase access to voting in elections for Federal office by underserved communities, individuals with disabilities, racial and language minority groups, individuals entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act, and voters residing in Indian lands.

Funding such activities would empower states to promote free, fair, equitable, and secure elections.

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

February 8, 2023

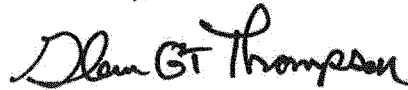
The Honorable James Comer, Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Comer,

Pursuant to House Rule X, clause 2(d)(1), I submit the following plan to fulfill the general oversight responsibilities reporting requirements. This outline was prepared in consultation with the Ranking Member, was presented to the full Committee for its consideration, and is now offered for your consideration relative to your responsibilities under the Rules.

The attached agenda constitutes the authorization and oversight plan of the Committee on Agriculture for the 118th Congress. It includes areas in which the Committee and its subcommittees expect to conduct oversight or investigate additional matters or programs as they arise. The Committee will consult, as appropriate, with other committees of the House that may share subject matter interest. If you have any questions regarding this outline, do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink that reads "Glenn GT Thompson". The signature is stylized, with the first letters of the first and last names being large and prominent.

Glenn 'GT' Thompson
Chairman

Cc: The Honorable David Scott, Ranking Member, Committee on Agriculture
The Honorable Jamie Raskin, Ranking Member, Committee on Oversight and Accountability
The Honorable Steve Scalise, Majority Leader
The Honorable Hakeem Jeffries, Minority Leader

COMMITTEE ON AGRICULTURE

TO: The Honorable James Comer, Chairman, House Committee on Oversight and Accountability, The Honorable Bryan Steil, Chairman, Committee on House Administration
FROM: The Honorable Glenn “GT” Thompson, Chairman, House Committee on Agriculture
DATE:
SUBJECT: Authorization and Oversight Plan for the House Committee on Agriculture for the 118th Congress

This authorization and oversight plan is filed pursuant to rule X, clause 2(d)(1) of the Rules of the U.S. House of Representatives for the 118th Congress. This plan was prepared in consultation with the Ranking Member and was presented to the full Committee for its consideration.

The Committee and its Subcommittees expect to exercise appropriate oversight activity with regard to the issues listed below. In general, the Committee intends to identify programs that are inefficient, duplicative, outdated or more appropriately administered by State or local governments for possible consolidation or elimination. In addition to the list below, the Committee will conduct any other general oversight as appropriate and necessary. The Committee will consult, as appropriate, with other Committees of the House that may share subject matter interest.

118TH CONGRESS

AUTHORIZATION AND OVERSIGHT PLAN

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

2018 Farm Bill and Current Agricultural Conditions

- Review the current state of the U.S. farm economy;
- Review the U.S. Department of Agriculture’s (USDA) implementation of the Agriculture Improvement Act of 2018;
- Review programs for waste, fraud, abuse and mismanagement;
- Review the state of credit conditions and availability in rural America;
- Review the effect of weather conditions on crop production;
- Review of the market situation, including effect of crop reports and projections;
- Review USDA’s implementation of the U.S. Grain Standards and U.S. Warehouse Acts;
- Review how Administrative Pay-Go is affecting Department actions;

- Review discretionary actions by USDA that are not directly authorized by legislation, including the Secretary's use of the Commodity Credit Corporation; and
- Review the National Appeals Division (NAD) at USDA.

Conservation and the Environment

- Review the regulatory activities of the Environmental Protection Agency (EPA) and how such activities effect agricultural productivity, including EPA's regulations under the Clean Water Act (CWA) and Clean Air Act (CAA);
- Review EPA grant program activities that impact agriculture;
- Review the effect of regulatory activities carried out pursuant to the Endangered Species Act (ESA), or any proposed legislative changes to such Act, on agricultural producers;
- Review the effect of the Administration's regulatory activity regarding crop protection tools on production of agriculture in the U.S.;
- Review regulatory activities by the Securities and Exchange Commission, specifically the Rules to Enhance and Standardize Climate-Related Disclosures for Investors and how such activities effect agriculture producers;
- Review budget and program activities of the Natural Resources Conservation Service (NRCS);
- Review implementation of all of USDA's conservation programs;
- Review USDA's implementation of the conservation compliance provisions in the Agriculture Improvement Act of 2018;
- Review ongoing discussions and potential consequences for American agriculture under the United Nations Climate Change Conference;
- Review EPA's implementation of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the Pesticide Registration Improvement Act of 2022 (PRIA V), and the Food Quality Protection Act (FQPA);
- Review EPA's regulation of Animal Feeding Operations; and
- Review Total Maximum Daily Load strategies and effects on production agriculture.

Federal Crop Insurance, Commodity Policy, and Risk Management

- Review USDA's implementation of crop insurance provisions of the Agriculture Improvement Act of 2018;
- Review implementation and effectiveness of Commodity Title programs, including the Agriculture Risk Coverage program, the Price Loss Coverage program, and marketing assistance loans;
- Review the role and effectiveness of Federal crop insurance;
- Review the Risk Management Agency's (RMA) administration and oversight of Federal crop insurance;
- Review the Standard Reinsurance Agreement (SRA) and the terms and conditions for private sector delivery, including reimbursement rates for Administrative and Operating (A&O) expenses and agent commissions;

- Review the availability of crop insurance as a risk management tool;
- Review the adequacy and availability of risk management tools for the livestock, dairy, and specialty crop industries;
- Review USDA's activities established to identify and reduce crop insurance waste, fraud, and abuse;
- Review USDA's crop insurance rating methodology;
- Review RMA's yield and revenue protection crop insurance products;
- Review RMA's progress in approving crop insurance products for underserved commodities, underserved producers, and underserved regions;
- Review implementation and effectiveness of standing disaster programs including the Livestock Indemnity Program (LIP), Livestock Forage Program (LFP), Emergency Assistance for Livestock, Honey Bees, and Farm-Raised Fish Program (ELAP), and the Tree Assistance Program (TAP) as well as ad hoc disaster assistance programs including the Wildfire and Hurricane Indemnity Program Plus (WHIP+), the Emergency Relief Program (ERP), and the Emergency Livestock Relief Program (ELRP); and
- Review data sharing between FSA and RMA.

The U.S. Commodity Futures Trading Commission and the Derivatives Markets

- Review the general operations of the Commodity Futures Trading Commission (CFTC) to provide a reauthorization of the Commission;
- Review enforcement and oversight policies and their implementation by the CFTC;
- Review rulemakings, guidance, and other actions taken by the Commission and its staff for consistency and compliance with the Commodity Exchange Act and Congressional intent;
- Review the impact of emerging commodity markets and financial technologies and examine the authority of the Commission to deter fraud and manipulation, promote market integrity, and protect investors in digital commodity derivatives and at organized digital commodity trading platforms;
- Examine existing and novel derivatives market structures to promote market integrity, support the needs of end-users, and expand access to risk management tools;
- Review the impact of COVID-19 and increasing commodity market volatility on derivatives markets;
- Review international treatment of the U.S. derivatives industry, including market participants and infrastructure; and
- Review the risk-mitigation, resilience, and recovery planning of the Commission, registered entities, and registrants.

Agriculture Trade and International Food Aid

- Review tariff and non-tariff trade barriers currently applied by agricultural product producing countries around the world;
- Review ongoing multilateral, regional, and bilateral trade negotiations and dialogues (including World Trade Organization

(WTO) accession agreements) to assess their potential effect on U.S. agriculture;

- Review implementation of existing trade agreements and commitments as well as proposed frameworks, trade agreements and commitments to determine:

- (1) whether they are consistent with current U.S. law;

- (2) whether they will promote economic development in rural areas of the U.S.;

- (3) their effect or potential effect on current production of import sensitive agricultural commodities, and on exports of U.S. agricultural products;

- (4) their effect or potential effect on the overall competitiveness of the U.S. agricultural sector, including the production, processing and distribution of agricultural products; and

- (5) whether the agreements provide adequate, enforceable provisions to minimize non-tariff barriers to U.S. exports;

- Monitor existing trade agreements to ensure trading partners are meeting obligations and enforcing trade commitments;

- Review agricultural export programs to determine how well they are promoting the interests of U.S. agriculture and examine proposals to improve, modify or expand such programs;

- Review U.S. food aid programs to determine their effect or potential effect on the reduction of world hunger—particularly the potential effect of trade negotiations on the effectiveness of U.S. food aid programs;

- Review USDA and USAID’s implementation of the Global Food Security Act (GFSA);

- Review the market assessments USDA and USAID use to evaluate the potential impact of U.S. food aid on recipient countries;

- Review USAID’s increasing use of cash-based food aid, including financial controls and impact on resiliency;

- Review monitoring and evaluation activities carried out by USDA and USAID; and

- Review sanitary and phytosanitary (SPS) barriers and other technical barriers to U.S. agricultural exports and examine efforts to eliminate such barriers.

Agricultural Research and Promotion

- Review USDA’s implementation of research, education and extension programs authorized in the Agriculture Improvement Act of 2018;

- Review the administration of the Agricultural Research Service research stations and worksites;

- Review USDA’s foreign animal disease research, training and diagnostic programs at the National Bio and Agro-Defense Facility;

- Review USDA’s regulation of organic standards and the collection of organic production and market data;

- Review administration of the National Institute of Food and Agriculture (NIFA);

- Review the administration of the Agricultural Food Research Initiative and other competitive grant programs;

- Review efforts to leverage Federal research investment with state, local, and private sources of funding;

- Review coordination between ARS, the Economic Research Service (ERS), NIFA and other USDA agencies to prevent duplicative research across the department;
- Evaluate the current mix of research funding mechanisms to ensure maximum benefits from these investments to producers, processors and consumers;
- Review administration of USDA's marketing and promotion programs;
- Review coordination between USDA and the Department of Energy on carbon sequestration and energy research programs;
- Review the sufficiency of research funding under ARS, ERS, the National Agricultural Statistics Service (NASS) and NIFA;
- Review ARS, ERS, NASS and NIFA national program priorities;
- Review activities funded by the Biomass Research and Development Act (BRDA) and input from the external BRDA Advisory Board; and
- Conduct oversight of the research grant process to coordinate and prevent overlapping research.

Biotechnology

- Review current regulations and research regarding animal and plant biotechnology;
- Review the Administration's efforts to modernize the regulatory framework for genetically engineered animals;
- Assess USDA's efforts to develop and promote the benefits of biotechnology for increasing agricultural productivity and combating hunger globally; and
- Review USDA's implementation of biotechnology labeling standards.

U.S. Forest Service Administration

- Review the U.S. Forest Service's (USFS) strategy for dealing with wildfire, including the effect of hazardous fuels management, forest health efforts and fire preparedness;
- Continue to monitor the effectiveness and efficiency of the USFS fire management program;
- Review the effect of fire expenses on other USFS program delivery;
- Assess the USFS strategy for timber harvesting on federal lands;
- Review effects of environmental regulations on National Forest land management;
- Review economic effects of National Forest land management on rural communities;
- Review USFS efforts to utilize public-private partnerships that promote active forest management and forest health;
- Review the impact of invasive species and disease on forests and landscapes;
- Review USFS efforts to promote utilization of National Forest biomass for renewable energy purposes; and
- Review USFS's management tools contained in the Farm Bill and other recent legislation.

Dairy

- Review USDA's implementation of the dairy risk management provisions in the Agriculture Improvement Act of 2018;
- Review options to improve the efficiency and effectiveness of dairy programs; and
- Review the effectiveness of the federal milk marketing order system.

Outreach and Civil Rights

- Review the operations of the Office of Partnerships and Public Engagement;
- Review of the operations of the office of the Assistant Secretary for Civil Rights;
- Review USDA's process for evaluating and settling discrimination claims; and
- Review the current status of the Agricultural Census and efforts to reach undercounted farmers and ranchers.

USDA General Administration

- Review confidentiality of information provided to USDA by agricultural producers;
- Review USDA's implementation of field office consolidation for the purpose of effectively and efficiently delivering commodity, conservation, energy and rural development programs;
- Review USDA's current staffing plan and related infrastructure;
- Review USDA's efforts to modernize its Information Technology (IT) systems; and
- Review the administrative structure of USDA for effectiveness and efficiency.

Farm Credit, Rural Development, and the Rural Economy

- Review the Farm Credit Administration's (FCA) regulatory program and activities regarding the Farm Credit System (FCS) to assure its safety and soundness;
- Review the activities and programs of the Federal Agricultural Mortgage Corporation (also referred to as Farmer Mac);
- Review FSA's direct and guaranteed loan programs and graduation efforts;
- Review the Rural Electrification Act (REA);
- Review the farm economy and access to credit;
- Review access to essential utility services in rural America;
- Review implementation of rural development policies and authorities contained in the Agriculture Improvement Act of 2018 and the Consolidated Farm and Rural Development Act;
- Conduct oversight of the USDA's rural broadband programs;
- Review technology, processes, and controls at Rural Development to increase program access, improve application evaluation, and speed application decisions;
- Conduct oversight of the implementation of USDA's telecommunications programs;

- Assess the state of rural water systems and effectiveness of federal funding to build and upgrade those systems;
- Assess the effectiveness of USDA programs targeted toward rural infrastructure, business needs, and job creation;
- Review agricultural lending practices;
- Review public-private partnerships in lending through guaranteed loans;
- Review the definition of “rural” under rural development programs;
- Review USDA’s programs to support rural access to health care and health services;
- Review USDA Rural Development’s use of the funding provided through the Coronavirus Aid, Relief, and Economic Security Act, the American Rescue Plan, Infrastructure Investment and Jobs Act, and the Inflation Reduction Act;
- Review rural development loan programs and default rates; and
- Review the success of rural development programs in persistent poverty areas.

Energy

- Assess energy programs authorized by the Agriculture Improvement Act of 2018;
- Review availability of agriculture and forestry feedstocks for renewable energy production;
- Review current status of research on energy crops and feedstocks;
- Review current provisions in existing law that support agriculture-based energy production and use;
- Review USDA’s biofuel initiatives;
- Review implementation of the Renewable Fuels Standard (RFS); and
- Review renewable fuel programs and their effect on agriculture.

USDA Food and Nutrition Programs

- Review food and nutrition programs including the Supplemental Nutrition Assistance Program (SNAP), fruit, vegetable, and dairy initiatives, the Emergency Food Assistance Program (TEFAP), the Food Distribution on Indian Reservations (FDPIR) program, and other commodity distribution programs;
- Review household eligibility criteria for SNAP;
- Review the interaction between SNAP and other low-income assistance programs;
- Review the efficiency and accountability of the SNAP Employment & Training program;
- Review educational initiatives such as SNAP–Ed and the Expanded Food and Nutrition Education Program (EFNEP);
- Review efforts by USDA and the states to promote program integrity and combat error, fraud, and abuse within nutrition programs;

- Review efforts by USDA to promote technology improvements and encourage innovation in the electronic benefits transfer system;
- Review efforts by state SNAP administrators to modernize and streamline their programs; and
- Review the implementation and impact of the National Accuracy Clearinghouse.

Food Loss and Waste

- Review current activities and future opportunities within USDA programs to reduce food loss and waste.

Specialty Crops

- Review implementation of the Specialty Crop Competitiveness Act;
- Review the Specialty Crop Block Grant program to ensure the grants awarded are enhancing the specialty crop industry;
- Review the Local Agriculture Market Program and other farmers market programs;
- Review the administration of the IR-4 Project to ensure specialty crop growers have access to the latest innovations in crop protection; and
- Review the Specialty Crop Research Initiative.

Food Safety

- Review USDA's administration of meat, poultry, and egg product inspection laws to ensure the maintenance of scientifically sound systems for food safety assurance;
- Review USDA's efforts to educate consumers regarding safe food handling practices and streamline the assessment and approval of food safety technologies;
- Review development and implementation of new protocols for meat, poultry, eggs, or seafood safety inspection that promote scientific and technological innovation;
- Review USDA's response to litigation regarding the implementation of food safety inspection programs;
- Review rulemaking concerning the Food Safety Modernization Act and the impact those rules have on production agriculture in the U.S.; and
- Review the mechanisms to establish scientifically based international food safety standards.

Plant and Animal Health

- Review USDA's implementation and enforcement of the Plant Protection Act, Animal Health Protection Act, and Animal Welfare Act;
- Review U.S. animal health threats and related prevention and response capabilities including animal health programs established in the 2018 Farm Bill;
- Assess federal efforts to reduce threats to plant health due to invasive species;

- Review implementation and effectiveness of cooperative plant health programs, including Plant Pest and Disease Management and Disaster Prevention and the Clean Plant Network;
- Review efforts to reduce and resolve livestock predation, conflicts between wildlife and people, and wildlife damage; and
- Review USDA's efforts to modernize animal disease traceability.

Livestock Marketing

- Review USDA's implementation of the Packers and Stockyards Act including the promulgation of new rules under such act;
- Review the implementation of USDA efforts to enhance market transparency including the cattle contracts library pilot program;
- Review USDA efforts to diversify and increase processing capacity; and
- Review and reauthorize USDA's livestock mandatory reporting program.

Homeland and Agricultural Security

- Examine USDA's preparedness against terrorist threats to production agriculture;
- Review cooperative efforts between the Department of Homeland Security and USDA to protect against foreign animal disease;
- Review agricultural inspection activities under the Department of Homeland Security; and
- Review implementation of the Agricultural Foreign Investment Disclosure Act and related oversight of foreign investments in U.S. agricultural land.

Miscellaneous

- Review the effects of sequestration on USDA operations and programs;
- Review the cost and impact of appropriations and programming related to the COVID-19 pandemic as well as funding and programming found in the Inflation Reduction Act; and
- Review the effect of transportation infrastructure issues on agriculture and forestry.

Consultation With Other Committees To Reduce Duplication

- With Natural Resources on forestry issues, ESA issues and other public land issues;
- With Science, Space, and Technology on research;
- With Ways and Means and Education and the Workforce on nutrition programs;
- With Ways and Means on tax and trade issues;
- With Homeland Security on biodefense, cybersecurity, and border inspection and security measures related to agriculture;
- With Armed Services on global and military food security;
- With Judiciary on immigrant agricultural labor;
- With Energy and Commerce on food safety, biomass energy, and broadband programs, both existing and new;

- With Transportation and Infrastructure on certain Clean Water Act compliance issues, livestock hauling, and food aid delivery;
- With Financial Services on Dodd-Frank Act and emerging financial technology issues;
- With Foreign Affairs on food aid and trade issues;
- With Small Business on addressing economic opportunities for rural America; and
- Any other committee as appropriate.

AUTHORIZATION OF PROGRAMS WITHIN THE JURISDICTION OF THE HOUSE COMMITTEE ON AGRICULTURE

118TH CONGRESS

Most of the programs and authorities under the purview of the House Committee on Agriculture are reauthorized every five years through the Farm Bill. The current Farm Bill expires on September 30, 2023. During the 118th Congress, the Committee intends to conduct a thorough review of all Farm Bill programs culminating in the reauthorization of the Farm Bill. Farm Bill preparation will begin with hearings, both in Washington and in the field, to hear from producers and USDA about how the programs are working. Although dependent on timing in the Senate, it is the Committee's goal to reauthorize the Farm Bill before it expires.

Though historically not part of the Farm Bill negotiations, the Livestock Mandatory Reporting (LMR) program is also set to expire on September 30, 2023. This authority has been subject to several short-term extensions during the 117th Congress and the Committee remains committed to the reauthorization of this program to give much needed certainty to the livestock industry.

The Commodity Futures Trading Commission was last reauthorized in 2008, and that authorization lapsed in 2013. Since then, the House Committee on Agriculture has produced and reported four separate reauthorization bills, three of which have passed the House. During the 118th Congress, the Committee again intends to conduct a thorough review of the Commission's operations and authorities, culminating in a legislative package reauthorizing the Commission. With the engagement and cooperation of the Senate, the Committee's goal is to reauthorize the Commission before the end of the 118th Congress.

AUTHORIZATION OF PROGRAMS WITHIN THE JURISDICTION OF THE HOUSE COMMITTEE ON AGRICULTURE

119TH CONGRESS

The U.S. Grain Standards Act is slated to expire on September 30, 2025. The Committee fully intends to reauthorize the program in a timely manner.

Congress of the United States
House of Representatives
Washington, DC 20515

February 2, 2023

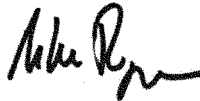
The Honorable James Comer
Chairman, Committee on Oversight and Accountability
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Comer:

Pursuant to rule X of the Rules of the House of Representatives, I am submitting to you a copy of the authorization and oversight plan of the Committee on Armed Services for the 118th Congress.

I look forward to working with you in the 118th Congress.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Rogers", with a stylized flourish at the end.

Mike Rogers
Chairman

MR: zs
Enclosure

COMMITTEE ON ARMED SERVICES

118TH CONGRESS AUTHORIZATION AND OVERSIGHT PLAN

INTRODUCTION

Providing for the common defense of the United States is one of the fundamental duties of Congress. Members of the Committee on Armed Services acutely understand this responsibility. The committee's legislative and oversight responsibilities are critical to the security of our country and that of its partners and allies around the world. That is why the committee will continue to work in a bipartisan manner to conduct oversight of the national defense.

Oversight of the national defense enterprise is complex. Each day, critical decisions are made by military and civilian personnel leading hundreds of agencies, departments, and commands located at thousands of facilities throughout the world. It is the committee's Constitutional duty to conduct the oversight of these decisions to ensure they are consistent with federal law and Congressional intent. The complexity of the current threat environment, with an on-going conflict in Europe, strategic competition with the Chinese Communist Party, and shifting policy priorities at the Department of Defense makes the committee's oversight even more essential.

Comprehensive oversight is instrumental in the committee's development of the annual national defense authorization bill (NDAA), which covers the breadth of the operations of the Department of Defense (DoD), as well as the defense activities of the Department of Energy and related agencies. The committee believes that regular oversight and reauthorization of these programs and activities through enactment of an annual NDAA best supports Congress' Article I prerogatives. For over 60 years, the committee has led Congressional efforts to enact an NDAA. The annual enactment of the NDAA provides robust opportunities for congressional review and ensures national security programs and activities are carried out as Congress intends.

JURISDICTION

The committee has jurisdiction over laws, programs, and agencies under permanent authority in numerous titles of the United States Code, including title 10 (Armed Forces), title 32 (National Guard), title 37 (Pay and Allowances of the Uniformed Services), title 41 (Public Contracts), title 42 (Atomic Energy), title 46 (Shipping), and title 50 (War and National Defense).

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

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

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

ADMINISTRATION OF OVERSIGHT ACTIVITIES

The committee carries out its oversight of the DoD and its subordinate departments and agencies, as well as portions of the Department of Energy (DoE), through public hearings, classified briefings, roundtables, and other activities involving the full committee and its standing subcommittees. Pursuant to House rule X, clause 2(b)(2), each subcommittee with assigned topical or programmatic responsibilities conducts oversight of the programs within its jurisdiction as specified in the committee's rules. Certain issues and activities requiring more extensive, lengthy, and in-depth review may be assigned to a task force or panel pursuant to committee rules to allow for focused or cross-cutting examination. Subcommittees will be assisted by staff from the full committee at the Chair or Ranking Member's discretion to ensure that appropriate resources are available to carry out oversight activities.

LAPSED AUTHORIZATIONS

The annual NDAA authorizes the DoD activities that require recurrent authorization. The current NDAA for fiscal year (FY) 2023 was enacted on December 23, 2022 (P.L. 117–263). It authorizes the programs and activities of the DoD through FY2023. As a result, there are currently no lapsed authorizations within the committee’s jurisdiction receiving appropriated funding in FY2023.

PROGRAMS TO BE AUTHORIZED IN THE CURRENT CONGRESS

The committee anticipates authorizing a wide range of DoD and DoE programs and activities in the 118th Congress. Annual funding authorizations in the FY2023 NDAA totaled over 2,800 line items, each reflective of the national security priorities of Congress. These items include procurement programs and accounts, operations and maintenance programs and accounts, military construction projects, research, development, testing, and evaluation (RDT&E) programs and accounts, nuclear weapons and associated activities, military personnel programs and accounts, military health programs and accounts, military justice programs and accounts, intelligence programs and accounts, Joint Staff and Combatant Commander accounts, and various other matters relating to the national defense. Each of these authorizations expire at the end of FY2023. The committee anticipates reviewing each these authorizations to determine whether to reauthorize them as part of the FY2024 NDAA.

OVERSIGHT TO SUPPORT AUTHORIZATIONS

In support of the enactment of annual NDAA’s during the 118th Congress, the committee will conduct numerous oversight hearings, classified briefings, roundtables, and other activities. The Committee anticipates holding public hearings and classified briefings with the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, individual service secretaries and chiefs of staff, combatant commanders, other officials of the DoD and the military departments, officials from the Intelligence Community, and the Secretary of Energy, the Under Secretary for Nuclear Security, and other officials of the DoE. In addition, the committee will seek views and perspectives from outside experts in industry, associations, advocacy organizations, and those in private life with expertise on matters of national security. The committee will work closely with the Government Accountability Office (GAO) and Inspector Generals (IG) from DoD agencies to eliminate waste, fraud, abuse, and mismanagement at the DoD. Finally, the committee expects that it will continue to receive credible reports from whistleblowers that it intends to investigate and take appropriate action when warranted.

DISCRETIONARY AND MANDATORY SPENDING

As part of its annual oversight and authorization process, the committee carefully reviews and determines whether changes need to be made to the manner in which discretionary and mandatory national security programs are carried out. If the committee deter-

mines that certain mandatory programs would be better administered through discretionary appropriations, the NDAA would carry out that change consistent with Congressional Budget Act rules and regulations. The committee will continue to conduct rigorous oversight of the mandatory programs under its jurisdiction and will implement reforms when necessary to protect beneficiaries, eliminate waste, and improve administration.

REDUNDANT PROGRAMS AND AGENCIES

One of the focuses of the oversight process the committee undertakes annually to produce the NDAA is identifying redundant programs or agencies in the defense enterprise. The committee has a record of enacting laws to realign, streamline, or eliminate these programs and agencies when necessary. The committee will continue to work with GAO and the DoD IG on efforts to uncover redundant and wasteful programs and to pursue legislative remedies in the NDAA.

OTHER OVERSIGHT ACTIVITIES

The national security enterprise spans beyond the jurisdiction of the committee and includes matters in the jurisdiction of several other committees of the House of Representatives. As the committee has in past Congresses, it will continue to work closely with these committees to conduct important oversight on national security matters of shared jurisdictional interest.

JODEY C. ARRINGTON, TEXAS
CHAIRMAN



BRENDAN F. BOYLE, PENNSYLVANIA
RANKING MEMBER

U.S. House of Representatives
COMMITTEE ON THE BUDGET
Washington, DC 20515-6065

February 17, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Comer:

Pursuant to clause 2(d) of rule X of the Rules of the House of Representatives, I am submitting the Oversight Plan of the Committee on the Budget for the 118th Congress. The Oversight Plan was adopted during our Committee's organizational meeting on February 9, 2023.

Sincerely,

Jodey C. Arrington
Chairman
Committee on the Budget

Attachment

COMMITTEE ON THE BUDGET

AUTHORIZATION AND OVERSIGHT PLAN OF THE COMMITTEE ON THE BUDGET 118TH CONGRESS HOUSE OF REPRESENTATIVES

COMMITTEE JURISDICTION AND OVERSIGHT

Under clause 2(d) of House rule X, the Chair of each Committee is required to adopt and submit to the Committees on Oversight and Accountability and House Administration an authorization and oversight plan by March 1 of the first session of each Congress. The Budget Committee's oversight responsibilities are determined by both the breadth of the federal budget and the Committee's legislative jurisdiction.

Under clause 1(d)(1) of House rule X, the primary responsibility of the Budget Committee is to develop a concurrent resolution on the budget for a fiscal year. This concurrent resolution sets aggregate levels on spending and revenue and across budget functions (a set of programs that serve a shared purpose or activity, such as agriculture, health, or national defense).

Although the subject matter of the budget is inherently broad, in addition to oversight of the budget and the economy, the Committee's formal oversight responsibility focuses on laws governing the budget process and the agencies responsible for administering elements of those laws. Under clauses 1(d)(1)–(3) of House rule X, the major laws falling within its oversight include the Budget and Accounting Act of 1921, the Congressional Budget and Impoundment Control Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, the Budget Enforcement Act of 1990, the Statutory Pay-As-You-Go Act of 2010, the Budget Control Act of 2011, and the Bipartisan Budget Act of 2019. The two agencies with primary responsibility for administering elements of these laws and hence which fall under the Committee's jurisdiction are the Congressional Budget Office (CBO) and the Office of Management and Budget (OMB).

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

OVERSIGHT PLAN FOR THE 118TH CONGRESS

Budget Priorities

In the process of developing the annual concurrent budget resolution, the Committee will hold hearings and receive testimony from

Members of Congress, Cabinet-level and other federal officials, and expert witnesses to review the budget and economic outlook, the President's budget submissions, other budget priorities, and evaluate evidence on the state of the economy and the nation's long-term economic outlook.

The Committee will also review the congressional budget process, including topics such as strengthening constitutional authority, including Congress' power of the purse by ensuring spending and revenue decisions are transparent and effectively carried out by the Executive Branch; controlling automatic spending; increasing transparency; and ensuring fiscal sustainability.

The Committee will also continually assess the performance of federal agencies in both administration and service delivery by reviewing performance data in the President's budget submissions and the relevant reports and audits of the Government Accountability Office and the Offices of the Inspectors General. The Committee will also assess OMB's legal authorities to manage federal spending, including the Impoundment Control Act of 1974, and review budget rules and processes.

The Committee will study the budgetary effects of existing law and proposed legislation, as well as government regulation on government spending, and explore ways to reduce waste, fraud, and abuse in government agencies.

The Committee will draw on the authorizing committees' Views and Estimates, which are submitted to it pursuant to section 301(d) of the Congressional Budget Act of 1974, to coordinate development of the annual concurrent budget resolution.

Budget Enforcement

The Committee will provide ongoing oversight of OMB's implementation of budget submission, control, execution, and enforcement procedures under the Budget and Accounting Act of 1921, the Congressional Budget Act of 1974, the Budget Enforcement Act of 1990, the Balanced Budget and Emergency Deficit Control Act of 1985, the Statutory Pay-As-You-Go Act of 2010, the Budget Control Act of 2011, and other applicable laws.

The Committee will also ensure compliance with the Congressional Budget Act of 1974 in addition to the budget-related provisions of H. Res. 5. As part of these responsibilities, the Chair may provide authoritative guidance concerning the impact of a legislative proposition on the levels of new budget authority, outlays, direct spending, new entitlement authority and revenues.

The Committee will also work with the Appropriations and authorizing committees to ensure that spending and tax legislation does not breach the levels set in the budget resolution, as required under sections 302(f) and 311(a) of the Congressional Budget Act of 1974 and the budget-related provisions of H. Res. 5. The Committee will also monitor compliance with the House Cut-As-You-Go (CUTGO) rule requiring direct spending increases be offset with direct spending reductions.

Federal Spending and Tax Expenditures

The Committee will evaluate continuing studies of tax expenditures and spending by the federal government and consider whether changes are warranted.

Economic Policy

The Committee will study how economic policies affect the Federal budget. The Committee will also study monetary policy and its effects on the Federal budget. The Committee plans to take testimony from the Chairman of the Federal Reserve, Jerome H. Powell, to review economic conditions, fiscal conditions, and monetary policy.

Oversight of the Congressional Budget Office

CBO was established by the Congressional Budget Act of 1974 in order to provide Congress with economic and budgetary analysis and cost estimates for proposed legislation. The Committee will provide oversight of CBO's work, including scoring of legislation considered by Congress, production of baseline estimates, and other projects on important budgetary issues.

CBO has not been comprehensively reauthorized since the enactment of the Congressional Budget Act of 1974. It operates under a permanent indefinite authorization. The Committee plans to exercise its oversight responsibility over CBO through hearings and other activities.

Oversight of the Office of Management and Budget

OMB's responsibilities include administering elements of several laws within the Committee's jurisdiction. The Committee will provide oversight of OMB, including its legal authorities to manage federal spending, as well as implementation of the President's budget submission, control, budget execution, and enforcement procedures under current law.

OVERSIGHT SCHEDULE

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

First Session (2023)

Winter 2023—Hearing on CBO's Economic and Budget Outlook: Director of CBO.

Spring 2023—Hearings on the President's Fiscal Year 2024 Budget: Director of OMB; Secretary of the Treasury; Secretary of the Department of Health and Human Services; Secretary of the Department of Defense.

Spring 2023—Hearing on Budget Priorities for the Fiscal Year 2024 Budget: Members of Congress.

Spring 2023—Receive Views and Estimates from other Committees to coordinate development of the annual concurrent budget resolution.

Additional hearings on topics to be announced.

Second Session (2024)

Winter 2024—Hearing on CBO’s Economic and Budget Outlook: Director of CBO.

Winter 2024—Hearings on the President’s Fiscal Year 2025 Budget: Director of OMB; Secretary of the Treasury; Secretary of the Department of Health and Human Services; Secretary of the Department of Defense.

Winter 2024—Hearing on Budget Priorities for the Fiscal Year 2025 Budget: Members of Congress.

Winter 2024—Receive Views and Estimates from other Committees to coordinate development of the annual concurrent budget resolution.

Spring 2024—Hearing on the economy, Chairman of the Federal Reserve Board.

Additional hearings on topics to be announced.

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COMMITTEE ON
EDUCATION AND THE WORKFORCE
U.S. HOUSE OF REPRESENTATIVES
2176 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

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March 1, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Comer:

Pursuant to clause 2(d) of rule X of the Rules of the House of Representatives, I submit to the Committee on Oversight and Accountability the Authorization and Oversight Plan of the Committee on Education and the Workforce for the 118th Congress. On January 31, 2023, the Committee on Education and the Workforce met in open session and adopted this Authorization and Oversight Plan by voice vote with a quorum present.

Sincerely,

Virginia Foxx

Virginia Foxx
Chairwoman

Enclosure

cc: The Honorable Jamie Raskin
The Honorable Bobby Scott

COMMITTEE ON EDUCATION AND THE WORKFORCE

118TH CONGRESS

SUBMISSION OF OVERSIGHT PLAN OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE

Mrs. FOXX, from the Committee on Education and the Workforce, submitted to the Committee on Oversight and Accountability and the Committee on House Administration the following.

Preparation and Submission of Oversight Plan

Each standing committee of the U.S. House of Representatives (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) is required to prepare and submit an oversight plan at the beginning of each Congress. Specifically, clause 2(d)(1) of rule X of the Rules of the House of Representatives states:

(d)(1) Not later than March 1 of the first session of a Congress, each standing committee (other than the Committee on Appropriations, the Committee on Ethics, and the Committee on Rules) shall, in a meeting that is open to the public, adopt its authorization and oversight plan for that Congress. Such plan shall be submitted simultaneously to the Committee on Oversight and Accountability and the Committee on House Administration—

Jurisdiction of the Committee on Education and the Workforce

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

- (1) Child labor.*
- (2) Gallaudet University and Howard University and Hospital.*
- (3) Convict labor and the entry of goods made by convicts into interstate commerce.*
- (4) Food programs for children in schools.*
- (5) Labor standards and statistics.*
- (6) Education or labor generally.*
- (7) Mediation and arbitration of labor disputes.*
- (8) Regulation or prevention of importation of foreign laborers under contract.*
- (9) Workers' compensation.*

- (10) Vocational rehabilitation.
- (11) Wages and hours of labor.
- (12) Welfare of miners.
- (13) Work incentive programs.
- (14) Organization, administration, and general management of the Department of Education.
- (15) Organization, administration, and general management of the Department of Labor.

General Oversight Responsibilities

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

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

(1) its analysis, appraisal, and evaluation of—

(A) the application, administration, execution, and effectiveness of Federal laws; and

(B) conditions and circumstances that may indicate the necessity or desirability of enacting new or additional legislation; and

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

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

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

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

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

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

(2) Each committee to which subparagraph (1) applies having more than 20 members shall establish an oversight subcommittee, or require its subcommittees to conduct oversight in their respective jurisdictions, to assist in carrying out its responsibilities under this clause. The establishment of an oversight subcommittee does not limit the responsibility of a subcommittee with legislative jurisdiction in carrying out its oversight responsibilities.

Exercise of Oversight Responsibilities

The Constitution of the United States vests in Congress the authority and responsibility to make laws and ensure that those laws are properly enforced and enacted. Oversight is a constitutional prerogative, an important responsibility of the Congress, and a core objective of the Committee. Accordingly, the Committee will thoroughly oversee and investigate the various departments, agencies, and programs within its jurisdiction. In so doing, the Committee will actively consult with House committees that have concurrent or related jurisdiction.

In its oversight proceedings, the Committee will make full use of hearings in Washington, D.C., and of regional field hearings to ensure all relevant voices are heard and included as part of the official record. Among other investigative techniques, the Committee will visit relevant sites, correspond with affected parties, request briefings by federal agencies and departments, review assessments and analyses by the Congressional Research Service (CRS), and review audits and investigations by the Government Accountability Office (GAO) and the Offices of the Inspectors General of the U.S. Departments of Education (ED), Labor (DOL), Health and Human Services (HHS), Agriculture (USDA), and Justice (DOJ); and independent agencies under the Committee's jurisdiction including the National Labor Relations Board (NLRB), the Equal Employment Opportunity Commission (EEOC), the Pension Benefit Guaranty Corporation (PBGC), the National Council on Disability, and the Corporation for National and Community Service (CNCS).

The Committee will lead aggressive oversight in its areas of jurisdiction, which include programs and statutes administered and enforced by ED, DOL, HHS, USDA, DOJ, and various independent agencies as well as the organization, administration, and general management of ED and DOL. The Committee will work to ensure that these programs and statutes are administered consistent with constitutional requirements of faithful execution of laws passed by Congress and long-established principles of federalism. Additionally, the Committee will conduct oversight to ensure that programs are operated and executed in an effective, efficient, and transparent manner, as well as follow congressional intent in their scope, activities, and operations.

The Committee has identified priority areas for oversight and investigation in the 118th Congress. These areas include, but are not limited to, the following:

- **Student Loans:** The Committee will conduct oversight on the Biden Administration's actions related to the federal student loan program. Since March 2020, all payments and collections on federally-held student loans have been suspended. Since then, the Biden Administration has made substantial changes to the program, including waivers for loan forgiveness and repayment programs; issuing new regulations that include, among others, borrower defense to repayment, public service loan forgiveness, and closed school discharges; creating "Operation Fresh Start" for defaulted borrowers; and, by executive action, broad-based cancellation of up to \$20,000 for over 40 million borrowers. Coupled with their proposal for a new in-

come-driven repayment plan, these actions will fundamentally alter the nature of the Direct Loan program and the Committee will investigate whether these actions go beyond the authority provided in statute. Further, the Committee will investigate and monitor FSA's implementation of its Unified Servicing and Data Solution, as well as the Department's plans to smoothly transition borrowers back into repayment through timely guidance and communications to both borrowers and servicers.

- **Student Aid:** The Committee will conduct oversight on the policies and priorities of the Office of Federal Student Aid at the Department of Education, especially as they relate to timely implementation of the FUTURE Act and the *FAFSA Simplification Act*, monitoring institutional accountability, preventing executive overreach on policies that Congress has not addressed, and monitoring institutional compliance with reporting foreign gifts and contracts.

- **Preserving the First Amendment on Campus:** The First Amendment is under attack at American institutions of higher education. Yet, institutions receive billions of dollars in federal funding only to promote or turn a blind eye to policies that undermine constitutional freedoms. The Biden Administration has not made it a priority to encourage campuses to foster the free exchange of ideas. The Committee will conduct oversight on the status of the Religious Liberty and Free Inquiry Rule and how institutions may be falling short of providing a learning environment with the complete protections of the First Amendment.

- **Monitoring Use of COVID Relief Funds:** Data, including declining scores on the ACT and the National Assessment of Educational Progress, have shown significant learning loss among students affected by school closures during the COVID pandemic. We will conduct oversight over how states and school districts are using the hundreds of billions of taxpayer dollars that were meant for reopening schools and addressing students' lost learning.

- **Faithful Implementation of Title IX:** The Committee will conduct oversight of the Department of Education's expected release of final rules under Title IX of the *Education Amendments of 1972*. These regulations are expected to redefine the term "sex," roll back policies that ensure fair and impartial campus judicial proceedings and create less safe and equal educational environments for women.

- **Department of Labor's Workforce Development Programs:** The Committee will conduct oversight on DOL's workforce development programs. This includes reviewing the policies and expenditures of apprenticeship programs operated by DOL and evaluating the various programs under the *Workforce Innovation and Opportunity Act*, including Job Corps, the Adult and Dislocated Worker program, and the Re-entry Employment Opportunities program.

- **Anti-Poverty Programs:** The Committee will conduct oversight to eliminate fraud and ensure programs are fiscally

responsible, and narrowly targeted toward lifting low-income Americans out of poverty and on a path to self-sustainability.

- **Child Abuse Prevention and Treatment:** The Committee will conduct oversight to ensure that HHS is not encouraging states to violate parental rights.

- **Child Nutrition:** The Committee will monitor and conduct oversight on the Department of Agriculture's administration of child nutrition programs within the Committee's jurisdiction and any proposed policies and regulations that impact these nutrition programs, including any new regulations published.

- **National Labor Relations Board:** The Committee will conduct oversight and investigations to ensure that the NLRB is properly implementing and enforcing the *National Labor Relations Act*. Following two years of the Biden administration, the NLRB and its Office of General Counsel are particularly in need of scrutiny. This needed oversight includes the Committee's review of the NLRB's regulatory proposals on joint employers; changes to representative election procedures; its efforts to normalize mail, telephone, and online elections; and Board decisions which could illegally implement provisions of the *Protecting the Right to Organize Act* (PRO Act). The Committee will also review the General Counsel's use of field memoranda and injunctions to tilt NLRB policy decidedly in favor of organized labor. Finally, the Committee will investigate instances of NLRB corruption, including Board Members' conflicts of interest.

- **Administration Bias Promoting Big Labor:** The Biden administration has taken an all-of-government approach to increase union membership and assist union organizing campaigns at the expense of employee free choice. Whether it be Secretary of Labor Walsh's inappropriate appearance on the picket line at the Kellogg's plant in Lancaster, Pennsylvania, the NLRB General Counsel's aggressive actions, or the empaneling of a so-called "worker organizing and empowerment" task force, the Biden administration has shown its clear one-sided bias in favor of Big Labor. The Committee will conduct oversight to consider the extent to which the administration has weaponized federal policies in favor of unions and to ensure it moves back to its appropriate role of administering the law in an impartial manner.

- **Union Accountability and Transparency:** Approximately 7.2 million private sector workers are represented by unions, and they are entitled to accountability and transparency. DOL's Office of Labor-Management Standards is the chief federal agency responsible for protecting the rights of union members against anti-democratic procedures within labor organizations and safeguarding labor union funds and assets. The Committee will monitor OLMS's implementation of the *Labor-Management Reporting and Disclosure Act* to ensure the law is being appropriately applied and enforced. The Committee will also conduct oversight on unions, as needed, to ensure they are properly managing their members' dues, education funds, and pension programs.

- **Wage and Hour:** The Committee will engage with workers, employers, and other stakeholders to consider how best to modernize federal wage and hour laws. The Committee will also conduct oversight on the DOL Wage and Hour Division’s regulatory and enforcement activity, including its proposals to revise the independent contractor and overtime pay rules under the *Fair Labor Standards Act* and prevailing wage requirements under the Davis-Bacon and Related Acts.

- **Retirement Security and Pensions:** The Committee will engage with workers, employers, retirees, and other stakeholders to consider how best to strengthen laws governing retirement security. Committee oversight will review DOL’s regulatory actions on the definition of the term “fiduciary” and on environmental, social, and governance investing. The Committee will also closely examine PBGC as it implements the *American Rescue Plan Act* and conduct vigorous oversight of multiemployer pension plans that receive taxpayer dollars.

- **Health Care:** The Committee will conduct oversight to ensure that employers have the flexibility and tools to offer workers and their families affordable, employer-sponsored health care coverage that fits their individual needs. It will ensure that plans governed by the *Employee Retirement and Income Security Act* are not improperly regulated by HHS and closely monitor any new coverage mandates imposed by unelected bureaucrats. The Committee will also closely oversee the Biden administration’s implementation of laws governing mental health and substance abuse treatment coverage and banning surprise medical billing. The Committee will further conduct oversight to ensure the administration properly winds down the COVID–19 public health emergency declaration and ensures previously appropriated COVID relief funding has been properly used. Additionally, the Committee will closely monitor any attempt by the administration to coerce employers to provide abortion or transgender benefits.

- **Equal Employment Opportunity:** The Committee will monitor EEOC and DOL’s Office of Federal Contract Compliance Programs to ensure they are properly implementing and enforcing employment non-discrimination laws. Specifically, the Committee will monitor EEOC’s attempts to expand the “Employment Information Report” (EEO–1) form to include employee pay data. The Committee will also oversee OFCCP’s policies concerning religious organizations seeking to participate in federal contracting.

- **Workplace Safety and Health:** The Committee will conduct oversight on the Occupational Safety and Health Administration (OSHA) to confirm it is ensuring safe and healthy workplaces by properly setting standards and providing education, outreach, and assistance to workers and employers without excessive red tape. Committee oversight will review OSHA’s regulatory actions on heat illness prevention, recordkeeping, workplace violence prevention, and process safety management. The Committee will also review any further attempts by OSHA to promulgate a COVID–19 standard for the health care industry.

- **Mine Safety and Health:** The Committee will review the Mine Safety and Health Administration's (MSHA) implementation of federal mine safety laws to ensure it is properly promoting safe and healthy workplaces and working to eliminate mining fatalities. The Committee will also examine MSHA's regulatory and enforcement activity, including its promulgation of a rule on silica.

- The Committee will monitor DOL's Office of Workers' Compensation Programs (OWCP), which include the Federal Employees' Compensation Program, the Energy Workers Program, the Black Lung Program, and the Longshore Program. Specifically, the Committee will look for opportunities to improve the Federal Employees' Compensation Program management, simplify administration, and strengthen the program's integrity so that it can better serve the needs of injured federal workers. In addition, the Committee will oversee OWCP's implementation of the *Federal Firefighters Fairness Act*, which creates a new presumption of eligibility under the *Federal Employees' Compensation Act* for federal firefighters with certain occupational illnesses.

The Committee reserves the right to review and investigate general legislative, administrative, and regulatory issues affecting its jurisdiction.

Expired Authorizations

The following is a list of the major laws that have authorizations of appropriations that have expired but continue to receive funding under the jurisdiction of the Committee on Education and the Workforce. Along with the oversight objectives previously outlined, the Committee will work to conduct oversight of these laws and determine the appropriate next steps.

- *Child Abuse Prevention and Treatment Act*
- *Child Care and Development Block Grant Act of 1990*
- *Child Nutrition Act of 1966*
- *Community Services Block Grant Act*
- *Domestic Volunteer Service Act of 1973*
- *Education Sciences Reform Act of 2002*
- *Elementary and Secondary Education Act of 1965*
- *Family Violence Prevention Services Act*
- *Head Start Act*
- *Higher Education Act of 1965*
- *Individuals with Disabilities Act*
- *Low-Income Home Energy Assistance Act of 1981*
- *Museum and Library Services Act*
- *National and Community Service Act of 1990*
- *National Foundation for the Arts and Humanities Act of 1965*
- *Richard B Russell National School Lunch Act*
- *Runaway and Homeless Youth Act*
- *Special Olympics Sport and Empowerment Act of 2004*
- *Workforce Innovation and Opportunity Act*

The following is a list of major laws that have authorization of appropriations that will expire during the 118th Congress:

- *Carl D Perkins Career and Technical Education Act of 1998*
- *Juvenile Justice and Delinquency Prevention Act of 1974*

- *Missing Children's Assistance Act*
- *Morris K Udall Scholarship and Excellent in National Environmental and Native American Public Policy Act*

CATHY McMORRIS RODGERS, WASHINGTON
CHAIR

FRANK PALLONE, JR., NEW JERSEY
RANKING MEMBER

ONE HUNDRED EIGHTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115
Majority (202) 225-3641
Minority (202) 225-2927

February 10, 2023

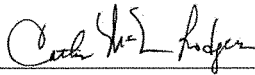
The Honorable Bryan Steil
Chairman
Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Steil and Chairman Comer:

Pursuant to clause 2(d) of Rule X of the Rules of the House of Representatives, please find attached the Authorization and Oversight Plan for the Committee on Energy and Commerce for the 118th Congress.

Sincerely,



Cathy McMorris Rodgers
Chair

cc: The Honorable Frank Pallone, Jr., Ranking Member
The Honorable Jamie Raskin, Ranking Member,
Committee on Oversight and Accountability
The Honorable Joseph D. Morelle, Ranking Member,
Committee on House Administration

COMMITTEE ON ENERGY AND COMMERCE

AUTHORIZATION AND OVERSIGHT PLAN OF THE COMMITTEE ON ENERGY AND COMMERCE

U.S. HOUSE OF REPRESENTATIVES, 118TH CONGRESS

(Adopted February 9, 2023)

Rule X, clause 2(d) of the Rules of the House requires each standing Committee to develop an oversight plan for the two-year period of the Congress and to submit the plan to the Committee on Oversight and Reform and to the Committee on House Administration not later than March 1 of the first session of the Congress.

This is the oversight plan of the Committee on Energy and Commerce for the 118th Congress. It includes areas where the Committee expects to conduct oversight during the 118th Congress, subject to staff and resource limitations, but does not preclude oversight or investigation of additional matters. The Committee will continue to consult with other committees that have jurisdiction over the same or related laws, programs, or agencies with the objective of ensuring maximum coordination and cooperation. Specifically, the Committee will continue to work with other committees to facilitate expiring programs, coordinate with the Congressional Budget Office regarding lapsed authorizations and upcoming expirations, and hold member and staff-level meetings with relevant committees and House and Senate conferences.

During the 118th Congress, the Committee on Energy and Commerce will hold hearings and conduct rigorous oversight over matters within its jurisdiction. The Committee will conduct thorough oversight, reach conclusions based on an objective review of the facts, and treat witnesses fairly. The Committee will request information in a responsible manner that is calculated to be helpful to the Committee in its oversight responsibilities. The Committee's oversight functions will focus on (1) cutting government spending through the elimination of waste, fraud, and abuse; and (2) ensuring laws are adequate to protect the public interest or are being implemented in a manner that protects the public interest, without stifling economic growth. The Committee will use the information it collects through its oversight to inform the reauthorization of certain lapsed programs within its jurisdiction.

HEALTH AND HEALTH CARE ISSUES

COVID-19 PANDEMIC ORIGINS AND RESPONSE AND PANDEMIC PREVENTION

The Committee will examine the roles and actions taken by Federal agencies involved in insuring and protecting the public health during the Covid-19 pandemic.

The National Institutes of Health (NIH) and other federal agencies have invested heavily over the last decade-plus in a pandemic preparedness strategy based on, among other things, the notion that pandemics could be predicted through intensive virus hunting in the field. However, even though these efforts were focused on coronaviruses in bats located in China and southeast Asia, virus hunting failed to predict the Covid-19 pandemic. The Committee will conduct oversight of the federal government's policies and procedures relating to pandemic prediction and prevention.

The Committee will investigate the government's role in Gain-of-Function research and the adequacy of the HHS Potential Pandemic Pathogen Care and Oversight (P3CO) framework used to oversee research projects involving experiments that could make dangerous viruses more transmissible or more lethal.

The Committee will conduct oversight of the NIH grantmaking policies and procedures as it relates to approving and monitoring its grants and subgrantees, including the use of indirect costs, to ensure the safe, appropriate, and efficient use of Federal tax dollars.

The Committee will also examine issues related to the Centers for Disease Control and Prevention (CDC), which put out opaque, politically influenced guidance and data that was then used by other Federal agencies, states, and localities as rationale for mandates and lockdowns that has led to increased mental health issues, especially in children. CDC has never been authorized, and many of its authorities and programs are broad or out of date.

In addition, many of the authorities used by the Federal government to prepare and respond to chemical, biological, radiological, or nuclear threats expire at the end of fiscal year (FY) 2023. The Committee intends to examine those authorities and reauthorize those necessary with appropriate changes to reflect the abuse of power and lack of transparency in scientific recommendations witnessed during the Covid-19 pandemic. The Committee also plans to examine the overarching pandemic and biodefense leadership structure, and how it could be strengthened to ensure we are best prepared for future bioterrorism threats.

THE ILLICIT FENTANYL CRISIS

U.S. drug overdose deaths are at record highs, and approximately two thirds of those deaths can be attributed to fentanyl and other synthetic opioids. Oversight of the Drug Enforcement Administration (DEA) and the Office of National Drug Control Policy (ONDCP) is necessary to gain insight into the fentanyl trafficking problem, including both precursor production in Mexico that has migrated from China, and trafficking in the U.S. Additionally, the Committee will conduct oversight of the role of social medias in fa-

cilitating fentanyl distribution throughout the U.S., particularly in transactions involving minors.

It has been 5 years since the SUPPORT Act passed, and provisions around how Medicaid can pay for treatment for those with substance use disorders expire at the end of FY2023. The committee will conduct oversight of the SUPPORT Act and reauthorize those expiring authorities with any changes necessary if such authorities should be reauthorized.

HEALTH CARE COSTS

The Committee will continue to examine issues related to the affordability of health care, including areas where federal government intervention has contributed to increased costs for patients and families. The Department of Health and Human Services (HHS) regulates significant portions of the commercial health insurance market, promulgates Medicare payment rules that encourage health care provider consolidation, issues Medicaid regulations that make it more difficult for states to design Medicaid programs to function as a true safety net, and implements provisions of the Consolidated Appropriations Act (CAA) related to ending surprise medical billing and improving health cost transparency, including with respect to pharmacy benefit managers. It is critical that the Committee identify provisions within the troves of HHS regulations contributing to dynamics—such as provider consolidation—that are increasing health care costs. Similarly, the committee will be closely scrutinizing areas where the current administration is actively seeking to limit competition and choice for families, including through the first ever federal ban on private health insurance options. Furthermore, the Committee will keenly oversee implementation of the CAA provisions related to surprise medical billing and health care price transparency. Ensuring that these protections are implemented in line with congressional intent will result in lower costs for families, employers, and taxpayers alike.

ENTITLEMENT PROGRAMS

The Committee will review Medicare and Medicaid, two of the most significant drivers of the federal budget deficit and resulting debt. The total number of beneficiaries and the average spending per beneficiary in each program have grown significantly over the past decade, with major increases occurring in the past three years, and making sure taxpayer dollars are spent wisely is imperative to ensuring the long-term sustainability of each program. The Committee will examine and review Medicare and Medicaid management and activity as it relates to ongoing Committee efforts to prevent bias, waste, fraud, and abuse in Federal health care programs. Ensuring responsible stewardship of each program can also help protect beneficiaries from unscrupulous actors seeking to defraud the program rather than improve the health of their enrollees.

In addition, with the granting of sweeping authority for CMS to forcibly set the prices for drugs for seniors, the Committee will continue to inform the public of the consequences of this authority on critical medical innovation, Part D plan design and patient choice, access to lower cost generic and biosimilar alternatives, and if pa-

tients will be able to have a meaningful voice in the process CMS uses to set drug prices. The Committee will also continue to monitor CMS's process and decisions with respect to Medicare coverage policy, including National Coverage Determinations, and take action, if necessary, to ensure seniors and people with disabilities can access drugs that their doctors determine are best for them.

FOOD AND DRUG ADMINISTRATION

The Committee will review whether the Food and Drug Administration (FDA) is fulfilling its mission after recent failures to quickly identify and respond to infant formula production issues and no clear plan to restart necessary inspections overseas delayed or stopped during the COVID-19 pandemic. The Committee will also work to ensure that FDA is fulfilling its mission to ensure that regulated drugs and medical devices are safe, effective, and available to American patients in an expeditious fashion. The Committee will examine whether FDA's reorganization efforts are improving the effectiveness of FDA regulation, or worsening delays and inefficiency in decision-making.

The animal drug and generic drug user fee programs expire at the end of FY2023 and must be reauthorized for FY2024–2028. The Committee will consider the proposed agreements for the Animal Drug User Fee Act (ADUFA) and the Animal Generic Drug User Fee Act (AGDUFA) for timely reauthorization of these authorities and examine how these programs are working to ensure that pet owners and farmers may continue to rely on safe and effective medications for companion animals and food-producing animals alike.

MENTAL HEALTH CRISIS

The Committee will conduct oversight of the implementation of and work done by the Assistant Secretary for Mental Health and Substance Use, an agency responsible for mental health and substance use disorder programs and policies at HHS, following passage of the mental health reauthorization in the Consolidated Appropriations Act, 2023. The Committee will also examine regulations drafted to implement the 21st Century Cures Act, CARES Act, Consolidated Appropriations Act of 2021, and Consolidated Appropriations of 2023 to ensure they comport with the intent of Congress, and will monitor funding provided by the legislation to ensure that it is appropriately spent.

ENERGY AND ENVIRONMENT ISSUES

NATIONAL ENERGY POLICY

During the 118th Congress, the Committee will examine issues relating to national energy policy, including U.S. policies that relate to the exploration, production, distribution, and consumption of electricity, oil and natural gas, coal, hydroelectric power, nuclear power, and renewable energy. The Committee will examine the impact of government policies and programs on the efficient exploration, production, storage, supply, marketing, pricing, and regulation of domestic energy resources, including issues relating to the

nation's energy infrastructure. The Committee will continue to examine safety and security issues relating to energy exploration, production, distribution, and the Strategic Petroleum Reserve. The Committee will conduct oversight over the impact the administration's energy policies are having on supply chains, increasing dependence on China and the Chinese Communist Party (CCP), and domestic production of energy.

ELECTRICITY SYSTEM AND ELECTRIC UTILITY MARKETS

During the 118th Congress, the Committee will undertake a review of the nation's electricity system. This effort will include a review of the federal electricity policies of the Department of Energy (DOE) and the Federal Energy Regulatory Commission (FERC) relating to competitive wholesale power markets, transmission, generation infrastructure upgrades, and compliance with relevant statutes. It will also examine the activities of the DOE and FERC relating to electric industry restructuring, protection of consumers, and the development of wholesale markets for electricity. It will also continue to examine the activities of the DOE and FERC with respect to Environmental Protection Agency (EPA) regulations affecting the electricity sector, including regulatory requirements that may impact consumer prices and reliability of the electricity grid.

ENERGY EFFICIENCY

The Committee will continue to assess federal programs setting energy efficiency standards for motor vehicles, crafted by EPA and the National Highway Traffic Safety Administration (NHTSA), and home appliances and other products, crafted by DOE, to ensure that the programs are implemented in a manner that maximizes the benefit to consumers. In the case of motor vehicle standards, the Committee will also assess the merit of having two federal agencies operating parallel efficiency programs. The Committee will continue to promote energy efficiency initiatives in order to create jobs, save businesses and consumers money, and improve our nation's energy security. This may include federal programs setting energy efficiency standards for motor vehicles and appliances, to ensure that the programs are implemented in a manner that rewards innovation, ensures benefits for consumers and businesses, enhances U.S. energy security, and protects the environment. In addition, the Committee will continue its oversight of waivers under the Clean Air Act in connection with motor vehicle emissions standards, to ensure that a national marketplace of affordable vehicles is available to consumers.

MANAGEMENT OF THE DEPARTMENT OF ENERGY AND ITS NATIONAL LABORATORIES

The Committee will oversee the governance, management, and operations at DOE, including oversight, management, and operations of the National Nuclear Security Administration (NNSA) and the national laboratories. The Committee's oversight work will include the continuing review of security and safety reforms at NNSA and DOE facilities, ongoing safety and security matters, and

the Office of Environmental Management's cleanup program. This work will also include the Committee's special oversight functions over programs and activities relating to nonmilitary energy research and development, and including programs across DOE to safeguard technology and intellectual property from transfer to foreign adversaries.

YUCCA MOUNTAIN

The Committee will continue to examine the actions of DOE and the Nuclear Regulatory Commission (NRC) in connection with obligations of these agencies under the Nuclear Waste Policy Act, including licensing activities for the Yucca Mountain repository.

DOE ENERGY GRANT AND LOAN PROGRAMS

The Committee will continue to review management and implementation of clean energy and advanced technology grant and loan programs authorized under the Energy Policy Act of 2005, the Infrastructure Investment and Jobs Act (IIJA), the Inflation Reduction Act, and other statutes; the development of new technologies, products, and businesses including clean energy, advanced coal, nuclear, and other technologies; and the impact of DOE grant, cost-sharing, and loan spending on the domestic supply, manufacture, and commercial deployment of clean and advanced energy products and other technologies. The Committee will also conduct oversight over DOE's grant and loan programs that fund production in foreign jurisdiction, particularly in facilities controlled by China and the CCP.

THE NUCLEAR REGULATORY COMMISSION

The Committee will continue to review the activities of the NRC. The Committee will examine NRC's budget requests and conduct oversight of the manner in which the Commission discharges its various responsibilities, including its statutory responsibilities, licensing activity, the safety and security of nuclear power facilities and nuclear materials licensees, and the Commission's regulatory actions.

CLEAN AIR ACT

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

CLIMATE CHANGE

The Committee will continue to monitor international negotiations on efforts to control greenhouse gas emissions in connection with concerns about global climate change. In addition, the Committee will examine the EPA's efforts to regulate domestic greenhouse gas emissions under the Clean Air Act based on its endangerment findings. The Committee will consider whether such agreements and regulatory efforts are scientifically and statutorily well grounded. The Committee will also review the activities undertaken in this area by DOE, HHS, and other agencies within the Committee's jurisdiction, including efforts to prepare for and respond to weather events and natural disasters in the future.

EPA MANAGEMENT AND OPERATIONS

The Committee will conduct general oversight of the EPA, including review of the agency's funding decisions, resource allocation, grants, research activities, enforcement actions, relations with State and local governments, public transparency, implementation of new statutory authorities including under the IIJA and Inflation Reduction Act, and respect for economic, procedural, public health, and environmental standards in regulatory actions. In addition, the Committee will review the government's activities in hydraulic fracturing research and regulation.

ASSESSMENT AND MANAGEMENT OF CHEMICAL SUBSTANCES

The Committee will monitor EPA implementation of reforms made to title I of the Toxic Substances Control Act. These efforts will include program management and the use of chemical risk analysis in environmental assessment programs. The Committee will also review deadline management and consistency of implementation, ensuring that confidential business information is protected from unwarranted disclosure, and make certain that EPA provides the appropriate consideration of risks and the societal impacts of trade-offs during the evaluation and regulatory process.

DRINKING WATER INFRASTRUCTURE AND REGULATION

The Committee will conduct oversight of the operation of the Drinking Water State Revolving Loan Fund program authorized under section 1452 of the Safe Drinking Water Act. Included will be an examination of EPA involvement in State functions and State funding uses, efficiencies that could be realized in managing this funding that maximize its effectiveness, and the use of this funding for leveraging other investments. In addition, the Committee will conduct oversight of EPA regulatory actions under section 1412 of the Safe Drinking Water Act and the protocol it uses to issue health advisories under the same section of law.

SOLID AND HAZARDOUS WASTE MANAGEMENT

The Committee will review EPA implementation of various regulatory programs established under the most recent administration, including regulations regarding the definition of solid waste and coal ash.

CERCLA (SUPERFUND) AND BROWNFIELDS

The Committee will monitor EPA implementation of the Comprehensive Environmental Response Compensation & and Liability Act (CERCLA). These efforts will include an examination of State cleanup programs and a comprehensive analysis regarding whether cleanup under State programs would result in greater efficiency in the process. The Committee will also conduct oversight of EPA regulatory actions under CERCLA, including any designations made by EPA under CERCLA. The Committee will also examine the EPA brownfields program, including statutory implementation, the challenges of program operation, and whether changes to the program would result in more effective and efficient cleanup and redevelopment of abandoned and blighted properties.

COMMUNICATIONS AND TECHNOLOGY ISSUES

A MODERN COMMUNICATIONS FRAMEWORK FOR THE INNOVATION AGE

The Committee will continue to exercise its jurisdiction over wired and wireless communications to ensure our nation's policies governing voice, video, audio, and data services are promoting investment, innovation, and job creation. The country's current regulatory regime takes a siloed approach in which different technological platforms—such as wireline, wireless, broadcast, cable, and satellite—are regulated differently based on regulations that may be decades old. As we move deeper into the Internet era, however, providers are increasingly using these platforms to offer the same or similar services. The Committee will examine whether these regulations should be updated to better meet the communications needs of the country and to ensure its citizens enjoy cutting edge services and the economic benefits they bring.

FEDERAL COMMUNICATIONS COMMISSION

During the 118th Congress, the Committee will conduct oversight of the Federal Communications Commission (FCC), including the efforts to reverse the reclassification of Broadband Internet Access Service as a telecommunications service subject to Title II of the Communications Act of 1934 and efforts to bring transparency and accountability to the Commission's processes. The Committee will also continue to conduct oversight of the FCC's decisions and their impact on innovation and the U.S. economy. Among other things, the Committee will evaluate the impact generally of FCC actions on voice, video, audio, and data services, public safety, broadband mapping, and security of our networks. The Committee will also focus its oversight efforts on the Commission's administration of funding for the Affordable Connectivity Program (ACP) and the Emergency Connectivity Fund (ECF), and investigate and cases of waste, fraud, and abuse. The Committee will pay particular attention to whether the FCC conducts cost-benefit and market analyses before imposing regulations.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

During the 118th Congress, the Committee will conduct oversight of the National Telecommunications and Information Administration (NTIA), including its administration of broadband grant programs created in the IIJA and efforts to bring transparency and accountability to NTIA's processes. The Committee will also look into NTIA's authorities and determine whether NTIA needs additional authorities to keep pace with the advancement of modern technology and the advancement of the communications marketplace.

SPECTRUM MANAGEMENT

The Committee will conduct oversight of the Federal Communications Commission's and the NTIA management and allocation of the nation's spectrum for commercial and government use. Spectrum is increasingly being used to provide voice, video, audio, and data services to consumers and to serve the needs of our nation's government agencies. The Committee will evaluate spectrum-management policies to ensure efficient use of the public airwaves for innovative communications services. The Committee will also examine whether plans for allocating spectrum maximizes broadband deployment and encourages investment. The Committee will pay particular attention to FCC and NTIA implementation of the IIJA, which included provisions intended to make more spectrum available for commercial wireless services.

AVAILABILITY OF BROADBAND

The Committee will investigate whether regulatory policies are helping or hindering broadband deployment. In particular, the Committee will examine the need for reforms to State and Federal permitting processes to speed the deployment of fiber optic systems and 5G wireless services. Additionally, the Committee will conduct oversight of funding mechanisms for broadband deployment and adoption, including the \$9 billion per year Universal Service Fund, the \$42 billion Broadband Equity, Access, and Deployment (BEAD) grant program created in the IIJA, and other federal grant programs that could be awarded for broadband deployment. Specifically, the Committee will examine what procedures are in place to control waste, fraud, and abuse, whether the funds are appropriately targeted, and the impact of the funding on jobs and the economy.

INTERNET

The Committee will exercise its jurisdiction over wired and wireless communications to ensure continued growth and investment in the Internet. In particular, the Committee will monitor efforts to employ the multi-stakeholder model of Internet governance—in which governmental and non-governmental entities develop best practices for the management of Internet networks and content. The Committee will also monitor international efforts to replace multistakeholder governance with domestic regulation and inter-

national multilateral institutions, and will continue to support U.S. leadership in these international standards setting bodies.

PUBLIC SAFETY COMMUNICATIONS

The Committee will examine whether the communications needs of first responders are being met. The Committee will examine the progress being made to ensure that first responders have interoperable communications capabilities with local, State, and Federal public safety officials. The Committee will also examine the progress being made by the First Responder Network Authority (FirstNet) in carrying out the mandates of the Middle Class Tax Relief and Job Creation Act of 2012. In addition, the Committee will conduct oversight regarding the implementation of legacy 911 and Next Generation 911 (NG911) services. The Committee will review efforts to promote deployment of these advanced systems and challenges to realizing ubiquitous NG911.

INNOVATION, DATA, AND COMMERCE

CONSUMER PRIVACY AND DATA SECURITY

In the 118th Congress, the Committee will examine issues relating to the privacy and data security of information collected by businesses and service providers about Americans and the potential for improving protection and security of such data, without undercutting innovative uses that benefit Americans and the economy, such as artificial intelligence and machine learning. Further, the Committee will continue to review the manner in which fraud and other criminal activities affect e-commerce. The Committee will also explore privacy and cybersecurity policies surrounding the Internet of Things and blockchain technologies.

The Committee will investigate the impact of social media on mental health, including the algorithms used by social media companies to cause ever increasing use and dependence of these platforms, particularly by children. Additionally, the Committee will conduct oversight of social media and technology companies' policies and procedures regulating publication, appeals processes regarding censorship and deplatforming, censorship, handling of-claimed misinformation, and the government's role in these policies and procedures.

The Committee will investigate and conduct oversight of the collection and use of data by social media, technology companies, and data brokers. This will include TikTok and the relationship to its parent company ByteDance, and other similarly positioned companies with close ties to the Chinese Communist Party.

AUTONOMOUS VEHICLES

The Committee will examine the policy framework being developed for autonomous vehicles. Autonomous vehicles hold the promise to reduce traffic fatalities greatly, while at the same time expanding mobility options for senior citizens and Americans living with disabilities, as tight labor markets continue to

fail them for such services. The U.S. must lead in setting the standards for this technology, its deployment, and ensure that the

potential of revolutionary change to the sector is not damaged by frivolous litigation and unnecessary regulation with no benefit to Americans.

MANUFACTURING

The Committee will explore the state of manufacturing in the U.S. to identify factors that are hampering or furthering U.S. competitiveness. The Committee will review the issues presented by the globalization of production and manufacturing networks, the availability and resiliency of supply chains, the integrity of products and components assembled overseas, and the impact on national security.

TRADE

The Committee will examine trade negotiations to ensure that foreign governments are not imposing non-tariff trade barriers, such as regulations or requirements, that harm U.S. businesses, their competitiveness, and their ability to support jobs in the U.S., especially as it relates to the flow of data across borders and a successor agreement to EU-U.S. Privacy Shield.

DEPARTMENT OF COMMERCE MANAGEMENT AND OPERATIONS

The Committee will conduct oversight of the Department of Commerce and complementary or conflicting Federal efforts to promote U.S. manufacturing, including but not limited to semiconductors and microelectronics, emerging technologies, such as artificial intelligence and blockchain technologies. This also includes export and trade-related efforts to lower or eliminate non-tariff barriers and harmonize regulation of products sold internationally, such as cross border data flows, where other countries share our health, safety, and consumer protection goals. The Committee will also be reviewing reports required to be delivered to Congress under, section XV, the American COMPETE Act, of Public Law 116–260.

CONSUMER PRODUCT SAFETY COMMISSION MANAGEMENT AND OPERATIONS

The Committee will continue oversight of the Consumer Product Safety Commission and its implementation and enforcement of laws and regulations, the effectiveness of the agency's structure, research activities, investigations, import surveillance, and enforcement actions relating to the safety of consumer products. The Committee will examine the agency's execution of its current authorities and process obligations, so as not to divert from its mission to also promote consensus industry standards while efficiently and effectively protecting Americans.

NHTSA MANAGEMENT AND OPERATIONS

The Committee will continue oversight of NHTSA, including the effectiveness of the agency's structure, regulations, research activities, investigations, and enforcement actions pertaining to motor vehicle safety. The committee will examine how NHTSA is working on requirements established in the IIJA, as well as their Standing

Government Orders, and will be particularly concerned with the way the Administration processes information and its ability to oversee ever advancing safety technologies effectively.

FEDERAL TRADE COMMISSION MANAGEMENT AND OPERATIONS

The Committee will conduct oversight of the Federal Trade Commission's (FTC) management and operations, including the impact of its decisions and actions on the general public and the business community, with a particular focus on how the FTC conducts its business while not creating undue burdens for legitimate businesses, its determination of priorities, and the need, if any, for refinement of its authorities. The Committee will explore the FTC's role relative to emerging technologies and sectors of the economy. Additionally, the Committee will examine how the agency is utilizing specific bureaus, or lack thereof, including the Bureau of Economics, while pursuing enforcement and regulatory action. The Committee will also be reviewing reports required to be delivered to Congress under, section XV, the American COMPETE Act, of Public Law 116-260.

MISCELLANEOUS

CYBERSECURITY

The Committee will exercise its jurisdiction over cybersecurity to ensure the country is well protected while at the same time avoiding one-size-fits all approaches that hinder the flexibility of commercial and governmental actors to combat the rapidly evolving threats. The Committee will also review the efforts of agencies within its jurisdiction to secure their networks. In doing so, the Committee will explore current cybersecurity threats and strategies to address those threats. The Committee will also examine government initiatives to improve cybersecurity both in the public and private sectors, and review efforts at agencies within the Committee's jurisdiction to regulate cybersecurity. The Committee will also examine the security of the Internet of Things, discovery and disclosure of cybersecurity vulnerabilities, and the National Institute of Standards and Technology (NIST) Cybersecurity Framework.

BIOTERRORISM PREPAREDNESS AND RESPONSE

The Committee will continue its examination of the roles of HHS agencies in assisting the nation's detection, warning capability, and response to potential biological attacks. In addition, the Committee will evaluate the potential impact and preparedness of the nation's public health system. The Committee will continue to review the implementation of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 by HHS, and the extent of the coordination between HHS and the Department of Homeland Security (DHS), especially as it relates to Project BioShield.

FEDERAL OVERSIGHT OF HIGH CONTAINMENT BIO LABORATORIES

The Committee will examine issues related to high-containment bio laboratories, which handle some of the world's most exotic and dangerous diseases, including anthrax, smallpox, foot and mouth

disease, and Ebola virus. Among the issues under review are the adequacy of the security and practices of high-containment bio laboratories, Federal efforts to oversee the laboratories, and whether some of these efforts are duplicative and overlapping. The Committee will continue its oversight into issues raised by the improper storage and handling of Federal select agents at CDC, NIH, and FDA labs.

ANTI-TERRORISM SECURITY FOR CHEMICAL FACILITIES

The Committee will continue its oversight of DHS's implementation of the Chemical Facilities Anti-Terrorism Program, originally authorized in Section 550 of Public Law 109-295, the Homeland Security Appropriations Act of 2007—now in Title XXI of the Homeland Security Act. The Committee will continue to examine whether taxpayer funds are spent prudently and the extent to which DHS is advancing the purpose of securing chemical facilities against terrorist threats.

GOVERNMENT SCIENTIFIC AND RISK ASSESSMENT PROGRAMS

During the 118th Congress, the Committee will examine issues relating to the numerous Federal science programs assessing public health risks, including the Integrated Risk Information System at the EPA, the Report on Carcinogens produced by the National Toxicology Program at HHS, and assessments proposed or ongoing in other Federal departments and agencies. The Committee will review programs to assess the objectives, transparency, objectivity, validity, and integrity of scientific assessments that inform regulatory and public health policies.

CONTROLLING SPENDING

The Committee will examine Departments and agencies under its jurisdiction to assure adequate and prompt implementation of recommendations from the Administration, the Offices of Inspectors General, the Government Accountability Office, and other sources to achieve cost savings or eliminate wasteful spending.

CRITICAL INFRASTRUCTURE

In June 2006, the Bush Administration issued a National Infrastructure Protection Plan. This plan created a process by which DHS is to identify critical assets and assess their vulnerabilities and risks due to loss or natural disaster. During the 118th Congress, the Committee will review the Department's activities with respect to identifying high-priority assets and implementing plans to protect these assets in areas within the Committee's jurisdiction. The Committee will also examine the statutory and other activities of DOE, FERC, EPA, and other Federal agencies related to the physical and cybersecurity of the nation's critical infrastructure within the jurisdiction of the Committee. Further, the Committee will examine the roles and responsibilities of the private sector, which owns and operates the bulk of the nation's critical infrastructure assets.

NUCLEAR SMUGGLING

The Committee will continue to monitor Federal government and private sector efforts at border crossings, seaports, and mail facilities. The Committee's review will analyze and assess U.S. Customs and Border Protection and the Department of Energy's efforts, including international efforts, aimed at detecting and preventing the smuggling of dangerous commerce, particularly nuclear and radiological weapons of mass destruction.

AUTHORIZATION OF PROGRAMS WITHIN THE JURISDICTION OF THE COMMITTEE ON ENERGY AND COMMERCE

During the 118th Congress, as part of both its oversight and legislative agenda, the Committee on Energy and Commerce will review the authorizations of agencies and programs within its jurisdiction and, specifically with regard to lapsed authorizations, determine whether the program should be reauthorized or terminated. Each subcommittee will conduct oversight of these programs and offices, including hearings, outreach to the Executive Branch, and requests for information in order to gather the necessary information to support these determinations.

The Committee's authorization work will include, but not be limited to, the following departments, agencies, and statutes:

- Animal Drug User Fee and Generic Drug User Fee Agreements
- Brownfields Program
- Centers for Disease Control and Prevention
- Chemical Facility Anti-Terrorism Standards
- Childhood Cancer STAR Act
- Children's Health Graduate Medical Education Program
- Consumer Protection Safety Commission
- Department of Energy
- Department of Energy
- Environmental Protection Agency
- Federal Communications Commission
- Federal Energy Regulatory Commission
- Federal Trade Commission
- National Highway and Traffic Safety
- National Institutes of Health
- National Telecommunications and Information Administration
- Nuclear Regulatory Commission
- Pandemic All-Hazards Preparedness Act
- Pipeline and Hazardous Materials Administration
- SUPPORT for Patients and Communities Act February 27,

2023

PATRICK McHENRY, NC
CHAIRMAN



MAXINE WATERS, CA
RANKING MEMBER

United States House of Representatives
One Hundred Eighteenth Congress
Committee on Financial Services
2129 Rayburn House Office Building
Washington, DC 20515

February 27, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Comer:

I write this letter to officially transmit the *Authorization and Oversight Plan of the Committee on Financial Services* to the Committee on Oversight and Accountability. Pursuant to clause 2(d) of Rule X of the House of Representatives, the Committee on Financial Services adopted the *Authorization and Oversight Plan* on February 1, 2023.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick T. McHenry", written over a horizontal line.

Patrick McHenry
Chairman
Committee on Financial Services

CC: The Honorable Maxine Waters, Ranking Member, Committee on Financial Services

COMMITTEE ON FINANCIAL SERVICES

AUTHORIZATION AND OVERSIGHT PLAN OF THE COMMITTEE ON FINANCIAL SERVICES

Pursuant to clause 2(d) of rule X of the House of Representatives, the following agenda constitutes the authorization and oversight plan of the Committee on Financial Services for the 118th Congress. It includes areas in which the Committee and its subcommittees expect to conduct oversight during this Congress; it does not preclude oversight or investigation of additional matters or programs as they arise. The Committee will consult, as appropriate, with other committees of the House that may share jurisdiction on any of the subjects listed below.

OVERSIGHT PLAN

GOVERNMENT ADMINISTRATION OF COVID PANDEMIC RELIEF

Emergency Rental Assistance Program (ERA). The Committee will examine federal agencies' administration and implementation of its ERA programs and federal grantees' use ERA funds.

Coronavirus Aid, Relief, and Economic Security (CARES) Act and American Rescue Plan Act (ARPA). The Committee will examine federal agencies' administration and implementation of the CARES Act and ARPA and federal grantees' use of those funds.

FINANCIAL INSTITUTIONS AND CONSUMER CREDIT

Bureau of Consumer Financial Protection (CFPB). The Committee will oversee the regulatory, supervisory, enforcement, and other activities of the CFPB, the effect of those activities on regulated entities and consumers, and the CFPB's collaboration with other financial regulators. The Committee will also examine the governance structure and funding mechanism of the CFPB.

Financial Supervision. The Committee will examine financial regulators' safety and soundness supervision of the banking, thrift, and credit union industries, to ensure that systemic risks or other structural weaknesses in the financial sector are defined, identified, and addressed promptly.

Capital Standards and Basel III. The Committee will explore generally the twin subjects of bank capital and liquidity, and, in so doing, examine closely the guidelines developed by the international Basel Committee on Banking Supervision and how domestic financial regulators have implemented those guidelines in the U.S.

Mortgage Credit. The Committee will closely review actions by the CFPB and other agencies on a variety of mortgage-related issues. The Committee will monitor the coordination and imple-

mentation of CFPB rules and the impact they are having on the cost and availability of mortgage credit.

Deposit Insurance. The Committee will monitor the operations of the Federal Deposit Insurance Corporation and the National Credit Union Administration and the solvency of their respective deposit insurance funds.

Community Financial Institutions. The Committee will review issues related to the health, growth, safety, and soundness of community financial institutions, including the effect of regulations promulgated pursuant to the Dodd-Frank Act, individually and cumulatively, on community financial institutions' role in lending to small businesses, fostering employment, and promoting economic growth.

Regulatory Burden Reduction. The Committee will continue to review the current regulatory burden on financial institutions, particularly community financial institutions, with the goal of reducing unnecessary, duplicative, or overly burdensome regulations, consistent with consumer protection and safety and soundness.

Credit Scores and Credit Reports. The Committee will monitor issues related to credit scores and credit reporting.

Access to Financial Services. The Committee will generally examine ways to expand access to mainstream financial services among traditionally underserved segments of the U.S. population.

Discrimination in Lending. The Committee will examine the effectiveness of regulators' fair lending oversight and enforcement efforts to ensure that the Federal government does not tolerate discrimination.

Diversity in Financial Services. The Committee will continue to monitor Federal regulators' efforts to implement the diversity requirements of the Dodd-Frank Act.

Improper Disclosure of Personally Identifiable Information. The Committee will evaluate best practices for protecting the security and confidentiality of personally identifiable financial information from loss, unauthorized access, or misuse. The Committee will also examine how data breaches are disclosed to consumers.

Payment System Innovations/Mobile Payments. The Committee will review government and private sector efforts to achieve greater innovations and efficiencies in the payments system.

Payment Cards. The Committee will monitor payment card industry practices.

Money Services Businesses. The Committee will examine the operations of Money Services Businesses.

Community Development Financial Institutions Fund (CDFI Fund). The Committee will monitor the operations of the Community Development Financial Institutions Fund.

Community Reinvestment Act (CRA). The Committee will monitor developments and issues related to the Community Reinvestment Act of 1977.

Financial Literacy. The Committee will review efforts to promote greater financial literacy among investors, consumers, and the general public.

CAPITAL MARKETS

Securities and Exchange Commission (SEC). The Committee will monitor all aspects of the Securities and Exchange Commission's operations, activities, and initiatives to ensure that it fulfills its Congressional mandate to protect investors, maintain fair, orderly, and efficient markets, and facilitate capital formation, within its statutory authority.

The JOBS Act. The Committee will conduct oversight of the SEC's administration of the "Jumpstart Our Business Startups" or "JOBS" Act (P.L. 112-106) and the effect of that law on capital formation and investor protection.

Derivatives. The Committee will continue to review the impact of Title VII of the Dodd-Frank Act on the operations, growth, transparency, and structure of the over-the-counter (OTC) derivatives market.

Credit Rating Agencies. The Committee will examine the role that credit rating agencies, also known as Nationally Recognized Statistical Ratings Organizations (NRSROs), play in the U.S. capital markets, and review the effectiveness of the SEC's regulation and oversight of NRSROs.

Regulation and Oversight of Broker-Dealers and Investment Advisers. The Committee will review the SEC's regulation and oversight of broker-dealers and investment advisers.

Self-Regulatory Organizations (SROs). The Committee will examine the activities, operations, and initiatives of self-regulatory organizations (SROs), including the Financial Industry Regulatory Authority (FINRA), and the SEC's oversight of these SROs.

Equity/Option Market Structure. The Committee will review recent developments in the U.S. equity and option markets and the SEC's response to those developments.

Fixed-Income Market Structure. The Committee will review developments in the U.S. corporate and municipal bond markets and the SEC's response to those developments.

Corporate Governance. The Committee will review developments and issues concerning corporate governance at public companies and the SEC's proposals that seek to modernize corporate governance practices.

Employee Compensation. The Committee will monitor the implementation of provisions in Title IX of the Dodd-Frank Act governing the compensation practices at public companies and financial institutions.

Securities Investor Protection Corporation (SIPC). The Committee will review the operations, initiatives, and activities of the Securities Investor Protection Corporation, as well as the application of the Securities Investor Protection Act (SIPA).

Asset Managers. The Committee will continue to examine the SEC's regulation and oversight of asset managers and investment companies, including their impact on capital formation and investor protection.

Advisers to Private Funds. The Committee will examine the functions served by advisers to private funds in the U.S. financial marketplace and their interaction with investors, financial intermediaries, and public companies.

Securitization and Risk Retention. The Committee will monitor the implementation of joint agency risk retention rulemaking mandated by Section 941 of the Dodd-Frank Act.

Covered Bonds. The Committee will examine the potential for covered bonds to increase mortgage and broader asset class financing, improve underwriting standards, and strengthen U.S. financial institutions.

Municipal Securities Rulemaking Board (MSRB). The Committee will review the operations, initiatives, and activities of the Municipal Securities Rulemaking Board.

Public Company Accounting Oversight Board (PCAOB). The Committee will review the operations, initiatives, and activities of the Public Company Accounting Oversight Board.

Financial Accounting Standards Board (FASB). The Committee will review the operations, initiatives, and activities of the Financial Accounting Standards Board.

Government Accounting Standards Board (GASB). The Committee will review the operations, initiatives, and activities of the Government Accounting Standards Board.

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

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

Securities Arbitration. The Committee will examine developments in securities arbitration, including the impact of the arbitration-related provisions contained in Section 921 of the Dodd-Frank Act.

HOUSING

Fannie Mae and Freddie Mac. The Committee will examine proposals affecting the operations of Fannie Mae and Freddie Mac, including their ongoing conservatorships, their overall size and housing finance system footprint, and ways to develop a vibrant, innovative, and competitive private mortgage market.

Federal Home Loan Bank (FHLB) System. The Committee will monitor the capital requirements and financial stability of the Federal Home Loan Bank System, as well as the FHLB System's ability to fulfill its housing and community economic development mission and provide liquidity to member banks in a safe and sound manner.

Federal Housing Finance Agency (FHFA). The Committee will monitor the activities and initiatives of the Federal Housing Finance Agency.

Government National Mortgage Association (Ginnie Mae). The Committee will examine Ginnie Mae to ensure that the agency has the proper resources, procedures, and oversight necessary to manage the multi-trillion portfolio of outstanding mortgage-backed securities it currently guarantees.

Federal Housing Administration (FHA). The Committee will examine the operations of the Federal Housing Administration in our

housing finance system, including FHA's appropriate role, market share, and ability to manage its mortgage portfolio and mitigate taxpayer risk.

Private Mortgage Insurance. The Committee will continue to examine the role private mortgage insurance plays in increasing consumer choice and protection and furthering the goal of robust private sector participation in our housing finance system.

Housing and Urban Development and Rural Housing. The Committee will conduct oversight of the mission, operations, and budgets of the Department of Housing and Urban Development (HUD) and the Rural Housing Service (RHS). The Committee will review current HUD and RHS programs with the goal of modernizing inefficient and duplicative programs.

Public Housing. The Committee will conduct oversight of HUD's public housing programs and the subsidies they provide for the operations, management, and capital development for public housing agencies, and of units administered by public housing agencies to ensure they are maintained in decent, safe, and sanitary condition.

Section 8 Housing Choice Voucher Program and Affordable Housing. The Committee will monitor and review HUD's rental assistance programs and the effect that local regulations and barriers to development have on the affordability of housing.

Fair Housing. The Committee will conduct oversight to ensure the enforcement of fair housing practices. The Committee will seek to ensure that the principles of the Fair Housing Act of 1968 are upheld so that no person is subject to illegal discrimination in housing practices.

Native American Housing Assistance and Self-Determination Act (NAHASDA). The Committee will conduct oversight of grants and other programs under the NAHASDA block grant program, the authorization for which expired in September of 2013.

Settlement Procedures. The Committee will conduct oversight of the regulation of real estate settlement procedures, including appraisals and disclosures involving closing costs and the settlement process.

INSURANCE

National Flood Insurance Program (NFIP). The Committee will conduct oversight of the National Flood Insurance Program, the authorization for which is set to expire on September 30, 2023, including proposals to increase the participation of the private sector in the flood insurance market.

Federal Insurance Office (FIO). The Committee will examine the Treasury Department's Federal Insurance Office and the conduct of its statutory functions under the Dodd-Frank Act regarding domestic and international insurance policy issues.

MONETARY POLICY

The Federal Reserve System. The Committee will exercise oversight of the operations and activities of the Federal Reserve System, including its conduct of monetary policy, its regulation and supervision of the financial services sector, its role in the payment

system, and its susceptibility to cybersecurity threats and other security risks.

Extractive Industries and Conflict Minerals. The Committee will monitor the implementation of provisions in Title XV of the Dodd-Frank Act imposing disclosure requirements relating to so-called extractive industries and conflict minerals.

NATIONAL SECURITY, ILLICIT FINANCE, & INTERNATIONAL FINANCIAL INSTITUTIONS

International Economic Coordination. The Committee will conduct oversight of efforts by the Department of the Treasury's Office of International Affairs (IA) to improve the global economic environment for U.S. economic growth, prevent and mitigate global financial instability, and manage key global challenges through economic tools including international monetary policy, coordination within the G-7 and G-20, and technical assistance.

Global Economic Conditions. The Committee will monitor foreign and international economic developments—particularly in countries, regions, or sectors experiencing severe economic stress or dislocation—and assess the effect of those developments on the U.S. economy.

Exchange Rates. The Committee will review and assess the semi-annual report to Congress from the Secretary of the Treasury on International Economic and Exchange Rate Policies pursuant to the Omnibus Trade Act of 1988 and the Trade Facilitation and Trade Enforcement Act of 2015.

International Financial Services and Banking. The Committee will conduct oversight of efforts by the Department of the Treasury with respect to international financial services issues, trade and investment policy, and international banking and securities policies.

International Monetary Fund (IMF). The Committee will consider the policies of the IMF to ensure effective use of resources and appropriate alignment with U.S. interests to promote economic growth and stability, including through technical assistance that strengthens the capacity of Fund members to prevent money laundering and the financing of terrorism. The Committee will review the statutorily required annual report to Congress by the Secretary of the Treasury on the state of the international financial system and the IMF.

U.S. Oversight over the Multilateral Development Banks (MDBs) and Possible U.S. Contributions. The Committee will consider any Administration request that the U.S. contribute to the replenishment of the concessional lending windows at the World Bank and other multilateral development banks, which provide grants and below market-rate financing to the world's poorest nations. It will assess progress made on commitments made during the 2018 recapitalization to reduce and eventually stop lending to the People's Republic of China, which itself offers substantial financial assistance to the other countries, and to treat American nationals and companies equitably in hiring and contracting.

International Trade. The Committee will oversee existing and proposed trade programs and consider policies within the Committee's jurisdiction to promote U.S. international trade so that U.S.

companies retain access to foreign markets and remain globally competitive.

Committee on Foreign Investment in the United States (CFIUS). The Committee will continue to monitor the implementation of the Foreign Investment Risk Review Modernization Act of 2018 and actions taken by CFIUS to identify and address foreign investments that pose threats to national security, and the effectiveness of measures taken to mitigate those threats.

Terrorism and Financial Intelligence. The Committee will conduct oversight of TFI's development and implementation of U.S. government strategies to combat terrorist financing, including on matters relating to the National Money Laundering Strategy.

Terrorist and Illicit Financing. The Committee will monitor the extent to which individuals or groups may fund terrorist or other criminal acts by transmitting funds through the financial system, including methods to detect and inhibit such illicit uses of the financial system and threats posed by the application of new technologies.

Economic Sanctions. The Committee will monitor the implementation of financial sanctions as well as any proposals to expand or remove such sanctions or impose new ones, and to assess their effectiveness at achieving national security objectives. As part of this oversight, the Committee will monitor the efforts of Treasury's Office of Foreign Assets Control (OFAC).

Financial Crimes Enforcement. The Committee will examine the operations of the Financial Crimes Enforcement Network (FinCEN) and its ongoing efforts to implement its regulatory mandates, including ensuring its policies are effective at stopping illicit activity while respecting the data privacy of law-abiding Americans.

Anti-Money Laundering (AML) and Countering Terrorist Financing (CFT). The Committee will review the application and enforcement of anti-money laundering and counter-terrorist financing laws and regulations, and whether such laws and regulations are sufficient to counter threats posed by terrorist organizations, international criminal syndicates, and others.

De-Risking. The Committee will examine the global impacts of financial institutions terminating or restricting business relationships with clients or categories of clients to avoid, rather than manage, risk ("de-risking"), including the impact of Operation Chokepoint on U.S. businesses.

Asset Forfeiture. The Committee will conduct oversight of the disposition of assets and application of resulting funds by the Treasury Executive Office for Asset Forfeiture (TEOAF).

Information Sharing. The Committee will examine the extent to which government agencies and financial institutions have adequate capacity under United States law to share information concerning terrorist financing threats or other international criminal financing threats.

Export-Import Bank of the United States (Ex-Im Bank). The Committee will examine the operations of the Ex-Im Bank, and the new procedures implemented since the most recent reauthorization in September 2019.

Defense Production Act (DPA). The Committee will continue to monitor the effectiveness of the DPA, which was reauthorized in

2018, and its individual authorities in promoting national security and recovery from natural disasters, including areas that should be examined in light of new and emerging threats such as from the People's Republic of China.

Coins and Currency. The Committee will conduct oversight of the printing and minting of U.S. currency and coins, and of the operation of programs administered by the U.S. Mint for producing congressionally authorized commemorative coins, bullion coins for investors, and Congressional gold medals. The Committee will continue its review of efforts to detect and combat the counterfeiting of U.S. coins and currency in the United States and abroad. The Committee will also examine commemorative coins and medals, including potential reforms related to the process for funding the production of such items.

AUTHORIZATION OF PROGRAMS WITHIN THE JURISDICTION OF THE COMMITTEE ON FINANCIAL SERVICES

With respect to capital markets matters, several lapsed programs received appropriations in Fiscal Year 2023. The Securities and Exchange Commission (SEC) received \$2.149 billion in appropriations in FY 2023, though its authorization lapsed in fiscal year 2015. Additionally, the SEC Office of the Inspector General's authorization lapsed after FY 2011; it received over \$18.7 million in FY 2023 as part of the SEC's appropriation. The Committee will perform oversight as necessary to support activities related to the reauthorization of the SEC and the Office of Inspector General.

With respect to financial institution matters, the Committee will take appropriate action on matters relating to oversight and authorization of programs within the Committee's jurisdiction, including programs that are: authorized, but not appropriated; appropriated, but not authorized; and authorized and appropriated. Non-exhaustive lists of such programs may be found, for example, in *House Report 117-393* and the Congressional Budget Office's January 13, 2023, report titled "*Expired and Expiring Authorizations of Appropriations for Fiscal Year 2023—Information for Legislation Enacted Through September 30, 2022.*"

With respect to housing matters, virtually all Department of Housing and Urban Development programs within the Committee's jurisdiction have lapsed authorizations but received FY 2023 appropriations. These programs include the largest portion of HUD's annual budget authority, the Housing Choice Voucher and Public Housing programs authorized by the U.S. Housing Act of 1937 (P.L. 75-412), as well as several programs created through the Cranston-Gonzales National Affordable Housing Act, the Housing and Community Development Act of 1974, and the Native American Housing Assistance and Self-Determination Act of 1992. Additionally, HUD's Community Development Block Grant—Disaster Recovery (CDBG DR) program has never been authorized but frequently receives funding through supplemental appropriations measures enacted by Congress for disaster relief. The Committee will review the efficacy of codification of CDBG DR standard procedures to prevent waste, fraud, and abuse by federal agencies, grantees, and sub-grantees within the program.

With respect to consumer protection matters, the U.S. Court of Appeals for the Fifth Circuit recently found the CFPB's current funding structure unconstitutional. The Committee will consider potential remedies for conformity to the court's decision.

With respect to insurance matters, the Committee will examine the current authorization of the National Flood Insurance Program (NFIP), set to expire September 30, 2023. The Committee will consider the operation and administration of the program since its last enacted full five-year reauthorization which expired in September of 2017.

MICHAEL T. McCAUL, TEXAS
CHAIRMAN

GREGORY W. MEEKS, NEW YORK
RANKING MEMBER



One Hundred Eighteenth Congress
U.S. House of Representatives
Committee on Foreign Affairs
2170 Rayburn House Office Building
Washington, DC 20515

February 9, 2023

Hon. James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Comer:

Pursuant to clause 2(d) of House Rule X, I am pleased to share with you the Authorization and Oversight Plan for the Committee on Foreign Affairs during the 118th Congress, which was adopted yesterday at our organizational meeting, and is enclosed.

Sincerely,

A handwritten signature in black ink that reads "Michael T. McCaul".

MICHAEL T. McCAUL
Chairman

CC: Hon. Gregory Meeks, Ranking Member, Committee on Foreign Affairs
Hon. Jamie Raskin, Ranking Member, Committee on Oversight & Accountability

COMMITTEE ON FOREIGN AFFAIRS

Authorization and Oversight Plan

118th Congress

Adopted February 8, 2023

1. INTRODUCTION

Pursuant to the requirements of clause 2(d) of House rule X, the Committee on Foreign Affairs (“the Committee”) has adopted this authorization and oversight plan for the 118th Congress, which will be shared with the Committee on Oversight and Accountability and the Committee on House Administration. This plan summarizes the Committee’s authorization and oversight priorities for the next two years, subject to the understanding that new developments will undoubtedly affect priorities and work assignments in the months ahead.

Authorization and agency oversight remain key responsibilities of the legislative branch and of the Foreign Affairs Committee. This Congress, the Committee is adding a Subcommittee on Oversight and Accountability to undertake more complex oversight and investigative activities, in addition to the policy and programmatic oversight to be conducted by the full Committee and its regional and functional subcommittees. Committee rule 15 requires each Subcommittee to hold regular oversight hearings that, according to usual practice, include an annual hearing on the portions of the Administration’s budget request within that Subcommittee’s jurisdiction. Oversight activities will thus be coordinated between the Committee and the Subcommittees in order to carry out comprehensive and strategic review of the programs and agencies within the Committee’s jurisdiction.

Committee activities will include hearings, briefings (including classified briefings), investigations, continuous monitoring of Congressional Notifications and executive branch reporting requirements, Member and staff-level meetings, correspondence, fact-finding travel, reports, and public statements. They also will include effective use and review of reports by the Government Accountability Office and by statutory Inspectors General. The Committee also will consult, as appropriate, with other committees of the House that may share jurisdiction over relevant issues and activities.

The Committee’s authorization and oversight activities will emphasize:

- effectiveness of U.S. foreign policy;
- effective implementation of U.S. law;
- the review of agencies and programs operating under permanent statutory authority;

- the elimination of programs and expenditures that are inefficient, duplicative, or outdated; and
- institutional reform, efficiency, and fiscal discipline.

2. GENERAL REVIEW OF U.S. FOREIGN POLICY

The Committee intends to exercise its oversight jurisdiction concerning the relations of the United States with foreign nations to the fullest extent allowed by House rule X(1)(i). This means taking cognizance of events and circumstances in every region of the world outside of U.S. national borders, as well as U.S. foreign policy responses, as developments warrant. According to Committee Rules, those responsibilities are divided among the Full Committee, its two functional subcommittees, and its five regional subcommittees, as follows:

Full Committee. The full Committee is responsible for oversight and legislation relating to: the management, operations, and programs of the Department of State, the U.S. Agency for International Development, the U.S. International Development Finance Corporation, the Millennium Challenge Corporation, the U.S. Agency for Global Media, the U.S. Trade and Development Agency, the Peace Corps, and other U.S. government entities within the Committee's jurisdiction; foreign assistance (including development assistance, the Millennium Challenge Account, HIV/AIDS in foreign countries, security assistance, and Public Law 480 programs abroad); national security developments affecting foreign policy; strategic planning and agreements; war powers, treaties, executive agreements, and the deployment and use of United States Armed Forces; peacekeeping, peace enforcement, and enforcement of United Nations or other international sanctions; nonproliferation, arms control and disarmament issues; activities and policies of the State, Commerce, and Defense Departments and other agencies related to the Arms Export Control Act, the Export Administration Act, and the Foreign Assistance Act, including export and licensing policy for munitions items and technology and dual-use equipment and technology; international law; global energy, environmental, cyberspace, and technology policy issues; promotion of democracy; international law enforcement issues, including narcotics control programs and activities; embassy security; international broadcasting; public diplomacy, including international communication and information policy, and international education and exchange programs; international economic policy and U.S. export promotion; and all other matters not specifically assigned to a subcommittee.

The full Committee has jurisdiction over legislation regarding the United Nations, its affiliated agencies, and other international organizations, including assessed and voluntary contributions to such organizations.

The full Committee may conduct oversight and investigations with respect to any matter within the jurisdiction of the Committee, including the special oversight functions listed in House rule X(3)(f) relating to customs administration, intelligence activities relating to foreign policy, international financial and monetary organizations, and international fishing agreements.

Subcommittee on Global Health, Global Human Rights, and International Organizations. Oversight of: international health

issues, including transboundary infectious diseases, maternal health and child survival, and programs related to the global ability to address health issues; population issues; the United Nations and its affiliated agencies (excluding peacekeeping and enforcement of United Nations or other international sanctions); the American Red Cross; and the Peace Corps. In addition, legislation and oversight pertaining to: Implementation of the Universal Declaration of Human Rights; other matters relating to internationally-recognized human rights, including legislation aimed at the promotion of human rights and democracy generally; the Hague Convention on the Civil Aspects of International Child Abduction, and related issues; and such other matters as the Chairman of the full Committee may determine.

Subcommittee on Oversight and Accountability. This new subcommittee will conduct oversight and investigation of matters within the jurisdiction of the Committee as directed or agreed to by the Chairman of the full Committee.

Regional Subcommittees. The five subcommittees with regional jurisdiction are:

- The Subcommittee on Africa
- The Subcommittee on Europe
- The Subcommittee on the Indo-Pacific
- The Subcommittee on the Middle East, North Africa, and Central Asia
- The Subcommittee on the Western Hemisphere

Each of the regional subcommittees has jurisdiction over the following within their respective regions:

(1) Matters affecting the political relations between the United States and other countries and regions, including resolutions or other legislative measures directed to such relations.

(2) Legislation with respect to disaster assistance outside the Foreign Assistance Act, boundary issues, and international claims.

(3) Legislation with respect to region-or country-specific loans or other financial relations outside the Foreign Assistance Act.

(4) Legislation and oversight regarding human rights practices in particular countries.

(5) Oversight of regional lending institutions.

(6) Oversight of matters related to the regional activities of the United Nations, of its affiliated agencies, and of other multilateral institutions.

(7) Identification and development of options for meeting future problems and issues relating to U.S. interests in the region.

(8) Oversight of base rights and other facilities access agreements and regional security pacts.

(9) Concurrent oversight jurisdiction with respect to matters assigned to the functional subcommittees insofar as they may affect the region.

(10) Oversight of foreign assistance activities affecting the region, with the concurrence of the Chairman of the full Committee.

(11) Such other matters as the Chairman of the full Committee may determine.

3. PRIORITY OVERSIGHT MATTERS

a. *Afghanistan Withdrawal*: The Committee will comprehensively review policy, decision-making, planning, and execution related to the August 2021 withdrawal from Afghanistan. Particular attention will be paid to the decision to withdraw, the State Department's planning and coordination with other departments, countries and organizations leading up to the withdrawal, the chaotic and deadly evacuation, the U.S. government's reaction and actions during the unprecedented evacuation, and the aftermath of the withdrawal.

b. *Afghanistan Policy*: In addition to oversight of the 2021 withdrawal, the Committee will examine U.S. policy toward Afghanistan, including the continuing efforts to evacuate American citizens and legal permanent residents from Afghanistan, as well as ongoing Afghan SIV/P1/P2 and refugee resettlement efforts. In addition, the Committee will scrutinize the movement of U.S.-supported humanitarian assistance funds flowing into Afghanistan, including those provided through international organizations, to examine the sufficiency of safeguards against U.S. tax dollars providing benefit to the Taliban and terror affiliates in Afghanistan. The Committee will work to support the rights of Afghan women and girls in the face of inhumane Taliban treatment and, absent a manifest and fundamental change in Taliban behavior, will oppose any efforts for official recognition of the Taliban as the legal government of Afghanistan.

c. *Russia and its war against Ukraine*: The Committee will address the impact of Russia's unprovoked war of aggression against Ukraine and the U.S. response, in light of the longstanding U.S. refusal to recognize changes in international borders effected by force alone. This will include active oversight of the full spectrum of U.S. assistance to Ukraine, working with Ukraine to strengthen anti-corruption institutions and good governance, and engaging with allies and partners to advocate for burden sharing. The Committee also will review the imposition and enforcement of U.S. sanctions, and efforts to ensure accountability for Russian war crimes and atrocities. Beyond Ukraine, the Committee will address the impact of Russia's foreign policy on U.S. security, political, and economic interests, given its aggression and malign influence in Georgia, Moldova, and across Europe. It will examine Kremlin tools of malign influence and how to shore up vulnerabilities across Europe. The Committee will examine the range of options available to the U.S. to respond to these actions, including legislation to impose additional sanctions, improvement of U.S. export controls, and the authorization of targeted assistance. The Committee also will review the deteriorating domestic situation in Russia regarding democracy, civil society, the rule of law, and human rights. It also will examine ways to continue to restrict Russia's ability to use energy exports to fund its war against Ukraine. The Committee will also examine the Wagner Group and their malign activities around the globe and will consult widely on the appropriate response by the U.S. government and other partners.

d. *China*: The Committee will comprehensively examine U.S. policy towards the People's Republic of China (PRC) and the Chinese Communist Party (CCP). This will include attention to the CCP's global malign influence, the Belt and Road Initiative, and global intelligence activities, including the theft of intellectual property. The Committee will review the multitude of international agreements and treaties the People's Republic of China has signed, and its violations of such treaties or the inconsistent behavior of the Chinese government to the obligations in said treaties. This will encompass the various human rights agreements the PRC has signed onto and violated through its genocide of the Uyghurs and persistent abuse of human rights, the violations of its obligations to Hong Kong under the Basic Law, actions inconsistent with its WTO and other trade and investment obligations, non-proliferation regimes, cyber agreements, and other bilateral and international agreements.

e. *Taiwan*: The Committee will regularly review all U.S. relations with Taiwan to ensure the United States is fulfilling all obligations it has made under the Taiwan Relations Act and Taiwan Enhanced Resilience Act, including ensuring State Department contact guidelines regarding Taiwan are appropriately updated, U.S. official engagement with the Taiwan government is sustained and appropriate, and any movement on economic, investment, and tax ties with Taiwan reinforces our joint economic strength. The Committee will conduct rigorous oversight over the U.S.-Taiwan defense relationship, focusing on U.S. arms sales to Taiwan, barriers or delays to delivery, interim solutions, and the robustness of any defense training with the Republic of China (Taiwan) security forces.

f. *Indo-Pacific Region*: The Committee will review the U.S.'s significant political, economic, and security interests in the Indo-Pacific, including East and Southeast Asia, South Asia, and the Pacific Islands. The Committee will conduct oversight of U.S. relations with the Indo-Pacific nations, including foreign policy, foreign assistance, security cooperation, territorial disputes, and trade relations. The Committee will examine the State Department's participation in multilateral forums such as the Indo-Pacific Economic Framework and Quadrilateral Security Dialogue and closely monitor any discussion of future trade agreements, as well as U.S. International Development Finance Corporation (DFC) activity, in the Indo-Pacific region. The Committee will also conduct regular review and oversight over State Department resourcing in the Indo-Pacific, including personnel and budget requests.

g. *Europe*: The Committee will review transatlantic relations, as well as important regional organizations like the NATO alliance and the European Union. The Committee will focus on Chinese and Russian malign influence across Europe and the Arctic. Other key issues will include the continued support for our NATO allies, particularly in Central and Eastern Europe, and aspirant countries; the diversification of energy sources to reduce reliance on Russian energy; continued support for the democratic aspirations and human rights of the Belarusian people; and rule of law, democratic institutions, and European integration issues in the Western Balkans. The Committee will also examine Turkey's evolving foreign policy orientation and domestic political trends.

h. *Africa*: The Committee will review political, economic and security developments on the African continent, including the intensified geopolitical competition with China and Russia. Key issues will include efforts to expand U.S. access to critical mineral supply chains, eliminate safe havens for violent extremism, safeguard human rights, and stimulate investment and economic growth—including through oversight of Prosper Africa, the Development Finance Corporation and implementation of the African Growth and Opportunity Act and the Electrify Africa Act. Additionally, the Committee will focus on the effective use of aid and human rights and democracy promotion. Particular attention is to be paid to the developments in the Sahel, South Africa, Mozambique, Coastal West Africa, the Great Lakes Region, and the Horn of Africa.

i. *Export Controls*: The Committee will oversee the ongoing and incomplete implementation of the Export Control Reform Act of 2018, including the identification of emerging and foundational technologies. In particular, the Committee will ensure the Bureau of Industry and Security adheres to statutorily mandated transparency requirements, including Congressional requests for licensing information, and vigorously enforces the law against export control violations. The Committee will also oversee diplomatic efforts to align exports controls and licensing policies with partners and allies around critical technologies.

j. *Countering International Terrorism and Violent Extremism*: The Committee will examine the current status of al-Qaeda and its affiliates, with a specific focus on recruitment efforts, evolving safe havens, and efforts to obtain WMDs. The Committee will also scrutinize the Administration's efforts to defeat ISIS in the Middle East and around the world, including authorizations for such efforts, leveraging other countries' commitments, evaluating U.S. leadership in the Coalition to Defeat ISIS, and determining the success of U.S. policies that seek to address the socio-economic challenges that led to the initial establishment and growth of ISIS. The Committee will conduct oversight of the State Department's various counterterrorism programs, including those designed to counter violent extremism (CVE), as well as agreements with foreign governments relating to the transfer of detainees from Guantanamo Bay.

k. *War Powers and Authorizations for the Use of Military Force*: The Committee will actively monitor the use of constitutional war powers, statutory authorizations for the use of military force (AUMFs), and compliance with the War Powers Resolution. These activities will include a review and assessment of the continued use of the 2001 post-9/11 AUMF (P.L. 107–40), and possible legislative repeal and replacement of that law.

l. *India*: The Committee will review U.S. policy towards India and the continued expansion of bilateral cooperation. Particular attention will be paid to the U.S.-India defense relationship, including security and technology cooperation, opportunities for expanded roles, missions, and capabilities, and counterterrorism efforts. The Committee will also focus on efforts to enhance U.S.-India economic relations, including discussions surrounding bilateral efforts in the technology, telecommunications, and pharmaceutical industries. The committee will also focus on efforts to bolster India's participa-

tion in the Quadrilateral Security Dialogue efforts and review the implications of India's rapidly growing energy demands.

m. *Southern Border*: The Committee will comprehensively review U.S. policy towards our shared border with Mexico. Particular attention will be paid to the continuing threats from transnational criminal organizations. Special emphasis will be placed on the flow of fentanyl and other drugs into the U.S., the flow of synthetic opioid precursors from the PRC and other nations to the cartels, and the Mexican government's cooperation on these issues. In addition, the Committee will examine the steps that have been taken to address the root causes of migration, as well as opportunities to cooperate with the private sector to promote economic growth and opportunity in the region.

n. *Western Hemisphere*: The Committee will comprehensively review U.S. policy toward the Western Hemisphere. Particular attention will be paid toward U.S.-Mexico relations, U.S. policy toward Cuba and Venezuela, and the advancement of U.S. interests throughout the region. The Committee will review foreign assistance sent to the region by State Department Bureaus of Population, Refugees, and Migration; Democracy, Human Rights, and Labor; and International Narcotics and Law Enforcement. The Committee will also focus on wrongfully detained Americans in countries like Venezuela.

o. *Coronavirus origins*: The Committee will examine the role of the CCP in the SARS-CoV-2 outbreak and CCP efforts to conceal and withhold the truth. Particular attention will be paid to the stifling of life saving information, the silencing of doctors and medical professionals, expulsion of journalists, and the state-sanctioned spread of disinformation about the origins of Covid-19. In addition, the Committee will examine the CCP's blatant disregard for the International Health Regulations (IHR) and the serious deficiencies in the World Health Organization's (WHO) handling of Covid-19, including its relationship with the CCP.

p. *Middle East and North Africa*: The Committee will carefully review U.S. policy toward the Middle East and North Africa, to include: ensuring the enduring defeat of ISIS; expanding and strengthening the Abraham Accords and regional security cooperation; reaffirming relationships with U.S. partners and allies; enforcing sanctions against the Assad regime and holding the Assad regime, and its Russian and Iranian backers, accountable for their war crimes; bolstering stability in Yemen; curbing Iranian malign influence in the region; competing with our near peer adversaries; addressing human rights, democratic backsliding and challenges to the rule of law including corruption and lack of financial transparency; and United States policies, programs, authorities and funding to address these challenges.

q. *Iran*: The Committee will continue to closely review U.S. policy to counter and defend against Iran's malign activities, including Iran's provocative nuclear program, ballistic missile arsenal, UAV capabilities, global terrorism, hostage-taking, assassination plots, and human rights abuses. The Committee will also examine Iran's relationships with Russia, the People's Republic of China (PRC), and North Korea, and how these four entities mutually enable each other's dangerous activities.

r. *Energy Policy*: The Committee will closely review all aspects of U.S. energy policy and its impact on international development goals and national security, including: assessing the role and effectiveness of the Office of the Special Presidential Envoy for Climate and how it relates to ongoing efforts by other executive branch entities; impediments to U.S. energy cooperation with allies and partners, the potential inroads for adversarial nations to fill growing global energy demands, and areas of vulnerability in our energy supply chains, particularly in respect to strategic competition with the People's Republic of China.

s. *Cyberspace and Emerging Technologies*: The Committee will oversee the newly created Bureau of Cyberspace and Digital Policy as well as the Office of the Special Envoy for Critical and Emerging Technology. In particular, the committee will focus on the recruiting and retention of cybersecurity personnel at the State Department, efforts to set norms for cyberspace and emerging technologies, and other efforts related to cybersecurity and emerging technologies and the inputs necessary for those technologies such as critical minerals. The Committee will examine the CCP's malign use of technologies and the sufficiency of U.S. policy responses.

t. *Security Assistance and Arms Transfer Policy*: The Committee will assess the effectiveness of security assistance programs authorized under the Foreign Assistance Act and the Arms Export Control Act in advancing U.S. national interests. In addition, the Committee will review those security cooperation programs funded by the Department of Defense, but which require concurrence of the Secretary of State, or otherwise give rise to the Committee's jurisdiction. The Committee will also review law, policies, and regulations guiding U.S. arms transfers and related end-use monitoring, as well as various counterterrorism tools that impact foreign policy. The Committee will also continue to carefully review proposed arms sales to ensure they comport with U.S. foreign and national security policies, promote economic security and transparency to U.S. businesses, and benefit the legitimate defense needs of the recipient countries, to include oversight of the process by which the Administration consults with the Committee and the Congress.

u. *Modernizing Arms Export Controls*: The Committee will assess current arms export laws and regulations, including the International Traffic in Arms Regulations, to streamline review procedures for transfers of weapons and defense systems to allies and partners. Additionally, the Committee will seek to promote research cooperation and transfers of innovative solutions and technologies among key allies, the United Kingdom and Australia, while also ensuring protection against diversion or misuse of U.S. defense articles and services.

v. *Foreign Assistance*: The Committee will review the underlying authorities for U.S. foreign assistance and examine ways in which to increase transparency and accountability, and eliminate waste, fraud, and abuse. The Committee will conduct oversight and review issues related to the implementation of U.S. foreign assistance programs and projects, including through international organizations and the role of U.S. missions and embassies in overseeing grants, contracts, and cooperative agreements. The Committee will review issues related to coordination between the U.S. Agency for Inter-

national Development (USAID), U.S. Department of State, other U.S. Government agencies and departments involved in carrying out U.S. foreign assistance, and the private sector. Among a broad range of issues, the Committee will review U.S. foreign assistance initiatives aimed at catalyzing economic growth, reducing aid dependence, and addressing food security and global health challenges, including food aid reform, maternal and child health, family planning, and infectious disease surveillance and control. For PEPFAR's twentieth anniversary, the Committee will closely review program implementation pursuant to the PEPFAR Stewardship and Oversight Act of 2013 and PEPFAR Extension Act of 2018, as well as pursue reauthorization. The Committee will also closely scrutinize investments made by the International Development Finance Corporation (DFC) and assistance provided by the Millennium Challenge Corporation (MCC).

w. *Human Rights, Democracy, and Governance*: The Committee will examine U.S. funding and efforts to promote democracy, rule of law, and human rights around the world, including to protect religious freedom, fair elections, prevent genocide and other atrocities, and combat human trafficking. The Committee will assess U.S. involvement with multilateral human rights organizations to ensure that U.S. diplomacy serves to promote fundamental human rights and freedoms.

x. *United Nations and International Organizations*: The Committee will closely review all aspects of U.S. funding of, and participation in, international organizations. Close attention will be paid to the extent to which such funding and participation advances U.S. interests and values, protects the integrity of U.S. taxpayer dollars, counters unwarranted bias against Israel, and leads to increased transparency, accountability, and reform of those organizations. The Committee will closely monitor the work of international organizations including the World Health Organization, United Nations Relief and Works Agency for Palestine Refugees in the Near East, United Nations Human Rights Council, United Nations Office for Project Services, United Nations International Children's Emergency Fund, United Nations Population Fund, United Nations Department of Peacekeeping Operations and Department of Field Support, and particularly efforts to improve performance, enhance accountability, and combat waste, fraud and abuse in United Nations Peacekeeping Missions, and in general.

y. *Inspector General Access and Independence*: The Committee will closely monitor compliance of entities in its jurisdiction with relevant statutory Inspectors General and ensure full compliance with the law.

z. *State Department Oversight, Authorization, and Reform*: The Committee will seek to advance far-reaching reforms, building on the 2021 and 2022 enactment of State Department authorization bills. In particular, the Committee will focus on reforming how the Department uses foreign and security sector assistance, ensuring that projects and programs are strategically planned and coordinated. Emphasis also will be placed on reforming the Department's personnel systems, modernizing recruitment and retention processes, reducing passport and visa processing backlogs, and returning to normal operations after the recent waning of the COVID-19

pandemic. The Committee will continue to monitor and examine the operational, budgetary, programmatic, human resources, physical infrastructure, and diplomatic security policies of the Department of State, with an eye toward potential legislation for Fiscal Years 2023 and 2024. In addition to hearings with the Secretary of State and other Administration officials regarding their budget proposals for the upcoming year, such efforts may include: revisions to the Foreign Service Act; pay and promotion issues, as well as lateral entry programs; consideration of reforms to Executive Branch reporting requirements; monitoring and evaluation of the State Department's growing use of special envoys and new diversity, equity, and inclusion officers; and assessment and identification of offices with duplicative mandates and overlapping responsibilities. In the wake of increasing threats to U.S. personnel serving overseas, the Committee will also continue to evaluate the security of our embassies and consulates, along with proposed reforms to the State Department's diplomatic security service.

aa. *U.S. Agency for Global Media*: The Committee will continue to actively monitor and review the operations and organization of U.S. government-supported, civilian international broadcasting to respond more effectively to the challenges presented by state and non-state actors using modern communication platforms. The Committee will closely correspond with and monitor the USAGM Board of Advisers, which was mandated during the 116th Congress, and seek further improvements in USAGM personnel policies, including those governing the issuance of security clearances, the receipt and spending of U.S. taxpayer funds for employee travel, contracting and procurement, and verification of employee credentials.

bb. *Sanctions Policy*: The Committee will carefully review U.S. and international bodies' application, licensing, and enforcement of sanctions and how those sanctions are applied and leveraged to advance U.S. national security and foreign policy objectives. Further, the Committee will provide oversight and accountability to ensure the administration is fully implementing Congressionally mandated sanctions.

cc. *U.S. Nonproliferation Policy*: The Committee will examine the effectiveness of U.S. nonproliferation policy and the international nonproliferation regime in preventing the spread of weapons of mass destruction. The Committee will address opportunities to strengthen existing nonproliferation organizations, increase cooperation with other countries, and enhance international nonproliferation agreements and mechanisms. Prominent issues for oversight will include the continued modernization of Russia and China's nuclear arsenal, how new technology affects global nonproliferation efforts, and credible ways to address nations violating nonproliferation agreements. The Committee will closely examine proposed and existing bilateral and multilateral nuclear cooperation agreements with other countries, including their potential to promote U.S. nonproliferation objectives and commercial interests.

4. AUTHORIZATION MATTERS

The Committee will work to continue and expand the Committee's recent successes in enacting substantial bipartisan authorization and reform legislation, such as the Department of State Au-

thorization Act of 2022 (Division I of P.L. 117–263) and the Department of State Authorization Act of 2021 (Division E of P.L. 117–81).

The agencies and programs within the jurisdiction of the Foreign Affairs Committee are funded by discretionary appropriations, subject to the annual appropriations process.¹ The key agencies within the Committee’s jurisdiction (including the Department of State and USAID) have permanent, non-expiring statutory authority and are the subject of extensive and ongoing review by the Committee. However, comprehensive top-line funding levels for those agencies have not been enacted outside of the appropriations process for decades: The last enacted Foreign Relations Authorization Act with comprehensive State Department funding numbers (P.L. 107–228) was enacted in 2002.

This longstanding dynamic is not due to a lack of action by the Committee or the House of Representatives. In no fewer than five subsequent Congresses, under both Republican and Democratic control, the Committee produced and the House passed Foreign Relations Authorization bills that included top-line funding authorization numbers, typically with overwhelming bipartisan support.² Unfortunately, the Senate did not act on any of those bills. Senate authorizing committees possess leverage with agencies even without enacting funding authorizations, because of their required advice and consent for key nominees, a constitutional prerogative not shared by the House.

Nearly all of the agencies and entities within the Committee’s legislative jurisdiction are operating pursuant to annual appropriations, but without current annual funding authorizations, including:

- The Department of State
- United States Agency for International Development
- Millennium Challenge Corporation
- United States Agency for Global Media
- International Border, Water, and Fisheries Commissions
- National Endowment for Democracy
- United States Trade and Development Agency
- Peace Corps
- Inter-American Foundation
- United States African Development Foundation
- U.S. International Development Finance Corporation
- United States Institute of Peace
- East-West Center
- The Asia Foundation
- International Center for Middle Eastern-Western Dialogue

In this context, the Committee will continue its regular coordination with the Committee on Appropriations to ensure that the Committee’s robust oversight informs annual funding decisions. We also will continue our extensive legislative efforts to update, refine, and reform agency authorities. While the Committee lacks the ability to

¹ A relatively minor amount of mandatory spending is involved with the Foreign Service Retirement and Disability Fund

² Un-enacted, House-passed foreign relations funding authorization bills include: H.R. 1950 in the 108th Congress; H.R. 2601 in the 109th Congress; H.R. 2410 in the 111th Congress; H.R. 6018 in the 112th Congress; and H.R. 2848 in the 113th Congress.

unilaterally force a return to a bifurcated “authorization before appropriation” annual funding process (as described above), we will work toward including funding authorization numbers in future agency authorizing legislation wherever possible.

In addition to top-line agency funding issues, the Committee will work to continue its longstanding track record of reviewing, reforming, and responsibly reauthorizing prior Congressional foreign policy initiatives (such as the Countering American Adversaries Through Sanctions Act, the Trafficking Victims Protection Act, the U.S. Commission on International Religious Freedom, the North Korean Human Rights Act, among many others) as well as authorizing necessary activities identified by the Committee’s oversight described in sections 2 and 3, above.

COMMITTEE ON HOMELAND SECURITY

118TH CONGRESS

AUTHORIZATION AND OVERSIGHT PLAN OF THE COMMITTEE ON HOMELAND SECURITY

Clause 2(d)(1), rule X of the Rules of the House of Representatives for the 118th Congress requires each standing Committee to adopt an authorization and oversight plan for the two-year period of the Congress and to submit the plan to the Committee on Oversight and Accountability and the Committee on House Administration not later than March 1 of the first session of the Congress.

Legislative Jurisdiction

Clause 1(j) of rule X of the Rules of the House of Representatives for the 118th Congress defines the Committee on Homeland Security's legislative jurisdiction as follows:

Committee on Homeland Security.

- (1) Overall homeland security policy.
- (2) Organization, administration, and management of the Department of Homeland Security.
- (3) Functions of the Department of Homeland Security relating to the following:
 - (A) Border and Port Security (except immigration policy and non-border enforcement)
 - (B) Customs (except customs revenue)
 - (C) Integration, analysis, and dissemination of homeland security information
 - (D) Domestic preparedness for the collective response to terrorism
 - (E) Research and development
 - (F) Transportation Security
 - (G) Cybersecurity

Oversight Jurisdiction

Clause 3(g) of rule X of the Rules of the House of Representatives for the 118th Congress defines the Committee on Homeland Security's special oversight functions as follows:

- (1) The Committee on Homeland Security shall review all Government activities relating to homeland security, including interaction of all departments and agencies with the Department of Homeland Security.
- (2) In addition, the committee shall review and study on a primary and continuing basis all Government activities, programs, and organizations related to homeland security that fall within its primary legislative jurisdiction.

This is the authorization and oversight plan for the Committee on Homeland Security for the 118th Congress. It includes the areas in which the Committee expects to conduct oversight but does not preclude oversight or investigation of additional matters as needs arise. The Committee will examine the following key priorities, among other issues.

SECURE AMERICA'S BORDERS

The crisis at America's borders has become a national security and humanitarian disaster that must be addressed immediately. During the 118th Congress, the Committee will conduct rigorous oversight on the Department of Homeland Security's (DHS) land and maritime border security operations. In the last two plus years, there have been over 4.7 million migrant encounters at the Southwest border, in addition to over 1.2 million known gotaways who evaded Border Patrol agents, as has been publicly reported. In just the first four months of fiscal year 2023, 53 individuals whose names appeared on the terrorist watchlist were stopped trying to cross the U.S.-Mexico border between ports of entry. This total is more than the encounters of FY17, FY18, FY19, FY20, and FY21 combined and is on track to exceed the disturbing 98 encounters of FY22. Additionally, in FY23 alone, CBP has seized over 8,600 pounds of fentanyl coming across the Southwest border—enough to kill over 1.9 billion people. In this same period, CBP has arrested 9,445 individuals with criminal convictions including 209 known gang members, with 68 of those being MS 13 members.

The Committee will examine the Department's implementation of their multi-layered enforcement strategy on preventing the entry of illegal aliens, terrorists, illicit narcotics, and other illicit contraband into the country. The Committee will also examine the Department's front-line law enforcement staffing challenges, technologies used to secure the borders and acquisition efforts of border security technologies, and the Department's six-pillar border security plan. The Committee will examine the appropriate use, maintenance, and readiness of technologies and monitor the Inspector General's (IG) investigation of dismantling or accidental shut offs of technology systems. Finally, the Committee will examine the Department's efforts to identify, detain, prioritize, and remove criminal aliens from the United States, including those apprehended at or near U.S. borders and ports of entry who are subject to removal, particularly those from special interest countries.

PROTECT AGAINST CYBERATTACKS

Americans are increasingly bombarded with cyber threats that no region of the country and no business sector can ignore. The homeland faces cyber threats from criminal actors and nation-state adversaries targeting government and private entities alike—including hospitals, schools, and financial systems. Strengthening the cybersecurity of our nation's critical infrastructure is vital to securing national security, the economy, and Americans' way of life. The Committee will focus on oversight of landmark cyber laws enacted during the 117th Congress and oversight of the Cybersecurity and

Infrastructure Security Agency (CISA) in its role protecting federal and private sector networks.

Equipped with broader and more concrete jurisdiction over cybersecurity under the new Rules of the 118th Congress, the Committee intends to rapidly mature and optimize the country's lead federal civilian cybersecurity agency, CISA, to protect the nation's federal networks and the critical infrastructure sectors that underpin the American way of life. The Committee will examine CISA's ability to execute its new authorities and funding and quantitatively exhibit its value-add in improving federal and critical infrastructure cybersecurity.

REFORM DHS

The Committee intends to conduct oversight on the structure of the Department and examine reforms that will make DHS more efficient and able to accomplish its mission. This will include an examination of DHS's reporting structures to Congress. While some elements of the Department have flourished since its establishment in 2003, many have failed to realize their full potential. Other elements have simply floundered, unable to find and execute their mission. The Committee looks forward to receiving the Department's Quadrennial Homeland Security Review (QHSR) which should lay the groundwork for a future vision of DHS.

Management challenges continue to plague the Department despite years of Departmental, Government Accountability Office (GAO), IG and Congressional efforts to remedy them—all at great expense to the American taxpayer. While the Committee sees itself as a champion for the hard-working men and women of DHS, especially those serving on the frontlines, inefficient management practices erode the viability of implementing the DHS mission(s). As the Department evolves and adds new offices, the Committee must continue to hold missions and offices accountable and be vigilant about new initiatives that DHS pursues.

As part of this oversight, the Committee will look to form a task force to lead an overall review of the DHS enterprise, with the eventual goal of reauthorizing the Department.

SUBCOMMITTEE ON BORDER SECURITY AND ENFORCEMENT

BORDER SECURITY BARRIERS, TECHNOLOGY, AND PERSONNEL

The Committee will examine the integration and effectiveness of transportation and border security screening systems at ports of entry for detecting high-risk passengers, cargo, and illicit narcotics transported across U.S. borders, including the Department's efforts to better facilitate legitimate trade and travel such as the Department's trusted traveler programs and the expansion of CBP Preclearance locations. This oversight will include on-site hearings of the subcommittee.

The Committee will continue its rigorous oversight of the implementation of the Department's biometric entry and exit system in the air, sea and land environments. Additionally, the Committee will examine the technology and infrastructure needs at ports of

entry to better facilitate legitimate trade and travel, while also examining technology needs between ports of entry to detect illegal crossings. It will also examine the implementation of non-intrusive inspection technology to better detect illicit narcotics, weapons, other illicit contrabands, and materials that pose potential nuclear and radiological threats.

The Committee will examine the Department's policies and plans to address the requirements for border barrier projects, including the termination of contracts for border barrier construction along the southern border, as well as the Department's front-line law enforcement staffing and morale challenges. Additionally, the Committee will examine the DHS Joint Task Force Authorization which will expire on September 30, 2024.

VISA SECURITY AND BORDER SCREENING PROGRAMS

The Committee intends to review efforts to assist border and consular officials to ensure the deployment and implementation of effective training and infrastructure enhancements to identify, intercept, and disrupt known or suspected terrorists attempting to enter the United States, including known or suspected members of transnational criminal organizations. The Committee will examine the continued integration, security, and reliability of various law enforcement and intelligence-based databases used to screen immigrants seeking to enter the country, as well as address any security-related deficiencies or gaps in the immigration process that known or suspected terrorists could use to gain entry or remain in the country for illegitimate purposes.

PORT SECURITY

In the 118th Congress, the Committee will examine the security of port facilities, including the screening of vessels and passengers for potential terrorists, weapons, and other illicit contraband. The Committee also plans to review how the Department manages emerging risks from maritime threats, while addressing gaps and vulnerabilities in the maritime border environment. The Committee will continue its oversight of an increasing rate of maritime smugglings of humans and illicit narcotics along the coastlines of the U.S.

The Committee plans to review the efficiency and effectiveness of the Department's supply chain security programs, such as the Customs Trade Partnership Against Terrorism (CTPAT), as well as monitor the implementation of the *Uyghur Forced Labor Prevention Act* to prevent imports made with forced labor from entering U.S. markets. The Committee will examine the need to utilize a risk-based methodology and the future of the Radiation Portal Monitor program to ensure a proper balance between the facilitation of lawful trade and the security of the homeland.

The Committee will examine the operations and procedures of U.S. Customs and Border Protection's Air and Marine Operations (AMO), specifically looking at AMO's interagency working relationships with law enforcement and Department partners and its capabilities and authorities. The Committee will review AMO's operational platforms and future acquisition programs to ensure both

aviation and maritime assets are capable of meeting future mission needs and service requirements to keep America secure. The issue of port security will also be shared with the Transportation and Maritime Security Subcommittee.

SUBCOMMITTEE ON COUNTERTERRORISM, LAW ENFORCEMENT, AND INTELLIGENCE

United States homeland security is inextricably tied to the international threat landscape. Vulnerabilities in one country can quickly become security threats in another, including the U.S. homeland. During the 118th Congress, the Committee will examine the capabilities and efforts of the Department of Homeland Security to identify, prevent, deter, and respond to threats to the homeland. The Committee's oversight will specifically examine the capabilities and efforts of the Office of Intelligence and Analysis (I&A), the Department of Homeland Security Intelligence Enterprise, and the Department's coordination with federal, state, and local law enforcement. The Committee will also explore the growing effort to further integrate cyber-threat intelligence reporting with alternative intelligence streams to create a more holistic intelligence picture.

EMERGING THREATS AND HOMELAND COUNTERTERRORISM ACTIVITIES

The Committee will examine worldwide threats to the U.S. homeland from terrorist groups, including the Islamic State of Iraq and Syria (ISIS), al Qaeda core, al Qaeda in the Arabian Peninsula (AQAP), al Qaeda in the Islamic Maghreb (AQIM), al Shabaab, the Islamic Revolutionary Guard Corps (IRGC), and other emerging groups that seek to establish safe havens or plot attacks against U.S. citizens and the homeland. The Committee will examine the threat from Foreign Terrorist Organizations following the 2021 U.S. troop withdrawal from Afghanistan.

The Committee will also examine the threat from homegrown violent extremists and terrorist networks in the United States. The Committee will monitor issues related to foreign fighter travel and trends, economic threats, and terrorist financing. The Committee will continue its oversight of the DHS Disinformation Governance Board (or similar projects) to ensure that the Constitutional rights of Americans to free speech are not being violated.

The Committee will conduct oversight hearings to assess the degree to which narcotics and human traffickers exhibit behaviors and actions consistent with terrorist organizations so that the Committee can act through legislation to better challenge these threats to the American people.

VIOLENT EXTREMISM

The Committee will continue to examine threats to U.S. citizens and the homeland from violent extremists, to include plots to attack public gatherings, religious institutions, government facilities, law enforcement, elected officials, military bases and recruitment centers, and U.S. critical infrastructure. The Committee will also examine the rise in violent antisemitic incidents across the United

States and explore the adoption of foreign terrorist organizations' tactics, techniques, and procedures by violent extremist movements. This effort will include oversight to ensure the protection of Americans' First Amendment rights, including from infringement or violation by politicized federal agencies.

INTERNATIONAL COUNTERTERRORISM PARTNERSHIPS

The Committee will review U.S. counterterrorism cooperation with major foreign partners, with the goal of improving the efficiency and effectiveness of international information sharing, training and best practices, and coordination. The Committee will examine international counterterrorism agreements and gather data from departments and agencies, as well as foreign partners.

HOMELAND SECURITY AND INTELLIGENCE ENTERPRISE

The Committee will conduct oversight of DHS's Intelligence Enterprise (DHS IE), including intelligence activities throughout the Department and component agencies. This will include a focus on the coordination and collaboration across intelligence offices and personnel within the headquarters' elements and component agencies. Additionally, the Committee will review efforts to build the intelligence, analytical, and assessment capabilities of the Department and efforts to ensure its full participation in the Intelligence Community as part of its homeland security mission. This will include an examination of the hiring authorities, practices, training policies, and career-development of intelligence analysts and professionals within Headquarters elements and component agencies.

The Committee will examine the Department's role in managing, distributing, and using terrorist threat information in furtherance of its homeland security mission. The Committee will monitor the extent to which DHS effectively coordinates and collaborates with other federal, state, and local agencies to mitigate threats to the homeland. Specifically, the Committee will assess the degree to which the Office of Intelligence and Analysis effectively supports state, local, tribal, and territorial law enforcement partners and other stakeholders. The Committee will also review how DHS agencies collect and share information, including through vital security vetting programs and federal terrorist or criminal watchlists.

The Committee will continue to assess the development of DHS counterintelligence programs, with a particular focus on securing any existing departmental supply chain vulnerabilities. The efforts are intended to prevent adversaries from penetrating the Department to exploit sensitive information, operations, programs, personnel, and resources.

INFORMATION SHARING

The Committee will examine the Department's efforts to improve homeland security and terrorism information sharing among federal, state, and local governments; law enforcement entities; first responders and emergency management personnel; and the private sector. The Committee will examine the Department's initiatives to coordinate information sharing to and from state and local fusion centers throughout the country and will continue to evaluate the

efficacy and efficiency of the National Network of Fusion Centers, along with their working relationship with the Office of Intelligence and Analysis, to determine their impact on securing the homeland. The Committee will also review coordination and information sharing procedures between state and local fusion centers and Joint Terrorism Task Forces.

The Committee will examine the Department's role in managing, distributing, and otherwise using terrorist threat information in furtherance of its homeland security mission. The Committee will also examine how the Department's component agencies conduct outreach to state and local law enforcement agencies, as well as other emergency response agencies, to identify best practices and address ongoing deficiencies.

UNITED STATES SECRET SERVICE

The Committee will examine the operations of the United States Secret Service, including its protection responsibilities and efforts to investigate financial and cybercrimes. The Committee will also review the United States Secret Service, staffing model to determine whether it has adequate resources to meet its current and projected needs. The Committee will examine the Secret Service's lead role in planning and executing security operations for National Special Security Events and conduct oversight into the Secret Service's policies to mitigate malign influences, especially those stemming from foreign malign actors that seek to leverage federal law enforcement entities to their benefit, a possibility illuminated by the 2022 investigation of individuals fraudulently acting as federal agents in D.C.'s Navy Yard neighborhood.

The Committee will also review cultural leadership issues that were responsible for high profile, embarrassing, judgement failures.

RADICALIZATION, PROPAGANDA, AND INFLUENCE

The Committee will examine the security implications of foreign influence and propaganda directed at the homeland, state-sponsored influence and espionage campaigns, occurring both in the physical world and cyber realm, stemming from the People's Republic of China, Russia, Iran, and North Korea. The Committee will also examine the recruiting and radicalization efforts by terrorist networks and propaganda developed and distributed by foreign adversaries. The Committee will assess homegrown terror threats, and federal, state and local efforts to address those threats.

SUBCOMMITTEE ON CYBERSECURITY AND INFRASTRUCTURE PROTECTION

CYBERSECURITY

During the 118th Congress, the Committee will conduct oversight of all the cybersecurity activities of the Department of Homeland Security and, in particular, activities within CISA. Areas of examination will include Executive Order 14028, *Improving the Nation's Cybersecurity*, the Department's Cybersecurity Talent Management System, and operations of CISA's EINSTEIN and

Continuous Diagnostics and Mitigation (CDM) programs for securing federal networks.

Pursuant to the Rules for the 118th Congress, the Committee will utilize the addition of “cybersecurity” to its legislative jurisdiction to take charge on reviewing CISA’s role in strengthening the cyber resilience of the federal civilian executive branch, as well as the cybersecurity functions of other DHS components. As such, the Committee will consider the organization of CISA to ensure that the component is properly structured to carry out the *Federal Information Systems Modernization Act of 2014*, the *Cybersecurity and Information Sharing Act of 2015*, and the *Cybersecurity and Infrastructure Security Agency Act of 2018*, as efficiently as possible. The Committee will also examine ways to further build CISA’s cybersecurity capability and capacity, in order to implement newly assigned statutory authorities and requirements while addressing areas of overlap with other federal agencies.

The Committee will lead quarterly meetings of relevant House Committees to conduct oversight, coordinate, and recommend changes to facilitate a whole of government approach to cybersecurity.

The Committee will examine the implementation of cybersecurity legislation enacted during the 117th Congress including: the *Cyber Incident Reporting for Critical Infrastructure Act of 2022* (Pub. L. 117–103) (requiring reporting and other actions to address cybersecurity incidents, including ransomware attacks); the *State and Local Cybersecurity Improvement Act* (Pub. L. 117–58) (establishing a grant program to address cybersecurity risks); the *K–12 Cybersecurity Act of 2021* (Pub. L. 117–47) (requiring CISA to study the cyber risk facing elementary and secondary schools and develop recommendations); the *National Cybersecurity Preparedness Consortium Act of 2021* (Pub. L. 117–122) (developing cybersecurity training to state, tribal, and local first responders and officials); the *State and Local Government Cybersecurity Act of 2021* (Pub. L. 117–150) (providing for collaboration between DHS and state, local, tribal, and territorial governments as well as the general public on cybersecurity); the *U.S.-Israel Cybersecurity Cooperation Act* (Pub. L. 117–81) (contributing to the cybersecurity research and development of both the U.S. and Israel); the *DHS Industrial Control Systems Capabilities Enhancement Act* (Pub. L. 117–81) (providing CISA authority to address threats to industrial control systems); the *DHS Roles and Responsibilities in Cyber Space Act*, the *Cybersecurity Grants for Schools Act*, the *President’s Cup Cybersecurity Competition Act*, and the *ICS Cybersecurity Training Act* (Pub. L. 117–263) (providing additional authorities for CISA in the FY23 National Defense Authorization Act).

Finally, the Committee will conduct oversight on the government’s preparations for the impact that Quantum Computing and Artificial Intelligence will have on cybersecurity.

PROTECTION OF CRITICAL INFRASTRUCTURE

In the 118th Congress, the Committee will examine CISA’s programs to protect critical infrastructure, with focus on internal coordination mechanisms to ensure that expertise from both the cyber and physical ‘sides of the house’ can be leveraged efficiently

and effectively. The Committee will also review how DHS, through CISA, works with the various critical infrastructure sectors and their respective sector risk management agencies pursuant to Presidential Policy Directive–21, *Critical Infrastructure Security and Resilience* (PPD–21).

During the 118th Congress the Committee will continue to oversee the Department’s implementation of the Chemical Facility Anti-Terrorism Standard (CFATS) program, which requires high risk chemical facility owners and operators to report chemical holdings, perform vulnerability assessments, and adopt risk-based security measures to protect against the threat of a terrorist attack. *An act to extend the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes*, (Pub. L. 116–150), conveys CFATS statutory authority until July 27, 2023, at which point the Committee will rely on these oversight activities and findings to consider improvements or modifications to the CFATS program which can be achieved through reauthorization.

Additionally, the Committee will continue to oversee CISA’s implementation of the National Cybersecurity Protection System (NCPS), or EINSTEIN. EINSTEIN is one of CISA’s key technologies within NCPS that assists in federal network defense. Originally authorized in 2015 for a seven-year period, NCPS was extended through the *Consolidated Appropriations Act of 2023* (Pub. L. 117–328) until September 30, 2023, at which point the Committee will rely on these oversight activities and findings to consider improvements or modifications to the NCPS program.

SUBCOMMITTEE ON EMERGENCY MANAGEMENT AND TECHNOLOGY

PREPAREDNESS AND RESPONSE

During the 118th Congress, the Committee will review the Federal Emergency Management Agency’s (FEMA) response and recovery efforts for declared disasters to ensure capabilities are enhanced by lessons learned and federal resources are used appropriately. The Committee will specifically conduct oversight of FEMA’s response to Hurricane Maria in Puerto Rico. The Committee will investigate issues, if any, of waste, fraud, and abuse associated with FEMA’s disaster response efforts (for example the response to Hurricanes Ida, Fiona and the 2022 Western Wildfires), including efforts related to the COVID–19 Pandemic. Further, the Committee will review FEMA’s efforts to improve preparedness, response, recovery, and mitigation regarding safeguarding our Nation’s critical infrastructure.

ASSISTANCE TO STATE AND LOCAL GOVERNMENTS AND FIRST RESPONDERS

The Committee will examine FEMA’s allocation and administration of grants to enhance the ability of state and local governments and emergency response providers to prevent, prepare for, respond to, mitigate, and recover from a terrorist attack. The Committee will review the coordination of grant programs within the Depart-

ment of Homeland Security in developing guidance and administering grants; the ability of state and local governments to access, obligate, and expend funds; the strength of regional partnerships developed through grants; and the risk-based distribution and expenditure of such grants at the state and local levels.

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

During the 118th Congress, the Committee will examine the significant challenges posed by chemical, biological, radiological, and nuclear (CBRN) agents to the homeland and conduct oversight over the Department's Countering Weapons of Mass Destruction Office (CWMD) to assess efforts in combatting CBRN threats. The Congressional authorization for the CWMD Office will expire in December of 2023—an issue that the Committee will work on in the 118th Congress. The Committee will oversee the Department's efforts to predict and respond to the evolving CBRN threat landscape, and ensure that CBRN expenditures are risk-based, coordinated, and are wise uses of taxpayer dollars. Further, the Committee will assess the recent consolidating and streamlining of health security activities within DHS.

EMERGENCY COMMUNICATIONS

In the 118th Congress, the Committee will examine the coordination of various communications programs and offices within the Department of Homeland Security, including the achievement and maintenance of interoperable communications capabilities among the Department's components, as required by the *Department of Homeland Security Interoperable Communications Act (Pub. Law 114–29)*. The Committee will monitor activities of the First Responder Network Authority (FirstNet) and the development of the public safety interoperable wireless broadband network. In addition, the Committee will review the Department's Integrated Public Alert and Warning System to ensure timely and effective alerts and warnings are provided to the public in the event of an emergency.

TRAINING AND EXERCISES

During the 118th Congress, the Committee will review the Department's training and exercise programs, including awareness and availability of these resources to first responders and state and local governments. The Committee will review existing training centers and determine whether the Department is optimally utilizing these facilities to enhance first responder terrorism preparedness. The Committee will also examine the Department's efforts to streamline and improve the National Exercise Program to ensure the program enhances the preparedness of the Nation. The Committee will monitor the extent to which FEMA is incorporating lessons learned from national exercises into future training, planning, and response, recovery, and mitigation activities.

RESEARCH AND DEVELOPMENT

The Committee will conduct oversight of the Science and Technology Directorate (S&T) and its ability to provide DHS components with the technology advancements needed to effectively carry out their respective missions. The Committee will examine S&T's collaboration with the Federally Funded Research and Development Centers (FFRDC) and the transparency with which S&T reports this work to Congress. During the 118th Congress, the Committee will also examine the effectiveness of the S&T Centers of Excellence to provide the DHS components with advanced technologies that help them carry out their respective missions.

**SUBCOMMITTEE ON OVERSIGHT, INVESTIGATIONS
AND ACCOUNTABILITY**DEPARTMENTAL EFFICIENCY AND WASTE, FRAUD, ABUSE
AND DUPLICATION

In the 118th Congress, the Committee will examine the Department of Homeland Security's day-to-day operations to ensure that it is operating in the most efficient and effective manner possible. The Committee will work to identify potential opportunities to eliminate duplicative or unnecessary programs, find efficiencies that will contribute to the Department's ability to meet its vital missions, and identify areas for cost savings. The Committee will also conduct rigorous oversight to ensure the Department conducts effective outreach to the private sector and utilizes commercial best practices, as appropriate. The Committee will look into developing a scorecard that will report on the Department's performance across a broad range of activities and missions within the Department. The Committee will conduct oversight to ensure that the Department of Homeland Security is not discriminating against its employees based on political or religious beliefs.

Additionally, this subcommittee will take the lead on numerous investigations and oversight projects surrounding border security, cyber security, and other issues that cross over multiple subcommittees.

DHS MANAGEMENT FUNCTIONS (PROCUREMENT, FINANCIAL MAN-
AGEMENT, INFORMATION TECHNOLOGY, HUMAN CAPITAL MANAGE-
MENT & SECURITY)

During the 118th Congress, the Committee will review the efforts of the Department to improve its management functions. Management challenges continue to plague the Department despite years of Departmental, Government Accountability Office (GAO), Inspector General (IG), and Congressional efforts to remedy them. The Committee will continue its oversight of the Department of Homeland Security's progress to properly manage financial systems and data to minimize inefficient and wasteful spending, make more informed decisions to manage its programs, and implement Department policies with an eye for establishing punitive legislation should failure to fix these issues continue. Additionally, the Committee will review the Department's efforts to address information technology (IT) challenges, including the management and integra-

tion of the Department's IT systems. The Committee will review the authorities and activities of the Chief Information Officer (CIO) and component CIOs to ensure the effective management, oversight, and coordination of these key functions. The Committee will monitor the Department's progress in IT architectural planning, investment management, cloud computing, policy development, operations, and related personnel management. Additionally, the Committee will conduct oversight on the acquisitions process from beginning to end.

The Committee will also continue its oversight of the Department's efforts to establish a centralized and modernized human resources IT program. The Committee will monitor the Department's implementation of the *DHS Contract Reporting Act* which was signed into law in the 117th Congress (Pub. L. 117–263).

CHINA'S INFLUENCE ON THE HOMELAND

The Committee will closely monitor the Peoples Republic of China's (PRC) attempts to influence the homeland. As the United States continues its great power struggle with the PRC, the Chinese Communist Party (CCP) continues to pursue a national strategy to assert themselves as the head of the global order while degrading America's power militarily, diplomatically, and economically. The CCP's aggressive "Military-Civil Fusion" strategy drives their goal of positioning the People's Liberation Army (PLA) as the most technologically advanced military in the world by 2049.

The CCP is implementing its strategy through theft of the world's cutting-edge technologies. As the premier pioneer of both civilian and military research and development, the United States is a key target of the CCP's espionage efforts. In order to shine a light on these, the Committee (both at full Committee and subcommittee) will hold a series of hearings related to the activities of China in the homeland on the areas of military intellectual property, academic research and development, economic security, and political influence.

ECONOMIC SECURITY

In the 118th Congress, the Committee will examine three areas of economic security: implementation of the *Uyghur Forced Labor Prevention Act (UFLPA)*, critical homeland security domains, and the Arctic. These issues will involve several subcommittees.

The economy is the backbone of our country, and it is imperative that we ensure that markets can function without being manipulated by our adversaries—this was never more apparent than in the COVID pandemic when China manipulated the PPE market to the detriment of the rest of the world. The Committee will conduct oversight on how China's economic expansion, and manipulation of markets and supply chains threaten the economic security of the homeland. The Committee will hold hearings on how China's economic expansion and tactics threaten our homeland security.

The Committee will closely monitor the report required by the *Domains Critical to Homeland Security Act* that is due to Congress, as well as the implementation of the *DHS Trade and Economic Se-*

curity Act, both signed into law in the 117th Congress (*Pub. L. 117-81* and *Pub. L. 117-263*, respectively).

SUBCOMMITTEE ON TRANSPORTATION AND MARITIME SECURITY

During the 118th Congress, the Committee plans to examine the Department's efforts to develop and implement strategies to address terrorist threats in varied transportation environments, including both air and surface transportation. The Committee will review the effectiveness of the Transportation Security Administration's (TSA) passenger, baggage, and cargo screening programs and operations. The Committee will also encourage TSA to find new ways to leverage private sector expertise, innovation, and technologies in its mission to secure the Nation's critical transportation systems. Finally, the Committee will work with the other Committees of jurisdiction on the reauthorization of the expiring Counter Unmanned Aerial Systems (C-UAS) authorities.

AVIATION SECURITY

The Committee will examine how TSA is ensuring that passengers that are designated high-risk are receiving enhanced screening at the checkpoint. The Committee will assess whether there are additional ways for TSA to enhance security and implement risk-based strategies at screening checkpoints. Specifically, the Committee will conduct oversight on TSA's efforts to procure advanced screening technology, including but not limited to: Computed Tomography (CT), Credential Authentication Technology (CAT), and "detection at range". The Committee will also engage with TSA, the aviation industry, and international partners on the implementation of the *One-Stop Pilot Program Act* which was signed into law in the 117th Congress (*Pub. L. 117-263*).

The Committee will continue to examine TSA's long-term goals for TSA Pre✓™ and assess the effectiveness of TSA's passenger, baggage and cargo screening operations. The Committee will evaluate TSA's successes and challenges in expanding enrollment in TSA Pre✓™, including through contracts with private sector entities. The Committee will monitor TSA's efforts to protect the civil rights and liberties of passengers.

Finally, the Committee will conduct oversight on the No-Fly List, including the recent hack by a Switzerland-based cyber actor. The Committee will also conduct oversight to ensure that the No-Fly list is maintained without political or other bias.

PRIVATE SECTOR ENGAGEMENT

The Committee will conduct oversight to ensure that TSA is effectively engaging the private sector to improve the effectiveness and efficiency of its operations. The Committee will work to ensure that stakeholders are properly consulted on major security policy decisions and airport staffing allocations, through the Aviation Security Advisory Committee or other means. The Committee will conduct oversight of TSA's Screening Partnership Program, while exploring ways to enhance opportunities for the agency to work with the private sector.

SURFACE TRANSPORTATION SECURITY

The Committee will review TSA's efforts to secure surface transportation systems, including the highest-risk mass transit and rail systems. The Committee's oversight will include a review of the Visible Intermodal Prevention and Response Program (VIPR), the Surface Transportation Security Inspection Program, and TSA's surface transportation security regulations. Additionally, the Committee will conduct increased oversight on TSA's cybersecurity directives for pipelines, freight rail, and passenger rail, as TSA transitions from security directives to rulemaking.

The Committee will also review the extent to which TSA effectively coordinates with its federal, state, local, and private sector partners to secure the Nation's transportation systems and to help prevent conflicting or unnecessarily redundant regulations. Finally, the Committee will assess the effectiveness of TSA's efforts to secure the Nation's pipeline systems through TSA's oversight and inspection activities.

TARGETING WASTE, FRAUD, AND ABUSE

The Committee will conduct oversight to identify and prevent waste, fraud, or abuse within TSA. As part of this overall effort, the Committee will examine TSA's existing acquisition processes, engagement with small businesses in the private sector, and strategic planning. The Committee will also conduct oversight on how American tax dollars are spent to avoid wasteful spending on technologies that do not perform as intended.

The Committee will continue to examine hiring practices at TSA and the persistent challenges that TSA faces with employee morale. Finally, the Committee will also look at TSA's process of designating information as Sensitive Security Information to determine if the designation is being abused.

MARITIME SECURITY

The Committee will examine various aspects of maritime security, including the security of port facilities and the screening of vessels, passengers, cargo, and crew, for potential terrorists, terrorist weapons, and contraband. The Committee will also examine the maritime cyber security policies that govern all *Maritime Transportation Security Act* (MTSA) regulated facilities.

The Committee will examine the Coast Guard's role in the Arctic by reviewing the Coast Guard's Arctic Strategy and timeline on securing the Arctic maritime landscape. The Committee will also review the resource and asset needs within the Coast Guard to determine whether the service is operationally ready to address the increased demand of Coast Guard services and the varied threats to America's ports and waterways while pursuing a long-term sustainable path of fleet recapitalization. This oversight will include on site hearings of the subcommittee. Additionally, the Committee will conduct a detailed review of the Coast Guard's implementation of the Department's financial and acquisition processes.

The Committee will also review the Coast Guard's missions, personnel, and capabilities in the Indo-Pacific, which play a significant role in the Department's ability to counter China. Specifically, the

Committee will examine the Coast Guard's counter terrorism capabilities, including the Maritime Safety and Security Teams (MSST), Port Security Units, Tactical Law Enforcement Teams, and the Maritime Security Response Team.

MINORITY VIEWS

In a disappointing departure from prior Homeland Security Committee authorization and oversight plans—where there was high-level bipartisan agreement on a range of areas for review—this plan reads like a roadmap for the extreme, MAGA House Republican majority. It fails to give needed attention to a wide range of longstanding areas for oversight within the Department of Homeland Security (DHS), the third-largest Federal Department. The most glaring omission is its failure to give specific attention to domestic terrorism, a threat that our top national security officials have unequivocally recognized as persistent and pervasive.

Officials from administrations representing both parties have recognized the growing threat of domestic terrorism. In the 116th and 117th Congresses, the Committee held 13 hearings on the increasing and dynamic domestic terrorist threat. In addition to those hearings, the Committee held annual hearings on worldwide threats where DHS and Intelligence Community officials—in both the Trump and Biden administrations—warned of the heightened threat posed by domestic violent extremists.

The Trump administration’s October 2020 Homeland Threat Assessment stated: “The primary terrorist threat inside the United States will stem from lone offenders and small cells of individuals, including Domestic Violent Extremists (DVEs) and foreign terrorist-inspired Homegrown Violent Extremists (HVEs).”¹ The same threat assessment also foreshadowed the January 6, 2021, domestic terrorist attack on the U.S. Congress stating, “political tensions in 2020 . . . will drive an elevated threat environment at least through early 2021.”² And the 2021 threat assessment produced by the Director of National Intelligence appointed by President Biden stated: “US-based lone actors and small cells with a broad range of ideological motivations pose a greater immediate domestic threat” than ISIS or al Qaeda.³

Domestic terrorism should not be a partisan issue. Since 2010, domestic violent extremists have conducted at least 47 lethal attacks that have killed 152 people in the United States.⁴ Antisemitism drove many of these attacks, like the murder of 11 Jewish people at the Tree of Life synagogue in Pittsburgh in 2018. The Committee has received testimony that antisemitism is often a

¹ “Homeland Threat Assessment,” Department of Homeland Security, (Oct. 2020), available at https://www.dhs.gov/sites/default/files/publications/2020_10_06_homeland-threat-assessment.pdf, p. 17 (internal citations omitted).

² *Ibid.*

³ “Annual Threat Assessment of the US Intelligence Community,” Office of the Director of National Intelligence, (April 9, 2021), available at [https://www.dni.gov/files/ODNI/documents/assessments/ATA 2021-Unclassified-Report.pdf](https://www.dni.gov/files/ODNI/documents/assessments/ATA%2021-Unclassified-Report.pdf), p. 23.

⁴ “Strategic Intelligence Assessment and Data on Domestic Terrorism,” Federal Bureau of Investigation and Department of Homeland Security, (Oct. 2022), available at https://www.dhs.gov/sites/default/files/2022-10/22_1025_strategic-intelligence-assessment-data-domestic-terrorism.pdf, p. 38.

throughline between domestic and international terrorist threats. As such, it deserves specific mention in the Committee's oversight plan.

Democrats gave Republicans an opportunity to correct this fatal flaw in the plan during the Committee's February 28th business meeting. A two-sentence Democratic amendment would have ensured the Committee continued to examine domestic terrorism on a bipartisan basis, like it did in the last two Congresses. Instead, Committee Republicans bowed to the will of their most extreme elements and adopted another amendment that struck the word "domestic" each time it appeared in the Democratic amendment and appended conclusory language about Federal agencies being politicized and abusive. Committee Democrats are profoundly disappointed that extreme, MAGA Republican talking points now appear to inspire the Committee's oversight and legislative work. The 260,000 hardworking women and men at DHS and other Federal law enforcement agencies deserve better.

This authorization and oversight plan is also rife with nods to anti-immigrant elements in the Republican Party. For example, the plan refers to undocumented noncitizens as "illegal aliens" or "criminal aliens." Committee Democrats cannot support such charged language that seeks to divide and stigmatize fellow human beings. Similarly, the plan seems to walk back the Committee's previous extensive oversight of how migrants and others are treated in DHS custody.

There are other serious concerns with this plan:

- Republicans are so preoccupied with the Southwest border that their plan's border security section omits any mention of the Northern border and only passing mention of air and sea borders, despite the fact that foreign terrorists have repeatedly arrived by air.
- The plan lacks any mention of equity in disaster relief—a persistent challenge for many communities in both urban and rural America.
- It makes scant mention of the human capital and morale issues at DHS, which have been a major concern for the Committee over successive Congresses.
- There is no mention of diversity in the Department's leadership and developing a workforce that reflects the country through stronger recruiting and hiring practices.

Finally, Committee Democrats are concerned that Republican attempts to examine waste, fraud, and abuse at DHS could be a thinly veiled attempt to target Federal workers. Recent media reports have suggested that other House committees could be pressuring low- to mid-level career civil servants,⁵ and we hope this Committee does not go down the same road given the DHS workforce's morale problems.

The Committee on Homeland Security has broad oversight jurisdiction under House rule X. And notwithstanding this exercise in partisan politics, Democrats welcome support for bipartisan collaboration on homeland security issues important to the commu-

⁵ Lisa Rein and Jacqueline Alemany, "Emboldened by its majority, House GOP turns up heat on federal workers," *Washington Post*, (Feb. 27, 2023), available at <https://www.washingtonpost.com/politics/2023/02/27/house-gop-federal-workers-jim-jordan/>.

nities we serve. We regret such collaboration is not evident in this authorization and oversight plan.

BENNIE G. THOMPSON.
SHEILA JACKSON LEE.
DONALD M. PAYNE, Jr.
ERIC SWALWELL.
J. LUIS CORREA.
TROY A. CARTER.
SHRI THANEDAR.
SETH MAGAZINER.
GLENN IVEY.
DANIEL S. GOLDMAN.
ROBERT GARCIA.
DELIA C. RAMIREZ.
ROBERT MENENDEZ.
YVETTE D. CLARKE.
DINA TITUS.



JIM JORDAN, Ohio
CHAIRMAN

JERROLD NADLER, New York
RANKING MEMBER

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906
judiciary.house.gov

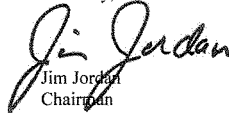
March 1, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Comer:

Enclosed is the Committee on the Judiciary Authorization and Oversight Plan for the 118th Congress. Pursuant to House Rule X, cl. 2(d), the Committee on the Judiciary met in an open session and adopted this plan on February 28, 2023. I appreciate your commitment to Congressional oversight and look forward to our continued cooperation on matters of shared jurisdiction.

Sincerely,



Jim Jordan
Chairman

cc: Hon. Jerrold Nadler, Ranking Member, Committee on the Judiciary

Hon. Jamie Raskin, Ranking Member, Committee on Oversight and Accountability

COMMITTEE ON THE JUDICIARY

AUTHORIZATION AND OVERSIGHT PLAN FOR THE 118TH CONGRESS

February 28, 2023

In accordance with House rule X, the Committee on the Judiciary is responsible for determining whether the laws and programs within its jurisdiction are implemented and carried out in accordance with the intent of Congress and whether they should be continued, altered, or eliminated. Accordingly, in the 118th Congress, the Committee will review the laws and programs within its jurisdiction to assess their application, administration, execution, and effectiveness. The Committee will also review the organization and operation of federal agencies and entities within its jurisdiction for the administration and execution of laws and programs.

The Committee will review the mission and operations of the agencies and programs within its jurisdiction, including assessing the potential reauthorization or reorganization of components of the Department of Justice, Department of Homeland Security, and other agencies. In doing so, the Committee will identify wasteful, inefficient, or duplicative programs that should be streamlined or eliminated, as well as those that could be enhanced. The Committee also seeks to eliminate fraud, abuse, and mismanagement. The Committee hopes to streamline and eliminate wasteful spending on agencies and programs within its jurisdiction.

This document outlines the current plans of the Committee on the Judiciary for authorization and oversight activities in the 118th Congress. As required by House Rules, Part I includes a description of programs and agencies the Committee will consider reauthorizing during the 118th Congress and notes which programs and agencies received funding in fiscal year 2022 despite having lapsed authorizations. Part II includes oversight the Committee intends to conduct to help determine whether to authorize certain programs and agencies or to inform potential legislative reforms for these entities.

PART I

The following programs and agencies are potentially subject to reauthorization in the 118th Congress. Programs or agencies designated with an asterisk received funding during fiscal year 2022 despite having no current authorization for appropriation.

DEPARTMENT OF JUSTICE**GENERAL ADMINISTRATION ***

General Administration (GA) supports the Attorney General and the Department of Justice's senior policy level officials in managing Department resources and developing policies for legal, law enforcement, and criminal justice activities.

Justice Information Sharing Technology *

Justice Information Sharing Technology programs fund the Department's enterprise investments in information technology.

Office of the Inspector General *

The Office of the Inspector General is an independent office within the Department of Justice that is charged with investigating allegations of fraud, waste, abuse, and misconduct by Department employees, contractors, and grantees and promoting economy and efficiency in Department operations.

Administrative Review and Appeals *

The Executive Office for Immigration Review (EOIR) includes Immigration Judges, the Board of Immigration Appeals, and the Office of the Chief Administrative Hearing Officer. EOIR presides over administrative immigration hearings such as benefits adjudications, removal, bond, and employer sanctions proceedings.

U.S. PAROLE COMMISSION

The Parole Commission is responsible for granting or denying parole to, and supervising the parole releases of, incarcerated individuals who fall under its jurisdiction.

LEGAL ACTIVITIES**Office of the Solicitor General ***

The office of the Solicitor General supervises and processes all appellate matters and represents the U.S. and federal agencies before the Supreme Court.

Tax Division *

The Tax Division represents the U.S. in litigation arising under the internal revenue laws.

Criminal Division *

The Criminal Division is responsible for supervising the application of all federal criminal laws except those specifically assigned to other divisions. The Criminal Division prosecutes the most significant financial crimes, including mortgage fraud, corporate fraud, and sophisticated investment fraud; coordinates multi-district financial crime cases; and assists U.S. Attorneys' Offices in financial crime cases with significant money laundering and asset forfeiture components.

Civil Division *

The Civil Division represents the United States, its departments and agencies, and other federal employees in litigation in federal and state courts. The Division also brings suits on behalf of the United States in litigation, primarily to recoup money lost through fraud, loan defaults, and the abuse of federal funds.

Environmental and Natural Resources Division *

The Environmental and Natural Resources Division enforces the nation's civil and criminal environmental laws; defends environmental challenges to federal law and actions; and performs a variety of other legal activities related to the environment and our Nation's natural resources.

Civil Rights Division *

The Civil Rights Division is responsible for enforcing federal statutes that protect the civil rights of all Americans and prohibit discrimination based on race, sex, disability, religion, and national origin.

INTERPOL Washington *

INTERPOL Washington facilitates cooperation and information-sharing among police agencies in different countries. It coordinates with more than 18,000 federal, state, and local law enforcement authorities and the 193 other member countries for INTERPOL-related matters.

EXECUTIVE OFFICE FOR U.S. ATTORNEYS *

There are 94 U.S. Attorneys located throughout the United States, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands. The U.S. Attorneys who lead each office are the chief law enforcement representatives of the Attorney General. Each U.S. Attorney enforces federal criminal law; handles most of the civil litigation in which the United States is involved; and initiates proceedings for the collection of fines, penalties, and forfeitures owed to the United States.

ASSETS FORFEITURE FUND *

The Assets Forfeiture Fund (AFF), administered by the U.S. Marshals Service, manages and disposes of properties seized by and forfeited to federal law enforcement agencies and U.S. Attorneys nationwide. The Attorney General is authorized to use the AFF to pay necessary expenses associated with forfeitures. The Fund may also be used to finance certain general investigative expenses, such as those enumerated in 28 U.S.C. § 524(c).

The AFF is also used to compensate victims of specific crimes for which the proceeds were subject to forfeiture. After those costs, the Department uses the funds to pay for the management costs associated with disposing and forfeiting property. The AFF is also used to help fund law enforcement at the state and local level who assist with federal law enforcement priorities.

U.S. MARSHALS SERVICE *

The U.S. Marshals Service administers the Asset Forfeiture Program of the Justice Department; conducts investigations involving escaped federal prisoners, unregistered sex offenders, and other fugitives; ensures safety at federal judicial proceedings; assumes custody of individuals arrested by all federal agencies; houses and transports prisoners; and manages the Witness Security Program.

NATIONAL SECURITY DIVISION *

Congress created the National Security Division in the USA PATRIOT Improvement and Reauthorization Act of 2005. The NSD consists of the elements of Department of Justice, other than the Federal Bureau of Investigation, engaged primarily in support of the intelligence and intelligence-related activities of the federal government, including: (1) the Assistant Attorney General for National Security, (2) the Office of Intelligence Policy and Review, (3) the counterterrorism section, (4) the counterespionage section, and (5) any other offices designated by the Attorney General.

ANTITRUST DIVISION *

The mission of the Antitrust Division is to promote economic competition through enforcing the nation's antitrust laws and providing guidance on antitrust laws and principles.

ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES (OCDETF) PROGRAM *

The OCDETF program is part of the Department's intra-and inter-agency drug enforcement strategy. It coordinates with elements of federal law enforcement—including components of the Department of Homeland Security and the Department of the Treasury—to disrupt national and transnational criminal organizations engaged in drug trafficking and money laundering, and those organizations primarily responsible for the nation's illegal drug supply.

FEDERAL BUREAU OF INVESTIGATION *

The Federal Bureau of Investigation (FBI) is charged with investigating terrorism, cybercrimes, public corruption, white-collar crime, organized crime, civil rights violations, and other federal offenses.

DRUG ENFORCEMENT ADMINISTRATION *

The Drug Enforcement Administration is the federal agency tasked with reducing the illicit supply and abuse of narcotics and drugs through drug interdiction and seizing of illicit revenues and assets from drug trafficking organizations.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES *

The Bureau of Alcohol, Tobacco, Firearms, and Explosives is tasked with investigating violent crime, terrorism, and the illegal trafficking of alcohol and tobacco products.

FEDERAL PRISON SYSTEM*

The Federal Bureau of Prisons (BOP) is responsible for the custody and care of federal offenders in prisons and community-based facilities. BOP is currently responsible for housing more than 145,000 federal offenders, which includes sentenced inmates as well as persons awaiting trial and/or sentencing.

FEDERAL TRADE COMMISSION

BUREAU OF COMPETITION*

The Federal Trade Commission's Bureau of Competition shares jurisdiction with the Justice Department's Antitrust Division for the enforcement of the nation's antitrust laws.

DEPARTMENT OF HOMELAND SECURITY

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

U.S. Citizenship and Immigration Services (USCIS) oversees the adjudication of applications and petitions for immigration benefits. USCIS is funded primarily by immigration and naturalization benefit fees charged to applicants and petitioners. However, Congress did provide some fiscal year 2022 and 2023 funding for certain USCIS activities, and it appropriates funding annually for the E-Verify Program.

E-Verify Program

Section 401 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 authorizes the Department of Homeland Security to "conduct 3 pilot programs of employment eligibility confirmation" including the E-Verify program, which allows employers to electronically check the employment eligibility of potential employees. Section 401(b) of that Act, as amended, currently provides that "[u]nless the Congress otherwise provides, the Secretary of Homeland Security shall terminate a pilot program on September 30, 2023."

Conrad 30 Waiver Program

Section 220 of the Immigration and Nationality Technical Corrections Act of 1994 established the Conrad 30 Waiver Program for J-1 visa holders, which describes individuals that have come to the United States to receive graduate medical education or training. Under this program, a limited number of J-1 visitors may receive a waiver of the two-year residency requirement that would normally apply before such individuals could seek an immigrant visa, permanent residence, or a non-immigrant work visa. Section 220(c), as amended, provides that an individual must have received a J-1 visa before September 30, 2023, in order to be eligible for such waiver.

Non-minister Special Immigrant Religious Worker Program

Section 101(a)(27)(C) of the Immigration and Nationality Act (INA) is sometimes referred to as the non-minister special immi-

grant religious worker program. The INA defines a “special immigrant” to include certain immigrants, and such immigrants’ spouses and children, who are affiliated with a religious denomination. For such individuals who are not entering the United States to carry on the vocation of a minister, the individual must seek entry before September 30, 2023.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

Immigration and Customs Enforcement is the largest investigative arm of the Department of Homeland Security. Its components include Enforcement and Removal Operations, the Office of the Principal Legal Advisor, and Homeland Security Investigations.

U.S. CUSTOMS AND BORDER PROTECTION

U.S. Customs and Border Protection (CBP) is responsible for the security of U.S. borders. Its components include the U.S. Border Patrol and the Office of Field Operations. Aspects of CBP under the jurisdiction of the Committee include CBP’s non-border immigration enforcement functions, intellectual property enforcement functions, the Visa Waiver Program, and the Electronic System for Travel Authorization.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

The Federal Law Enforcement Training Centers (FLETC) provides training to law enforcement professionals to help them fulfill their responsibilities safely and proficiently. FLETC’s mission is to train all those who protect the homeland, and therefore, its training audience also includes state, local, and tribal departments throughout the U.S. Additionally, FLETC’s impact extends outside our nation’s borders through international training and capacity-building activities.

U.S. SECRET SERVICE

The Secret Service is tasked with dual law enforcement missions: protection of national and visiting foreign leaders and conducting criminal investigations. Criminal investigation activities encompass financial crimes, bank fraud, mortgage fraud, identity theft, counterfeiting, and computer fraud. Secret Service protection extends to the President, Vice President, and their families, among others.

DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF REFUGEE RESETTLEMENT (HHS) *

The Office of Refugee Resettlement (ORR) within the Department of Health and Human Services provides assistance and services to refugees, asylees, unaccompanied alien minors, victims of human trafficking, among others. ORR assists these populations by providing a range of services, including cash and medical assistance, housing assistance, and economic and social integration services.

DEPARTMENT OF STATE

BUREAU OF CONSULAR AFFAIRS

The Bureau of Consular Affairs adjudicates applications for non-immigrant and immigrant visas, issues immigrant visas, issues U.S. passports, and aids international adoption.

BUREAU OF POPULATION, REFUGEES, AND MIGRATION

The Bureau of Population, Refugees, and Migration oversees the U.S. Refugee Admissions Program, under which refugees from countries all over the world are resettled within the United States.

OFFICE OF MANAGEMENT & BUDGET

OFFICE OF INFORMATION AND REGULATORY AFFAIRS *

The Office of Information and Regulatory Affairs implements executive regulatory oversight activities under Executive Order 12866, among other authorities; reviews collections of information from the public; provides guidance concerning federal information resources; and coordinates federal statistical activities.

OTHER ENTITIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES *

The Administrative Conference of the United States is an independent agency that was created to analyze the federal administrative law process and to provide related recommendations and guidance.

PART II

The Committee on the Judiciary intends to conduct comprehensive oversight of the agencies and programs within its jurisdiction. The Committee's oversight activities will include hearings, briefings, correspondence, reports, public statements, and site visits.

FULL COMMITTEE

U.S. Department of Justice. In conjunction with and also through its Subcommittees, the Committee intends to conduct oversight of the U.S. Department of Justice, including all Department components. Among other things, the Committee will examine political bias within the FBI's senior leadership; the misuse of counterterrorism resources to target parents resisting far-left educational curriculum; the apparent double standard in the enforcement of federal law, such as its selective enforcement of the Free Access to Clinic Entrances Act; politicized enforcement of voting laws; the politicization of criminal investigations and prosecutorial decisions; the use of Foreign Intelligence Surveillance Act (FISA) and U.S. PATRIOT Act authorities by Executive Branch agencies, and the potential reauthorization of section 702 of FISA; the Justice Department's use of unprecedented and aggressive law-enforcement tactics against political opponents of the Biden Administra-

tion; the FBI's purge of conservative agents from within its ranks and whistleblower retaliation; collusion between the Department, Departmental components, and Big Tech to censor political speech; the FBI's manipulation of domestic violent extremism statistics for political purposes; and the FBI's use of confidential human sources and informants.

SUBCOMMITTEE ON THE CONSTITUTION AND LIMITED GOVERNMENT

Protection of Constitutional and Civil Rights. The Subcommittee will examine the adequacy of current protections for U.S. Citizens' constitutional and civil rights.

Civil Rights Division, U.S. Department of Justice. The Subcommittee will examine the enforcement record and priorities of the Civil Rights Division.

Fiscal Responsibility. The Subcommittee will examine constitutional reforms to address government spending.

Separation of Powers and Judicial Independence. The Subcommittee will examine the need for reforms to enhance the separation of powers and to protect the independence of federal courts.

Federalism. The Subcommittee will examine the proper balance between the finite powers allocated to the federal government by the Constitution and the powers reserved to the states.

Religious Liberty. The Subcommittee will examine the adequacy of federal protections for Americans' rights under the Free Exercise and Establishment Clauses of the Constitution.

Freedom of Speech. The Subcommittee will examine restraints on free speech, including efforts by some colleges and universities to limit protests, speeches, distribution of literature, petitions, and other expressive activities.

Protecting the Sanctity of Life. The Subcommittee will examine the constitutionality and enforcement of federal and state statutes relating to anti-life measures.

The Justice Department's Judgement Fund. The Subcommittee will examine payments made from the Judgment Fund, its management, and how it is administered.

Civil Justice. The Subcommittee will review the policies and practices of the civil justice system and consider whether reform is needed.

SUBCOMMITTEE ON THE COURTS, INTELLECTUAL PROPERTY, AND THE INTERNET

Federal Judiciary. The Subcommittee will conduct oversight of the federal judiciary, including the operations of the federal court system, the unauthorized disclosure of confidential information and deliberations of the judicial branch, and judicial ethics. The Subcommittee also intends to examine the resources available to Article III courts, including whether there is a need for new judgeships and examining judicial salaries and judicial security.

Public Access to Court Electronic Records. The Subcommittee will examine the Public Access to Court Electronic Records (PACER) system.

Information Technology in the Federal Court System. The Subcommittee will examine the adequacy of current cybersecurity and information technology capabilities of the federal judiciary.

Legal Services Corporation. The Subcommittee will review the mission and operations of the Legal Services Corporation.

U.S. Copyright Office. The Subcommittee intends to conduct oversight of the Copyright Office, including a review of its recordation system, public access to registration records, the modernization and digitization of its systems and records, the selection process for the Register of Copyrights, the Copyright Claims Board and implementation of the Copyright Alternatives in Small Claims Enforcement Act, implementation of the Music Modernization Act, and recent and ongoing rulemaking proceedings.

U.S. Patent and Trademark Office. The Subcommittee will conduct oversight of the U.S. Patent and Trademark Office (USPTO), including its policy processes and compliance with the Congressional Review Act and Administrative Procedure Act, the status and processes of patent and trademark prosecution and examination, initiatives to improve patent quality, efforts to address patent and trademark abuse, the Patent Trial and Appeal Board, the Trademark Trial and Appeal Board, implementation of recent legislation and its general operations.

USPTO Global Intellectual Property Rights Attaché Program. The Subcommittee will examine the Global Intellectual Property Rights Attach Program, coordination between the program and the Department of State, and efforts to promote high standards of intellectual property protection and enforcement internationally for the benefit of U.S. stakeholders.

Office of the U.S. Intellectual Property Enforcement Coordinator (IPEC). The Subcommittee will examine how the IPEC is functioning, whether it has the necessary authority and resources, and whether the IPEC and the Administration are effectively using that authority and resources to protect American intellectual property.

Intellectual Property Enforcement. The Subcommittee will review the intellectual property enforcement efforts of the Department of Homeland Security, the Department of Justice, and other agencies involved in the enforcement and protection of American intellectual property.

Internet Corporation for Assigned Names and Numbers (ICANN). The Subcommittee will conduct oversight of ICANN, including how its operations affect intellectual property and data privacy, as well as the transparency of its operations and procedures.

U.S. Intellectual Property Laws and Policies. The Subcommittee will examine the provisions of the Copyright Act, Patent Act, Trademark Act, Defend Trade Secrets Act, and other intellectual property laws and policies to ensure they address the challenges faced by intellectual property owners and users, consumers, creators/inventors, businesses and manufacturers, and other participants, as well as the public at large.

International and Foreign Laws Relating to Intellectual Property. The Subcommittee will conduct oversight of the effect of international and foreign laws, regulations, proceedings, organizations, and policies relating to intellectual property and their con-

sequences for American interests. In addition, the Subcommittee will conduct oversight of international trade agreements and negotiations as well as U.S. trade policy as they relate to intellectual property.

Technology Issues. The Subcommittee will examine developments in technology and the Internet affecting public policy, including issues surrounding intellectual property, censorship and freedom of speech and expression, coordination with government authorities and law enforcement, and Internet governance.

SUBCOMMITTEE ON THE ADMINISTRATIVE STATE, REGULATORY REFORM, AND ANTITRUST

Administrative State and Regulatory Reform. The Subcommittee will examine factors that have led to the explosion of the administrative state, including the Administrative Procedure Act, the Congressional Review Act, the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, regulatory litigation and enforcement, judicial doctrines of deference to agency determinations, the overall costs and benefits of federal regulation, the role of regulation in establishing new barriers to entry that may harm competition, the extent to which agencies compete for policymaking primacy with the Legislative Branch, internal agency adjudication, and the role that the Office of Information and Regulatory Affairs plays in the federal rulemaking process.

Bankruptcy. The Subcommittee will conduct oversight of the Bankruptcy Code and bankruptcy system.

State Taxation Affecting Interstate Commerce. The Subcommittee will examine issues related to state taxation that affect interstate commerce.

Arbitration. The Subcommittee will examine issues arising under the Federal Arbitration Act.

Interstate Compacts. The Subcommittee will conduct oversight related to interstate compacts.

Antitrust Laws. The Subcommittee will examine issues arising under U.S. antitrust laws, including the Federal Trade Commission's and the Justice Department's approaches to enforcement and policy, and whether disparities or dysfunction warrant restructuring U.S. antitrust enforcement authorities. Working with the full Committee and the Select Subcommittee on the Weaponization of the Federal Government, the Subcommittee will continue to examine how Big Tech platforms use their market power to silence free speech online.

Section 5 of the Federal Trade Commission Act. The Subcommittee will examine the Federal Trade Commission's use of its authority under section 5 of the Federal Trade Commission Act.

Settlements Requiring Payments to Nongovernmental Entities. The Subcommittee will conduct oversight of any Justice Department settlements requiring payments to non-victim third parties.

SUBCOMMITTEE ON IMMIGRATION INTEGRITY, SECURITY, AND ENFORCEMENT

Biden Border Crisis. The Subcommittee will examine how the Biden Administration's immigration and border security-related policies have incentivized illegal immigration, drug and human trafficking, and crime. Specifically, the Subcommittee will examine the adequacy of the Biden Administration's enforcement of immigration laws. The Subcommittee also will examine the Biden Administration's open borders policies, their effect on American communities, and how they incentivize illegal immigration. The Subcommittee will examine the impact of crimes committed by foreign nationals, trends in criminal alien gang violence among immigrant communities, and the sufficiency of efforts to remove violent criminal aliens from the United States.

Executive Actions on Immigration. The Subcommittee will examine immigration and border security-related Executive Orders signed by President Biden.

Immigration Functions of the Department of Homeland Security (DHS). The Subcommittee will examine the immigration and border security-related policies of DHS and its components Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS).

Immigration Functions of the Department of Health and Human Services (HHS). The Subcommittee will examine the immigration-related functions of HHS and its component, the Office of Refugee Resettlement (ORR).

Legal Immigration. The Subcommittee will examine current legal immigration laws and programs, including whether relevant federal agencies are administering and enforcing these laws with an eye toward integrity and security.

U.S. Refugee Admission Program. The Subcommittee will examine the refugee program, including refugee processing, to determine whether it is being implemented with an eye toward integrity and security, and refugee resettlement to determine whether it is a strain on state and local community resources.

Executive Office for Immigration Review. The Subcommittee will conduct oversight of the Department of Justice's adjudication of immigration cases and the politicization of the hiring and firing of immigration judges.

Office of Principal Legal Advisor. The Subcommittee will examine how Biden Administration policies restrict the ability of ICE trial attorneys to prosecute cases in immigration court.

SUBCOMMITTEE ON CRIME AND FEDERAL GOVERNMENT SURVEILLANCE

Justice Department's Criminal and National Security Functions. The Subcommittee will conduct oversight of the Justice Department's Criminal Division and National Security Division, as well as the Executive Office of United States Attorneys and the Office of the Pardon Attorney. The Subcommittee will review the mission and operations of the Office of Justice Program, the Community Oriented Policing Services Office, their component organiza-

tions, and the administration of federal grants. The Subcommittee will review the mission and operations of Office on Violence Against Women and the administration of Violence Against Women Act grants.

The Federal Bureau of Investigation (FBI). The Subcommittee will conduct oversight of the FBI, including its criminal investigatory, counterterrorism, and counter-intelligence authorities.

Drug Enforcement Administration (DEA). The Subcommittee will review the operations of the DEA, including domestic and international drug enforcement, money laundering, and narco-terrorism investigations. The Subcommittee will also conduct oversight of DEA efforts to combat the U.S. drug crisis, including illicit fentanyl-related substances.

Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). The Subcommittee will review the mission and operations of the ATF, including enforcement of federal firearms laws, explosives investigations, and tobacco and alcohol trafficking operations. The Subcommittee will also conduct oversight of ATF regulations.

U.S. Marshals Service (USMS) and the Office of the Federal Detention Trustee (OFDT). The Subcommittee will review the mission and operations of the USMS, including fugitive apprehensions, court and witness security, and its responsibilities under the Sex Offender Registration and Notification Act. The Subcommittee will also conduct oversight of the operations of the OFDT.

The Federal Bureau of Prisons (BOP). The Subcommittee will review the mission and operation of the federal prison system, including prisoner rehabilitation, reentry programs, and management of a growing offender population. The Subcommittee will conduct oversight of the operations of BOP. The Subcommittee will also examine Federal Prison Industries (FPI), a government corporation that employs offenders incarcerated in federal prisons and provides job training opportunities to prisoners by producing goods and services for federal agencies.

Law-Enforcement Functions of the Department of Homeland Security (DHS). The Subcommittee will conduct oversight of DHS law-enforcement components, including the U.S. Secret Service, U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, and the Federal Air Marshals Service.

U.S. Sentencing Commission. The Subcommittee will review the mission and operations of the U.S. Sentencing Commission and will examine the extent to which federal courts are imposing sentences that diverge from those recommended by the sentencing guidelines.

Federal Surveillance Activities. The Subcommittee will review the use and abuse of Foreign Intelligence Surveillance Act (FISA) and USA PATRIOT Act authorities by Executive Branch agencies, and the potential reauthorization of section 702 of FISA. The Subcommittee will review the use of these authorities in the context of the present threat to our national security from terrorist activity.

Rising Crime in Urban and Rural Areas. The Subcommittee will examine the causes of rising crime in urban and rural areas,

including potential federal policies to support crime prevention strategies at the State, local, and tribal levels. The Subcommittee will examine strategies used by state and local governments to ensure that law enforcement entities effectively and impartially serve their communities and that local prosecutors effectively and impartially enforce the law.

Asset Forfeiture and Money Laundering Section. The Subcommittee will conduct oversight of the Asset Forfeiture and Money Laundering section of the Justice Department's Criminal Division.

International and Domestic Human Trafficking. The Subcommittee will review law enforcement and other activities that address international and domestic trafficking in human beings. The Subcommittee will review resources and tools designed to combat child exploitation and the proliferation of child sexual abuse material on the Internet.

Criminal Law Enforcement. The Subcommittee will examine issues related to the federal criminal code, including improving and streamlining Title 18 and whether all criminal statutes in the U.S. Code should be consolidated and/or listed in Title 18. The Subcommittee will examine federal criminal statutes to ensure they have appropriate criminal intent, or *mens rea*, requirements. The Subcommittee will continue to examine ways to address the problem of over-criminalization and over-federalization, as well as the adequacy of forensic technology and resources available to federal prosecutors and law enforcement.

SUBCOMMITTEE ON RESPONSIVENESS AND ACCOUNTABILITY TO OVERSIGHT

Adequacy of the Legislative Affairs Function. The Subcommittee will examine the operations and responsiveness of the congressional liaisons and offices of legislative affairs at the agencies, departments, and entities within the Committee's jurisdiction.

SELECT SUBCOMMITTEE ON THE WEAPONIZATION OF THE FEDERAL GOVERNMENT

H. Res. 12 established the Select Subcommittee on the Weaponization of the Federal Government. The resolution sets forth the contours of the Select Subcommittee's oversight jurisdiction.

Executive Branch Information Collection Efforts. The Select Subcommittee will examine the expansive role of Article II authority to collect information on or otherwise investigate citizens of the United States, including ongoing criminal investigations. The Select Subcommittee will also examine how executive branch agencies work with, obtain information from, and provide information to the private sector, non-profit entities, and other government agencies to facilitate action against American citizens, including the extent, if any, to which illegal improper, unconstitutional, or unethical activities were engaged in by the executive branch or private sector against citizens of the United States.

Civil Liberty Abuses. The Select Subcommittee will examine issues related to the protection of civil liberties of citizens of the

United States, including whether the civil liberties of citizens of the United States have been violated by executive branch agencies.

BRUCE WESTERMAN OF ARKANSAS
CHAIRMAN

VIVIAN MOEGLEIN
STAFF DIRECTOR

RAÚL M. GRIJALVA OF ARIZONA
RANKING DEMOCRAT

LORA SNYDER
DEMOCRAT STAFF DIRECTOR

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


March 1, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, DC 20515

Dear Mr. Chairman,

In accordance with clause 2(d)(1) of House of Representatives Rule X, I enclose a copy of the authorization and oversight plan adopted by a quorum of the Committee on Natural Resources on February 7, 2023, in open session, along with dissenting views submitted by Ranking Minority Member Grijalva.

Sincerely,


Bruce Westerman
Chairman

Enclosure

<http://naturalresources.house.gov>

COMMITTEE ON NATURAL RESOURCES

AUTHORIZATION AND OVERSIGHT PLAN

118TH CONGRESS

Chairman Bruce Westerman

INTRODUCTION

Pursuant to clause 2(d)(1) of rule X of the House of Representatives, the Committee on Natural Resources (Committee) adopted the following Authorization and Oversight Plan for the 118th Congress. The Committee will conduct rigorous oversight of the Executive Branch to strengthen America's environment and economy, promote access to public lands and natural resources, and enhance conservation through innovation. The Committee will review all laws and programs within its jurisdiction to assess their application, administration, execution, and effectiveness while providing transparency and accountability. Through such examination, the Committee seeks to eliminate waste, fraud, abuse, and mismanagement.

Congress has a responsibility to keep the Executive Branch accountable to the American people and ensure decisions by agencies are open and transparent. The adopted Authorization and Oversight Plan identifies agencies and programs with lapsed authorizations that received appropriations in the previous fiscal year and agencies or programs with permanent authorizations that have not been subject to a comprehensive review in the prior three Congresses. The Authorization and Oversight Plan also outlines the initial and primary focuses of the Committee and additional oversight activities are expected to arise throughout the first and second sessions of the 118th Congress.

The Committee will consult, as appropriate, with other committees of the House that may share jurisdiction on any of the oversight activities the Committee may consider.

Regulatory Review

Committee oversight activities will assist in the collection of relevant information to support the Committee's legislative agenda, monitor the implementation of public policy, and ensure the government's performance in subject matters within the Committee's jurisdiction. Accordingly, the Committee will examine the effectiveness of natural resources laws. Oversight focus will also be provided on how laws, such as the National Environmental Policy Act, the Endangered Species Act, the Wilderness Act, the Federal Land Policy and Management Act, the Marine Mammal Protection Act (MMPA), the National Historic Preservation Act, and others may

exceed their regulatory purposes resulting in costly litigation and other adverse consequences to American taxpayers.

Ethics and Transparency

The Committee will conduct thorough oversight of ethics compliance at the federal departments and agencies under its jurisdiction. The Committee will review the operations of departmental ethics offices, ethics training, guidance, and conflicts of interest compliance, among other considerations to ensure that administration officials and employees who violate ethics rules and the law are held accountable.

Scientific Integrity and Grant Accountability

The need to ensure scientific integrity at the agencies and bureaus within the Committee's jurisdiction will include the oversight of various government funding recipients. The Committee will conduct oversight of federal grants awarded by the agencies and bureaus within its jurisdiction to ensure a grantmaking process that is efficient, fair, and transparent.

Energy and Mineral Resources

Budget and Spending Review—The Committee will review the Fiscal Year 2024 budget request for federal land management programs and agencies under its jurisdiction, including the Bureau of Land Management (BLM), the Bureau of Ocean Energy Management (BOEM), the Bureau of Safety and Environmental Enforcement (BSEE), the Office of Surface Mining and Reclamation Enforcement (OSMRE) and the U.S. Geological Survey (USGS). The Committee will review agency spending to ensure the proper stewardship of taxpayer dollars. In particular, the Committee will examine whether the Biden administration is allocating sufficient resources to permit oil, gas and coal development, as well as spending at the USGS and under the Inflation Reduction Act and Infrastructure Investment and Jobs Act (IIJA).

Expanding Domestic Energy Production—Americans are facing the most expensive heating bills in 25 years, food prices are up 10.9% from the previous year, gas prices in November 2022 were the highest ever, and nearly 34% of American households reduced or skipped basic expenses to pay energy bills. The Committee will focus on the importance of increasing American-made energy to meet the growing energy demand, create more high-paying jobs here at home, increase our economic competitiveness, reduce energy costs for American families, reduce carbon emissions and improve U.S. national security and energy security for our allies—all while displacing foreign sources and reducing global emissions.

Onshore Oil and Natural Gas Programs—The Biden administration has leased fewer acres for oil and gas production offshore and on federal land than any presidential administration in its early stages since the end of World War II. In the 118th Congress, the Committee will examine the lack of oil and natural gas leasing on federal lands in the western United States, including focusing on administrative actions that have created permitting delays and disincentivized production on federal lands. The Committee will work on streamlining onshore energy permitting and ensuring com-

pliance with the quarterly lease sale requirements of the Mineral Leasing Act. The Committee will also conduct oversight regarding implementation of the over \$4 billion allocated under the IIJA for cleanup of orphaned and abandoned wells to ensure efficient use of such funds.

Outer Continental Shelf (OCS) Oil and Natural Gas—The Committee has jurisdiction over the administration of the Outer Continental Shelf Lands Act (OCSLA) and will work to ensure safe and responsible production of America’s offshore oil and natural gas resources. The Biden administration has canceled planned lease sales and has failed to publish a new five-year plan for offshore leasing, even though the previous plan expired in June 2022. The Committee will work to ensure certainty in the offshore five-year planning process, direct specific offshore lease sales, and promote new safety and environmental efforts through innovation while ensuring multiple use on the OCS.

Renewable and Alternative Energy—In the 118th Congress, the Committee will conduct oversight over current solar, geothermal, and wind programs operated by the Bureau of Ocean and Energy Management, the Bureau of Land Management, and the U.S. Forest Service. The Committee will continue to examine ways to streamline the leasing and permitting of renewable energy as well as the required infrastructure for those energy sources. The Committee will also continue to conduct oversight of the Biden administration’s actions that would significantly hinder renewable energy and infrastructure development.

Office of Natural Resources Revenue (ONRR)—The Committee will conduct oversight of the ONRR to ensure accountability of accurate and appropriate collection of energy and mineral revenues. The ONRR collects an average of over \$10 billion in annual revenue, making this office responsible for collecting one of the federal government’s largest sources of non-tax revenue.

Mineral Security—The Committee will conduct aggressive oversight of domestic hardrock mineral resources, including critical minerals, especially in regard to the nation’s current and planned production on federal lands. The Committee will also review ways to responsibly increase production through legislation. To further these goals, the Committee will examine the steeply rising global demand for hardrock minerals, our nation’s insufficient rate of domestic production to meet this demand, and the resultant risks to our mineral supply chain brought by overreliance on foreign sources. As a necessary part of ensuring mineral security, the Committee will conduct oversight of the Biden administration’s actions to withdraw, delay, and otherwise stymie hardrock mineral development on federal lands. Additionally, the Committee will closely monitor the actions of the Department of the Interior’s Interagency Working Group on mining reform, as well as the implementation of the hardrock abandoned mine lands program established by the IIJA.

Coal Mining Regulations and Leasing—The Biden administration and the Department of the Interior continue to wage a war on coal. The Committee will conduct extensive oversight of the Biden administration’s actions regarding the federal coal program, such as the reinstatement of the leasing moratorium and protracted delays

in permit issuance, that have stifled coal mining, production, and use. The Committee will also track the implementation of the \$11.3 billion in additional funding for the Abandoned Mine Lands Program allocated under the IIJA, including an examination of departmental guidance regarding the use of such funds.

United States Geological Survey (USGS)—The Committee supports programs at the USGS for the accurate siting of hardrock minerals and other resources, such as the Earth MRI program, as well as mapping programs to support hazard risk assessment and land use planning. The Committee will examine growing concerns about the unauthorized creation and expansion of certain USGS programs, including significant mission creep and lack of transparency. Particularly of concern are the growing non-resource or hazard programs at USGS and other Department programs, including vast expansions of unauthorized funding for climate related programs and the potential duplication of geospatial data and other mapping efforts. The Committee intends to closely examine the current operations of USGS and may consider action to consolidate and streamline the focus of the agency to reduce waste and duplication.

Federal Lands

Budget and Spending Review—The Committee will review the Fiscal Year 2024 budget request for federal land management programs and agencies under its jurisdiction, including the Bureau of Land Management (BLM), the National Park Service (NPS), and the U.S. Forest Service (USFS). The Committee will identify areas to eliminate waste, fraud, abuse, and mismanagement and ensure the proper stewardship of taxpayer dollars. In particular, the Committee will examine spending under the Inflation Reduction Act and Infrastructure IIJA.

Forest Health and Wildfires—Across the nation, more than one billion acres are identified as at risk for wildfire and millions of acres continue to burn in catastrophic wildfires every year, particularly in the West. The Committee will conduct oversight on forest health, wildfire prevention and suppression, and the need for more active management of our national forests. The Committee will continue to monitor USFS's progress towards meeting its goal of treating an additional 20 million acres of federal land over the next 10 years through the "Confronting the Wildfire Crisis" strategy. Additionally, the Committee will investigate how failure to manage federal forests results in unnecessary pollution and emissions, economic damages, loss of life and property, destruction of wildlife habitat, and degraded air and water quality.

Deferred Maintenance at our National Parks and Public Lands—Despite historic investments in deferred maintenance through the Great American Outdoors Act (GAOA), maintenance backlogs at the federal land management agencies continue to increase exponentially. Nowhere is this issue more acute than at NPS, which saw its backlog increase from roughly \$11.9 billion in 2018 to over \$21 billion in 2022. This nearly \$10 billion increase in the backlog over the past four years is indicative of greater underlying problems in how we manage our parks and deserves renewed attention and oversight.

Federal Land Acquisition—The Committee will conduct oversight of the federal land acquisition process, the Land and Water Conservation Fund (LWCF), and the growing size of the federal estate. Proposals for expanding the federal estate will be examined with due regard for the merits of the proposal, spending constraints, input of local stakeholders, our national need for access to vital resources, and the protection of private property rights. The Committee will work with local and state stakeholders to identify lands in the federal estate that the federal government no longer wants or needs, particularly in states and counties predominately comprised of federal lands.

30x30—The Committee will conduct oversight of the Biden administration’s 30x30 Initiative (also referred to as the “America the Beautiful” initiative) which seeks to preserve 30 percent of the nation’s lands and waters by 2030. This will include continued oversight of spending from the \$1 billion America the Beautiful Challenge Fund.

Access and Recreation—The Committee will conduct oversight on ways to expand access to our national parks, national forests, and public lands for recreational and sportsmen’s activities. The Committee will evaluate proposals to ensure greater access to, and enjoyment of, the abundant outdoor recreation opportunities offered by our public lands.

Conservation versus Preservation—The Committee will conduct oversight on promoting conservation with a purpose that ensures our public lands provide secure domestic sources of energy, food, fiber, minerals, jobs, and recreation under appropriate conservation standards. The Committee will conduct oversight of preservation and unilateral land designations, such as national monument designations under the Antiquities Act of 1906 and mineral withdrawals, that usurp the authority and will of Congress, State, and local stakeholders. The Committee will conduct oversight of the BLM and USFS to ensure the agencies follow their multiple use and sustained yield mandate.

Grazing—When managed properly, grazing of federal lands can enhance rangeland health and reduce the build up hazardous fuels. As one of the most effective wildfire reduction tools, grazing can also help conserve habitat for wildlife species like the Greater Sage Grouse. The Committee will examine ways in which grazing can benefit the economy and the health of federal range lands, and ways to better protect the practice against frivolous litigation and unnecessary regulation.

Sustainable Funding Sources for Conservation Programs—The Committee will conduct oversight on the longevity of revenue streams for conservation funds, including LWCF, the Historic Preservation Fund, and the National Parks and Public Lands Legacy Restoration Fund, especially due to recent efforts to ban new oil and gas leases on federal lands and waters. These 5 proposed bans unquestionably undercut the GAOA and threaten the long-term solvency of important conservation programs.

Natural Climate Solutions—From planting trees to incentivizing innovative grazing practices, public and private lands must play a large role in future discussions on responsible, commonsense solutions to climate change. The Committee will continue to review

new innovative practices that benefit the environment without sacrificing rural jobs and our nation's overall economic health. This includes engaging with stakeholders to identify new frontiers in research and development that should be explored and further opportunities to support American innovation.

Park Partnerships—To truly enter the 21st Century, the NPS should adopt more market-based solutions and engage in public-private partnerships to maximize agency resources and enhance visitor services. The Committee will continue to seek out examples of successful partnerships to learn from their successes and encourage the NPS to actively promote new partnership opportunities.

Checks and Balances—The Committee will examine administratively imposed activities and designations to ensure that these actions fully respect the interests and culture of the affected local people and do not infringe on authorities that more properly belong to elected officials in Congress and local government.

Water and Power

Increasing Water Supplies—Visionary leaders developed much of the western water supply infrastructure that urban and rural communities have depended upon for generations. These existing water storage and delivery projects continue to serve millions of ratepayers and food consumers nationwide, but many of their water supply and delivery and hydropower generation operations are impacted by drought, regulations, litigation and other factors. The Committee will examine ways to improve water supplies through an all-of-the-above approach, including the protection and promotion of new water storage, to help achieve a policy of water abundance. The recent storm events in California are illustrative of the need to capture more water that could ultimately be conveyed to farms, cities and the environment.

Budget and Spending Review—The Committee will examine the Bureau of Reclamation's current spending and proposed annual budget requests. The Committee will examine spending under the Inflation Reduction Act and the IIJA. In particular, the Committee will examine whether the agencies are being accountable to American taxpayers, water and power ratepayers, and other beneficiaries to ascertain whether they are fulfilling their core missions.

Colorado River Basin—The Committee is aware of the ongoing, serious drought impacting communities throughout the seven-state Colorado River region. The Committee plans to work with the Executive Branch, tribes, the seven Colorado River Basin states and their congressional delegations and stakeholders to focus on the need to help mitigate and resolve this situation.

Power Marketing Administration Budgets—The Committee will conduct oversight of the four Power Marketing Administrations, which include the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, and the Southeastern Power Administration. These agencies sell and deliver hydropower generated at federal dams when water is available at these facilities. Many municipal, rural electric cooperatives and tribes depend on this hydropower and the thousands of miles of electricity transmission needed to deliver it. The Committee will examine the agencies' proposed budgets and the op-

portunities and challenges they are facing in fulfilling their core missions.

Protecting and Promoting Hydropower as a Clean, Renewable Energy Source—The Committee will examine ways to protect and promote large-scale and small-scale hydropower generation at existing and potential facilities within its jurisdiction. Hydropower is an emissions-free renewable energy that provides baseload and peaking power for millions of electricity consumers nationwide. Hydropower also serves as a backup electricity resource for intermittent renewable power. Federal hydropower resources have provided the above benefits for generations. Drought, federal regulations, and litigation have curtailed some of these hydropower producing dams. In addition, federal agencies under this Committee's jurisdiction have imposed mandatory operating conditions when it comes to licensing and re-licensing non-federal hydropower facilities. Such conditions can decrease hydropower generation and impose higher costs that are borne by ratepayers. Meanwhile, the Department of Energy reported in 2012 that over 12 gigawatts of hydropower could be generated at existing non-powered dams in the United States. Additionally, the Oak Ridge National Laboratory found that over 1.41 gigawatts of new hydropower could be generated at existing canals and water pipelines.

Indian Water Rights Settlements—The Committee has longstanding jurisdiction over Indian Water Rights Settlements, which can be beneficial to Indian and non-Indian settling parties and can provide some water supply certainty for these parties. Since American taxpayer dollars are authorized in many of these settlements, the Committee will continue to examine how each settlement meets the Department of the Interior's longstanding criteria and procedures relating to these matters.

Fisheries and Wildlife

Budget and Spending Review—The Committee will conduct oversight of the current spending and proposed annual budget requests of the National Marine Fisheries Service, certain programs of the Department of Commerce's National Oceanic and Atmospheric Administration (NOAA) under the Committee's jurisdiction, and the Department of the Interior's U.S Fish and Wildlife Service. The Committee will examine how the agencies utilized regular appropriations and additional funding provided through the IIJA and the Inflation Reduction Act.

Endangered Species Act (ESA)—The Committee will examine the efficacy and modern-use of the ESA. The ESA is frequently weaponized in litigation to prevent active management and critical multiple use on federal lands. In addition, the ESA is used to prevent access to critical water resources for the West, harming human health, agriculture, and the environment. The Committee will conduct oversight hearings to consider proposals to update and modernize the ESA. The Committee will also continue to monitor the Convention on International Trade in Endangered Species of Wild Fauna and Flora which governs international activities related to the ESA.

Magnuson-Stevens Fishery Conservation and Management Act—The Magnuson-Stevens Act (MSA) is the primary statute regu-

lating commercial and recreational fishing in federal waters. The MSA was last reauthorized in the 109th Congress. While the Committee passed a partisan MSA reauthorization bill in the 117th Congress, no oversight hearings were held. Any reauthorization must first provide for robust consideration by the committee with an examination of policy issues related to reauthorization and opportunities for stakeholders and the regional fishery management councils to provide input.

30x30—Ocean conservation is not mutually exclusive to ensuring that our federal offshore waters simultaneously remain a vital, sustainable, working, and recreational resource for communities and fishermen. The Committee will continue to exercise oversight of expansions of Marine Protected Areas and Marine National Monuments in order to meet the Biden administration's arbitrary 30x30 goals.

Gulf of Mexico Red Snapper—NOAA recently published its final rule to implement catch limits and recreational data calibration framework actions for Gulf of Mexico Red Snapper. NOAA's flawed rule is intended to prevent overfishing by modifying each state's annual catch limits (ACLs) for red snapper. This new formula will require calibrating states' high-quality data to the low-quality Federal Marine Recreational Information Program (MRIP) data. The new calibration required by the rule could significantly impact some of the states' red snapper quota this year. The Committee will conduct oversight of NOAA as the agency moves forward with calibrating this data.

Protecting Salmon from Sea Lions—In 2018, Congress amended the Marine Mammal Protection Act to allow for states and tribes to remove California and Steller sea lions from a management zone on the Columbia River and its tributaries where they prey on at-risk salmon and other species. The Committee will examine and pursue ways to enhance the removal of these predators to protect tribal and other fishery stocks in the Columbia and other basins.

Offshore Wind Impacts to Fisheries and Protected Species—The Committee will examine the potential effects and mitigation of offshore wind energy development on fisheries and protected species.

Aquaculture—The Committee will examine ways to develop aquaculture opportunities in the United States.

Public Access and Management within the National Wildlife Refuge System—The Committee will conduct oversight of access to, and management of, the U.S. National Wildlife Refuge System. This will include proposals, such as a proposed lead ammunition and fishing equipment ban, that could restrict such access and be cost prohibitive for some in the hunting and fishing communities.

Marine Mammal Protection Act (MMPA)—NOAA has proposed unprecedented regulatory burdens in the name of protecting whales on the Atlantic Coast. These actions impose a huge risk to industry and private citizens alike. The Committee will examine whether these regulations are based in sound science and reasoning.

Indian Affairs

Budget and Spending Review—The Committee will examine the budget request and staffing levels for the Bureau of Indian Affairs (BIA), the Indian Health Service (IHS), Bureau of Trust Funds Ad-

ministration (BFTA), and other agencies, offices and functions relating to Indian and Alaska Native affairs. The Committee will conduct oversight of agency programs with expired authorizations, to determine whether such programs warrant reauthorization, updating, or termination.

Federal Barriers to Economic and Energy Development on Indian Lands—The Committee will examine how best to remove federal restrictions on Indian lands so that tribes may have greater control over their own affairs. Certain federal laws and policies governing public lands are applied to lands held in trust or restricted status for tribes and individual Indians. Many activities occurring on tribal land are often subject to approval of the Secretary of the Interior. Indian tribes have and continue to demonstrate that they are best suited to manage their land and resources contained therein.

Tribal Forestry—In 2018, Congress passed certain provisions of the Resilient Federal Forest Act which provided tribes the authority to participate in federal Good Neighbor Authority projects. Tribes are good stewards of the environment and have the knowledge to better manage their forests. Unfortunately, severe fires throughout the United States have impacted many tribal nations. The Committee will conduct oversight to analyze and determine what additional tools for tribes will benefit forest management activities and reduce the risk of catastrophic wildfire on tribal and non-tribal lands. The anticipated release of the Indian Forest Management Assessment Team's 2023 report will provide opportunities for Congress to work with Indian tribes on solutions to improve the health of Indian forests.

Natural Resources Management—The Department of the Interior holds approximately 56 million acres of land in trust or restricted status for tribes and individual Indians. In 2018, Congress passed the Indian Tribal Energy Development and Self-Determination Act Amendments of 2017. The Committee will review the implementation of the Act, its furtherance of the goal of increasing tribal self-governance and economic development opportunities, and ensure tribes are able to develop their resources on their lands should they choose to do so.

Land Buyback—In 2010, the Claims Resolution Act provided a one-time direct appropriation of \$1.9 billion to the Department of the Interior for the consolidation of highly fractionated Indian land, pursuant to the Indian Land Consolidation Act. By 2017, nearly all of the \$1.9 billion was spent yielding little progress on reducing land fractionization. Beginning in 2021, the Biden administration began requesting new funding for Indian land consolidation. The Committee will conduct oversight of the operation of the land consolidation program to ensure federal expenditures of funds for this program are efficient and effective.

Fee-to-Trust Issues—The Committee will conduct oversight of the Department of the Interior's fee-to-trust policy. The Supreme Court's 2009 *Carcieri v. Salazar* decision significantly impacted judicial actions concerning Indian lands and tribal recognition since 1934. The Department failed to provide information related to which tribes and lands are affected by *Carcieri*. The Department's failure obstructed potential bipartisan legislative action to reform and improve the process of acquiring lands for Indians in a bal-

anced manner that reflects contemporary land use and ownership among tribal and non-Indian communities in 21st century America.

Alaska Natives—The Committee will review the implementation of the Alaska Native Claims Settlement Act and other laws pertaining to Alaska Natives (including the Alaska National Interest Lands Conservation Act of 1980) and the Biden administration’s related actions to place land into trust in Alaska.

Law Enforcement in Indian Country—The Committee will conduct oversight of the implementation and impact of current law, policy, and agency action concerning the safety of indigenous people, including laws meant to address issues regarding missing and murdered indigenous people. The Committee will also examine law enforcement in Indian Country and tribal jurisdiction provisions, such as those included in the Violence Against Women Act reauthorization. In addition, the Committee will review federal policies and programs related to law enforcement in Indian Country and determine whether such programs should be reauthorized, updated, or terminated.

Indian Health Care Improvement Act Implementation/Indian Health Service—The Committee will review the Indian Health Care Improvement Act, with a focus on the delivery of medical services to Indian people, particularly those in remote reservations where access to health care is difficult and costly. Congress has increased Indian health funding nearly each year since fiscal year 2010. Despite these funding increases, reports from the U.S. Government Accountability Office continue to reveal that standards for the quality of care in federally operated Indian health care facilities are absent. Additionally, there continues to be a shortage of health care professionals throughout the twelve IHS areas. To ensure efficient program operation and modernize Indian health policy, the Committee will conduct oversight of Indian health programs.

Indian Gaming—According to the National Indian Gaming Commission, in fiscal year 2021 the Indian gaming industry generated \$39 billion in revenues from 510 gaming operations owned by 243 federally recognized tribes pursuant to the Indian Gaming Regulatory Act of 1988. Indian gaming is inextricably linked with fee-to-trust and tribal recognition. It must be addressed in the context of the Committee’s continued review of fee-to-trust issues, including issues related to the *Carcieri* decision. The Committee may conduct hearings specifically on gaming to ensure that appropriate enforcement and oversight by the National Indian Gaming Commission, Department of the Interior, and Department of Justice is being conducted.

Insular Affairs

Budget and Spending Review—The Committee will conduct oversight of the budget of the Office of Insular Affairs (OIA) within the Department of the Interior. The OIA serves a critical mission as territories rely heavily on the funding they receive from federal grants and OIA for their economic stability. Each U.S. territory should exercise its own self-determination, rather than Congress imposing a “federal government knows best” approach on the Insular areas.

Energy Resources in the Insular Areas—Federal efforts should ensure affordable and reliable energy systems are in place that meet the individual needs of each Insular area, rather than forcing a federally mandated transition to renewable energy sources without regard for each territory’s particular circumstances and needs.

Oversight of the Insular Areas—The Committee will review the fundamental issues facing each of the territories and freely associated states such as, support and development of self-government and self-determination, economic development and self-sufficiency through the private sector, accountability of federal funds, implementation and enforcement of federal laws, implementation and funding for the Compacts of Free Association, and management of limited land and water resources. The Committee will also continue to conduct oversight over the implementation of the Puerto Rico Oversight, Management, and Economic Stability Act.

Freely Associated States—The Committee will conduct oversight of the implementation of the Compacts of Free Association and assistance provided by the Department of the Interior’s OIA. The Compacts of Free Association entered into by the United States with three Pacific island nations, the Republic of the Marshall Islands, Republic of Palau, and the Federated States of Micronesia, will expire in 2023 and 2024. These compacts continue a long-standing relationship between the United States and these nations, and enables mutually beneficial defense and economic connections between nations.

Health and Economic Well Being of the Territories—The Committee will conduct oversight of the programs that support the U.S. Insular Territories of Guam, the Commonwealth of the Northern Marianas, American Samoa, Puerto Rico, and the U.S. Virgin Islands. Such programs are intended to increase the health, wellbeing, and economic activity of the territories. The Committee will examine the programs’ efficacy and efficiency for residents and citizens of the territories and for U.S. taxpayers.

National Security

Foreign Influence—During the 115th Congress, the Committee initiated an investigation into the effect of environmental and natural resources lawsuits filed by special interest groups on U.S. national security interests. The investigation revealed excessive litigation’s adverse impact on military training, testing activities, and accessibility. The Committee will continue to investigate the potential foreign influence on U.S.-based environmental organizations that utilize laws within the Committee’s jurisdiction to hamper U.S. national security interests.

Border Security and the Environment—The Committee will continue oversight of the challenges faced by U.S. Border Patrol agents on federal borderlands and the environmental impact of illegal border crossings and drug smuggling. Large portions of federally owned borderland offer remote locations popular for drug and human smugglers. Stakeholders reported that bureaucratic regulations and policies related to federal natural resources laws slow or impede Border Patrol’s operations on federally owned land. Moreover, the increased illegal activities on the border deprive the public of access to federally owned lands and cause significant damage

to local environments. The Committee will continue to examine the significant environmental, economic, and social consequences on federal borderlands caused by illegal immigration and promote appropriate solutions.

DISSENTING VIEWS

On February 7, 2023, the House Natural Resources Committee considered its Authorization and Oversight (A&O) Plan for the 118th Congress, pursuant to clause 2(d)(1) of rule X of the House of Representatives. This plan, which was crafted by the Committee's Republican majority, and which passed on a party-line vote, ignores crucial components of the Committee's jurisdiction—including the climate crisis and environmental justice—while uplifting a litany of industry priorities. Throughout debate on the plan itself and on amendments offered by Committee Democrats, all of which Republicans voted down along party lines, Committee Republicans demonstrated an interest in advancing an industry wish-list agenda over protecting the interests of the American people.

As Members of the House Natural Resources Committee, we are charged with the monumental tasks of protecting our planet from climate change and improving the quality of life of our communities for generations to come. This Authorization and Oversight Plan proves that Committee Republicans are not yet ready to meet that charge.

Ironically, Committee Republicans' A&O Plan focuses on attacking, rather than building on, the successes of the Infrastructure, Investment, and Jobs Act (IIJA) and the Inflation Reduction Act (IRA). Both bills were historic climate and environment wins—the IRA is the largest climate bill in history—which included funding for supposed Republican priorities like forest management, drought resilience, environmental permitting, and renewable deployment. Yet, Committee Republicans vehemently opposed both bills, and their oversight plan continues their misguided attacks on these essential investments in the future of the United States.

Committee Republicans' A&O Plan mentions climate change only twice: once in a section railing against investments in science-based climate programs at the United States Geological Survey (USGS) and again in a section citing scientifically dubious, wholly insufficient efforts like restorative grazing as climate solutions. Not including climate change as a major component of this plan is a blatant disservice to the American people, especially those who live in communities that are being hit hardest by climate change.

The A&O Plan put forth by Committee Republicans would see the Committee work to drastically expand fossil fuel extraction on public lands, all while lowering environmental and community protection standards, despite the fact that fossil fuels extracted from public lands and waters are already responsible for 25 percent of United States carbon pollution. The plan does not include pathways for oversight of the fossil fuel industry's record profits year after year—earned while prices soared for consumers—nor does the plan consider the public health impact of fossil fuel extraction, which we know is disproportionality borne by communities of color,

low-income communities, and Indigenous communities. When Energy and Mineral Resources Subcommittee Ranking Member Ocasio-Cortez offered an amendment to consider the health impacts of extraction, Republicans uniformly opposed this addition. The Ocasio-Cortez amendment would have added the following to the A&O Plan:

Community Impacts of Extraction—Federal fossil fuel extraction is a significant driver of carbon pollution, air and water quality, and public health impacts. These burdens are disproportionately concentrated in communities of color, low-income communities, and Indigenous communities. The Committee will perform oversight to understand how federal fossil fuel programs impact community health and safety.

Notably, the amendment would not have removed any of the Republican A&O Plan as proposed. It only would have required the Committee to perform its duty to conduct oversight into the disproportionate burdens created by fossil fuel development on public lands and waters. It is disappointing, to say the least, that Republicans unanimously voted against including this item in the Committee's agenda.

Reducing emissions and prioritizing clean, renewable energy on public lands could be a huge step toward our country's climate goals, yet Committee Republicans apparently have no serious plans to address these priorities. Our Committee has the ability to deliver real climate solutions to the communities that have been overburdened by climate change, including poor communities, communities of color, Indigenous communities, and the U.S. Insular Areas, but those solutions are only coming from Committee Democrats.

Rather than opening public lands and waters to oil and gas extraction or attacking science-based and community protections like the *Endangered Species Act* (ESA) and the *National Environmental Policy Act* (NEPA), Committee Democrats want to focus on real issues that will benefit communities across the country.

Committee Democrats want to build on the historic successes of the past several years under the Biden administration. We must ensure that the unprecedented investments in American infrastructure and climate resilience achieved under IIJA and IRA are benefitting the communities that need it most. We must ensure the build-out of renewable energy generation, incorporate Indigenous Traditional Ecological Knowledge into federal planning and decision-making, and advance self-determination and decolonization in the Insular areas.

To meet these priorities, I offered a comprehensive amendment to the Republican majority's A&O Plan. This amendment would not have reduced or altered any of the priorities highlighted by Committee Republicans. It simply would have added the following categories as Committee oversight priorities:

- Reducing Carbon Pollution
- Helping Communities Impacted by Climate Change
- Elevating Indigenous Traditional Ecological Knowledge in Climate Solutions

- Pursuing Ocean-Based and Other Nature-Based Climate Solutions
- Ensuring Use of the Best Available Climate Science

Unfortunately, Committee Republicans clearly indicated that they do not see these areas as priorities, given that they uniformly voted against the amendment.

While Committee Republicans continue to offer policies that would benefit the fossil fuel industry, Committee Democrats will continue to uplift climate and communities and to champion an agenda for the American people. Committee Democrats will prioritize:

Putting people and communities first

- Ensure communities on the frontline of environmental harm have a seat at the table in federal decision-making.
- Support under-resourced communities in securing their own livelihoods, health, and safety to combat the climate crisis and other environmental harms.
- Acknowledge and work to correct the historically racist policies within our jurisdiction.

Protecting our planet and people

- Prioritize policies that improve Americans' quality of life and put the health and well-being of communities above polluter profits.
- Conserve our natural resources by promoting ocean health, protecting wildlife, safeguarding irreplaceable landscapes, preserving our public lands, and ensuring cleaner water and air.
- Reduce pollution, prevent catastrophic climate impacts, and help communities and ecosystems adapt to climate change.

Working with Indigenous Peoples

- Respect tribal sovereignty by ensuring that Indigenous voices are heard and incorporated into federal decision-making.
- Protect tribal land and water rights by supporting tribal economic, infrastructure, and clean energy development.
- Ensure Indigenous communities have access to the federal resources to which they are legally entitled.
- Promote tribal consultation with federal agencies to ensure the incorporation of Indigenous points of view prior to policy and regulation implementation.

Supporting Insular Areas

- Foster political self-determination and economic development of U.S. Territories.
- Ensure residents of U.S. Territories have the resources they need to recover from and prepare for natural disasters.
- Provide needed oversight of the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA) and the Financial Oversight and Management Board for Puerto Rico.
- Continue efforts to advance the economic self-sufficiency of the Freely Associated States.

Building an economy for the future that works for everyone

- Support innovative, sustainable clean energy sources that meet our country's needs and support our climate goals.
- Grow the outdoor recreation economy by protecting and responsibly enhancing access to public lands.
- Encourage responsible energy development that safeguards our environment and community health.

Working with the Biden administration to hold the federal government to the highest standard

- Ensure timely and responsible implementation of the historic investments in the IIJA and IRA for priorities like forest management, drought resilience, environmental permitting, and renewable deployment.
- Hold polluting industries and federal officials accountable to the public through transparency and oversight.
- Restore scientific integrity in the executive branch.
- Identify and eliminate waste, fraud, and abuse at the agencies under our jurisdiction.
- Support leadership that promotes justice, equity, diversity, and inclusion in the recruitment, promotion, and retention of the federal workforce.

Our Committee is also charged with the solemn duty of jurisdiction over the Insular Areas of the United States, including Puerto Rico. To that end, Representative Nydia Velázquez offered an amendment that would have added the following to the A&O Plan in the paragraph regarding Puerto Rico:

The Committee will continue to monitor the recovery efforts on the island, including the reconstruction of the electric grid. The Committee will also provide oversight to ensure environmental and natural resources are being protected under federal law.

As with the Grijalva and Ocasio-Cortez amendments, this amendment would not have reduced or altered any of the priorities highlighted by Committee Republicans. It simply would have added vital priorities to the Committee's agenda.

It is disappointing and frankly baffling that Republicans unanimously voted against including these priorities in the Committee's agenda.

As this Congress gets underway, I hope the majority will reconsider and join Democrats in pursuing oversight of recovery efforts in Puerto Rico and in ensuring that the island's environmental and natural resources are being protected under federal law.

For the reasons discussed in these views, I oppose the Committee's Authorization and Oversight Plan as approved by Republicans.

RAÚL M. GRIJALVA,
*Ranking Member, House Committee
on Natural Resources.*

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

AUTHORIZATION AND OVERSIGHT PLAN

Committee on Oversight and Accountability

U.S. House of Representatives

118th Congress

Under clause 2(d) of House Rule X, the Chair of each Committee is required to adopt and submit to the Committees on Oversight and Accountability and House Administration an authorization and oversight plan not later than March 1 of the first session of Congress.

This following is the authorization and oversight plan of the Committee on Oversight and Accountability. The Committee will conduct oversight and investigations pursuant to its legislative and oversight jurisdiction under Rule X.

The Committee's mission is to ensure the economy, efficiency, effectiveness, and accountability of the federal government and all its agencies. The following list is not exhaustive. The Committee will retain the flexibility to investigate instances of waste, fraud, abuse, and mismanagement as they emerge, and to conduct oversight of other issues as appropriate.

LAPSED AUTHORIZATIONS

The Committee will consider lapsed authorizations in its jurisdiction in the 118th Congress, and work to enact necessary authorizations and reforms. These include the Merit Systems Protection Board; the National Archives Historical Publications and Records Commission; the Office of Government Ethics; and the DC Tuition Assistance Grant Program.

EXPIRING AUTHORIZATIONS THIS CONGRESS

The Committee will consider expiring authorizations in its jurisdiction in the 118th Congress, and work to enact necessary authorization and reforms. These include: the Scholarships for Opportunity and Results (SOAR) Act—which provides scholarships to students in Washington, DC—expires September 30, 2023; the Office of National Drug Control Policy (ONDCP), whose authorization expires September 30, 2023; and the Office of Special Counsel (OSC), whose authorization expires September 30, 2023.

WASTE, FRAUD, ABUSE, AND MISMANAGEMENT

The Committee will continue to examine instances of waste, fraud, abuse, and mismanagement of the activities of the federal government, with an emphasis on spending. The Committee's oversight will cover all federal government departments, agencies, and programs with an eye toward solutions for eliminating wasteful spending and abuse of authority. Furthermore, the Committee will continue to examine the scope of and reasons for unprecedented levels of fraud and improper payments in COVID-relief programs. It will offer targeted legislative proposals that proactively address identified waste, fraud, abuse, and mismanagement.

THE FEDERAL WORKFORCE

As the authorizer of civil service rules under Title 5 of the United States Code, the Committee will conduct oversight to ensure the federal workforce is operating efficiently and effectively and serves the needs of this nation. The Committee will ensure expanded telework and remote work policies do not adversely affect agency performance and achievement of mission. The federal hiring process must be competitive, merit-based, technology-based, and conducted in a cost-effective manner.

FEDERAL REGULATION AND THE REGULATORY PROCESS

While some federal regulations are necessary to effectively implement the laws that Congress passes, federal regulations can also impose significant burdens on industry, affecting the Nation's economic growth. The Committee will place special emphasis on oversight of the federal regulatory process to ensure that federal regulators work to minimize unnecessary burdens on small businesses, job creation, economic growth, and competitiveness in the global marketplace while maintaining protections for the American people.

THE GOVERNMENT ACCOUNTABILITY OFFICE

As the authorizer of the Government Accountability Office (GAO), the Committee will continue to support its mission. In addition, and as required by House rule X, clause 4(c)(1)(A), the Committee will continue to receive and examine GAO reports and submit to the House such recommendations as it considers necessary or desirable in connection with the subject matter of the reports.

In April 2023, the GAO will issue its biennial "High Risk List" report, which identifies government programs that are particularly vulnerable to waste, fraud, abuse, or mismanagement, or are in need of transformation. The Committee will provide ongoing oversight of agencies and programs included on the High Risk List by holding hearings, meeting with agency officials responsible for included programs, and monitoring agencies' corrective plans and actions.

INSPECTORS GENERAL

The Committee will continue to work closely with the inspectors general to ensure they have the tools needed to effectively perform their important oversight and investigative work. The Committee

intends to help inspectors general ensure accountability from their respective agencies. The Committee will also consider the Pandemic Response Accountability Committee (PRAC), which is set to terminate on September 30, 2025. The Committee will review the potential need to extend the PRAC beyond that date, including the existing centralized data analytics unit within the PRAC—the Pandemic Analytics Center of Excellence—to ensure continued efforts to prevent, identify, and combat fraud in federal programs.

GSA REAL PROPERTY DISPOSAL

The management of Federal real property has been on GAO's High-Risk list since 2003 because it can take years to sell or otherwise dispose of unneeded government properties, which can require millions of dollars of taxpayer funds to maintain. The Committee will examine the results to date of the pilot programs authorized by the Federal Assets Sale and Transfer Act of 2016, which was intended to achieve cost savings by expediting property sales through new mechanisms, including a temporary Public Buildings Reform Board. With the Administration emphasizing permanent, expanded telework and remote policies, the Committee will ensure the federal real property footprint aligns with evolving workforce needs and agency mission demands.

WHISTLEBLOWER PROTECTION

The Committee will maintain its efforts related to the protection of whistleblowers in the federal government. The Committee will continue to work directly with whistleblowers, including those who make disclosures of waste, fraud, abuse, and mismanagement to the Committee. The Committee will continue to advance policies that protect federal employees' rights, and those of federal contractors and other recipients of financial assistance, to communicate directly with Congress and to ensure such employees are aware of these rights, encouraging other whistleblowers to come forward. The Committee will examine directives restricting federal employees from communicating freely with Congress, as well as allegations of retaliation or reprisal for communicating with Congress.

FEDERAL FINANCIAL MANAGEMENT

The Committee will examine federal financial management. The Committee will focus on agency efforts to reduce improper payments, ensure payment integrity and proper accounting practices, and achieve an unqualified audit opinion for the federal government. The CFO Act as amended requires federal agencies to prepare agency-wide financial statements that undergo outside audit. To date, GAO has been unable to issue an audit opinion on the consolidated, government-wide financial statements, in part due to serious financial management problems at the Department of Defense. In particular, the Committee will focus on overseeing the Department of Defense's financial management processes and its progress towards becoming auditable.

The Committee will also continue to investigate improper payments distributed by federal agencies. Under the 2002 Improper Payments Information Act (IPIA), federal agencies are required to

annually review all programs and activities to identify those entities susceptible to significant improper payments.

GOVERNMENT CONTRACTING

Controlling federal government contract spending is critically important. The federal government buys a wide variety of goods and services, from pens to sophisticated weapons systems to cybersecurity tools and services. The Committee will conduct oversight of agency contracting to ensure there is appropriate management of taxpayer funds and agencies are effectively using acquisition strategies to achieve policy goals and ensure programmatic and mission success. Further, the Committee will conduct oversight that includes a focus on contract management and identify areas where the government has not effectively optimized commercial best practices or is not instituting mechanisms to ensure sufficient competition. The Committee will also promote the establishment of transparency requirements at the point of award to achieve the necessary levels of oversight throughout the life cycle of federal contracts to prevent waste, fraud, abuse, and mismanagement.

GRANT REFORM

The Committee will continue to conduct oversight of federal grants, including grant programs and activities. The Committee will examine the efficiency, fairness, and transparency of the grant-making process, and evaluate opportunities to reform and streamline the grant-making process across the federal government. The Committee will also focus on ensuring greater efficiency for the post-award reporting requirements of recipients of federal financial assistance and better visibility into the use of federal financial assistance in order to combat fraud and abuse.

CYBERSECURITY AND DATA PRIVACY

The Committee will continue to conduct oversight of the increasing number of cyberattacks impacting federal agencies and the private sector. The Committee intends to examine ways to ensure that agencies and corporate entities take appropriate steps to protect private and public sector networks and information systems that are critical to the nation's infrastructure and security, and the personal information of all Americans. The Committee also will continue its oversight of government-wide cybersecurity standards, policies, systems, and tools established or implemented by the Executive Branch to protect federal information systems.

INFORMATION TECHNOLOGY AND MANAGEMENT

The Committee will review the federal government's IT acquisition and management policies to ensure that taxpayers are getting the maximum return for their money. The Committee will closely monitor the executive branch's efforts to address IT systems and projects that are not achieving their intended purpose, streamline those that are wasteful, rework those that are failing to deliver value on time and under budget, and work to ensure that costly, failing legacy systems are decommissioned. The Committee will explore legislative reforms to ensure that federally maintained infor-

mation technology can be readily tied to agency funding accounts and relevant contract awards, as well as agency programs and strategic mission goals which are supported by these IT investments.

OPEN GOVERNMENT AND TRANSPARENCY

The Committee will continue to advocate for data-driven solutions for increasing transparency and accountability throughout the federal government. The Committee will evaluate possible legislation to set policy goals that better harmonize reporting obligations and achieve data-driven transparency around federal agency programmatic organization and performance, regulatory procedures and information collections, spending and financial management, and evidence-informed policymaking.

UNITED STATES POSTAL SERVICE

The Committee will monitor implementation of the recently enacted Postal Service Reform Act (PSRA), which was intended to facilitate the ability of the U.S. Postal Service to achieve longterm operational independence and financial sustainability in the wake of declining mail volume. The Committee will continue to track the financial performance of the Postal Service, to see if the law is working as intended. It will also oversee OPM's administration of the new Postal Service Health Benefit program created by the PSRA, which is to be created within the Federal Employees Health Benefits (FEHB) program. In addition, the Committee will continue to monitor the Postal Service's ability to deliver the mail expeditiously.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

The Committee will review the District of Columbia's use of federal dollars to fund its activities. In addition, the Committee will review District expenditures on local programs to ensure that the expenditures are in line with Congressional mandates and federal law. The Committee will also continue its oversight of the District consistent with its plenary authority granted by the Constitution.

NATIONAL ARCHIVES AND FEDERAL RECORDS

The Committee will continue its oversight of the National Archives and Records Administration's (NARA) management of government records and ongoing records processing backlogs. This oversight includes how NARA preserves records, including classified records, at the end of a presidential administration.

OFFICE OF GOVERNMENT ETHICS

The Committee will continue its oversight and support of the Office of Government Ethics (OGE). The agency's mandate is to lead and oversee executive branch ethics programs by making and interpreting ethics laws and regulations, advising on and interpreting ethics laws, supporting ethics training, and monitoring compliance. The Committee will continue to ensure OGE operates in a manner consistent with its mission of providing clear and impartial ethics guidance to federal agencies. The Committee will also consider re-

authorization of OGE, whose statutory authorization lapsed in 2007.

SELECT SUBCOMMITTEE ON THE CORONAVIRUS PANDEMIC

H. Res. 5 sets forth the oversight jurisdiction of the Select Subcommittee on the Coronavirus Pandemic. Topics for oversight include, but are not limited to, the origins of the coronavirus pandemic and how the federal government responded to the coronavirus pandemic so that the United States can prevent and prepare for future pandemics.

FRANK D. LUCAS, Oklahoma
CHAIRMAN

ZOE LOFGREN, California
RANKING MEMBER

Congress of the United States
House of Representatives
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
2321 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6301
(202) 225-6371
www.science.house.gov

February 27, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Comer,

Pursuant to Rule X, clause 2(d) of the Rules of the United States House of Representatives, I submit the oversight and authorization plan for the Committee on Science, Space, and Technology to the Committee on Oversight and Accountability. This plan was adopted by the Committee on Science, Space, and Technology by voice vote with a quorum present on February 8, 2023.

Sincerely,



Frank D. Lucas
Chairman

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

Authorization and Oversight Plan

U.S. House of Representatives

One Hundred Eighteenth Congress

The Committee on Science, Space, and Technology was first established as the Committee on Science and Astronautics on July 21, 1958, in a direct response to the Soviet Union's 1957 launch of Sputnik 1, the world's first satellite. The Committee was created to help the United States foster innovation and stay globally competitive in science and technology. The United States faces a new inflection point, as global competitors seek to surpass the U.S. in research and development (R&D) and emulate the success of our nation's system of innovation. The Science Committee's legislative and oversight efforts in the 118th Congress will all be focused on ensuring the U.S. remains the leader in R&D for our economic prosperity and national security and for the benefit of the next generation of all Americans.

House Rule X sets forth the legislative jurisdiction of the House Science, Space, and Technology Committee while also assigning broad general oversight responsibilities (Appendix A). Rule X also assigns the Committee special oversight responsibility for "reviewing and studying, on a 19 continuing basis, all laws, programs, and Government activities dealing with or involving non-military research and development." This provides the Committee with wide-ranging oversight authority over science and technology issues throughout the government.

The Investigations and Oversight Subcommittee coordinates and directs oversight activities across the Committee. However, oversight is conducted by every Subcommittee. All components of the Committee take the oversight mandate seriously and work cooperatively to meet the Committee's oversight responsibilities.

The following agenda constitutes the authorization and oversight plan of the Committee for the 118th Congress. It includes areas which the full committee and subcommittees expect to address new and lapsed authorizations, as well as conduct reviews, oversight, and investigations. The Committee will address additional issues, events, and plans as they arise. The Committee will consult with other committees of the House as necessary.

AUTHORIZATIONS

The Committee on Science, Space, and Technology oversees agency budgets totaling over \$68 billion in fiscal year 2023, most of

which is focused on research and development (R&D). During the 118th Congress, the Committee will review the authorizations of agencies and programs within its jurisdiction, and specifically with regard to lapsed authorizations, determine whether programs should be reauthorized, reformed, or terminated. Each subcommittee will conduct oversight of the programs and offices within their jurisdiction, including holding hearings and requesting information from the Executive Branch and stakeholders in order to gather the necessary information to support these determinations.

The Committee expects to reauthorize key federal science agencies and programs, including the National Aeronautics and Space Administration (NASA), the National Oceanic and Atmospheric Administration (NOAA), the U.S. Fire Administration (USFA), the Federal Aviation Administration (FAA) space and research, engineering and development programs, the National Quantum Initiative (NQI), the National Windstorm Impact Reduction Program (NWIRP), and offices within the Department of Energy (DOE).

These authorization activities will continue the work of the Committee in the 116th and 117th Congresses to update and reform all of the science agencies and programs in the Committee's jurisdiction. This includes the Energy Act of 2020, which reauthorized many of the applied program offices within DOE, and the Chips and Science Act, which reauthorized the National Science Foundation (NSF), National Institute of Standards and Technology (NIST), DOE Office of Science, and NASA.

In reauthorizing the agencies within its jurisdiction, the Committee seeks to improve accountability and transparency, secure research from foreign influence and theft, improve research coordination, reform programs to increase the impact of taxpayer-funded research, and ensure constancy and clarity of mission and purpose. Additionally, the Committee will make certain that research across the federal agencies is not unnecessarily duplicative and that taxpayer resources are used in an efficient and effective manner. In all legislation, the Committee will continue to support the government, academic, and industry innovation ecosystem that has made the U.S. research enterprise the most successful in the world.

ENERGY

The Committee will continue to prioritize basic and fundamental energy research as well as public-private partnerships that move research from lab to market to make our nation's energy sources cleaner, more affordable, and more secure. The Committee also seeks to advance U.S. competitiveness in science and technology by enabling researchers across the country to have access to world-class DOE user facilities, including supercomputers and high intensity light sources.

The Committee will review and reauthorize programs or offices within the Department of Energy with lapsed authorizations, as appropriate. The Committee will undertake efforts to conduct a review of and update various expired authorizations of appropriations in the Energy Policy Act of 2005 within the Office of Fossil Energy and Carbon Management and the Office of Energy Efficiency and Renewable Energy. The Committee will also undertake efforts to conduct a review of and update various expired authoriza-

tions of appropriations in the Energy Independence and Security Act of 2007 for various DOE activities, including energy storage. The Committee will also review and update expired authorizations in the America COMPETES Reauthorization Act of 2010, such as various programs for institutions of higher education.

The Committee will undertake efforts to reauthorize and refocus DOE program offices to ensure that programs are managed efficiently, duplication is limited, and funding is allocated appropriately and effectively. These include: the Office of Cybersecurity, Energy Security, and Emergency Response, the Hydrogen and Fuel Cell Technologies Office, the Bioenergy Technologies Office, and cross-cutting initiatives related to pipeline R&D, drone R&D, and quantum information sciences activities.

The Committee will also seek to authorize interagency partnerships between DOE and other federal agencies including NASA, NOAA, NSF and the Department of Agriculture, to leverage the assets of DOE to help address national challenges.

ENVIRONMENT

The Committee will prioritize legislation that promotes innovation to adapt to a changing climate without burdensome regulations, mitigate the effects of severe climate and weather events, improve weather forecasting, and ensure scientific integrity and transparency in the conduct and use of science that underpins government decision-making for environmental protection.

The Committee will pursue passage of a NOAA Organic Act to enshrine the agency in law and establish it as an independent agency. NOAA was created by executive order in 1970 and has never been established in law. An organic act will give NOAA formal statutory authority and authorize its critical mission of protecting life and property. The legislation will also improve accountability and transparency of NOAA's programs and activities.

The Committee will review and reauthorize expiring programs that address weather hazards. This includes programs authorized in the Weather Research and Forecasting and Innovation Act of 2017, such as the Tornado Warning Improvement & Extension Program, Hurricane Forecast Improvement Program, the Tsunami Warning, Education, and Research Program, and the Commercial Data Program. The Committee will also review and reauthorize programs that are set to expire from the National Integrated Drought Information System Reauthorization Act of 2018. Additionally, the Committee intends to reauthorize the National Windstorm Impact Reduction Program, an interagency research program to improve the understanding of windstorms and their impact on buildings, structures, and lifelines.

Finally, the Committee will consider legislation to address the cross-agency challenge of forecasting, preparing for and mitigating wildfires. The Committee will work with other committees of jurisdiction to improve data collection, dissemination, and coordination of resources to help state and local communities prepare for and fight wildfires.

RESEARCH AND TECHNOLOGY

The Committee will continue to prioritize legislation that ensures U.S. competitiveness in emerging research and technology, supports a U.S. STEM workforce at all levels of education including a skilled-technical workforce, ensures the transfer of technology from lab to marketplace, protects U.S. research from foreign influence and theft, and improves coordination of research across the government.

In an effort to improve coordination of key technology areas across the government, the Committee will consider legislation to establish a coordinated national initiative to improve the development and deployment of unmanned aerial systems and advanced air mobility. The legislation will improve coordination and avoid duplication of efforts across the federal government and help support a domestic drone industry to end reliance upon Chinese drones.

The Committee will also review, update, and reauthorize as appropriate other key federal technology R&D programs that have lapsed or are due to expire. These programs include the National Quantum Initiative, the National Nanotechnology Initiative, and the Networking and Information Technology Research Program. In updating these programs, the Committee will consider appropriate guardrails to protect this research from foreign influence and theft.

The Committee will also review and reauthorize R&D programs to address natural hazards. In addition to the National Windstorm Impact Reduction Program and wildfire legislation, this includes reauthorizing the Staffing for Adequate Fire and Emergency Response (SAFER) grant program, the Assistance to Firefighters Grant (AFG) program, and the United States Fire Administration (USFA).

The Committee will continue its work to improve coordination of science, technology, engineering, mathematics, and cyber (STEM) education activities across the Federal government. The Committee will consider legislation to address the national need for a skilled-technical workforce prepared to support emerging U.S. industries like quantum, advanced semiconductors, and cybersecurity.

The Committee will review and consider legislative recommendations to update the Stevenson-Wydler Act, to improve the transfer of technology from government laboratories to the private sector for commercialization.

SPACE AND AERONAUTICS

The Committee will consider legislation that supports a strong American aerospace industry, continued leadership in human spaceflight, exploration of new frontiers in planetary science, astronomy and astrophysics, the development of novel earth science capabilities, and policies that preserve U.S. leadership in space and aeronautics.

The Committee will prioritize a NASA reauthorization bill. The last comprehensive NASA authorization was signed into law in 2017. During the 117th Congress, the CHIPS and Science Act included a narrower section authorizing certain NASA activities, however the language did not include any authorizations of appro-

priations for any programs. During the 118th Congress, the Committee will engage in a comprehensive review of each directorate at NASA and will develop a comprehensive NASA authorization, including recommended funding levels.

The Committee will also consider legislation to support the commercial space sector, including bills that streamline regulations, support commercial remote sensing, improve space situational awareness, and address space launch and reentry activities at the FAA.

The Committee maintains jurisdiction over the FAA research, engineering, and development (RE&D) programs. As part of the FAA Reauthorization process, the Committee will work with other committees of jurisdiction to consider a FAA RE&D Title that provides congressional direction to FAA's RE&D priorities and advances innovation and safety in the aerospace sector.

OVERSIGHT

ENERGY

The Committee will review and conduct vigorous oversight of all civilian research, development, demonstration, and commercial application activities conducted by DOE.

The Committee will continue to conduct comprehensive oversight of DOE's implementation of the Energy Act of 2020, the Infrastructure Investment and Jobs Act (IIJA), and the CHIPS and Science Act. The Committee will prioritize oversight of the additional \$45 billion in appropriations DOE received for program funding, infrastructure investments, and loan guarantees, as well as DOE's expanded loan authority. The Committee will examine DOE's contract management practices, including but not limited to potential areas of waste, fraud, and abuse in these practices.

The Committee will also conduct oversight of all DOE Office of Science activities with special attention to management of DOE resources to reprioritize federal support for programs within the Office of Science. The Committee will conduct oversight of all federally owned or operated non-military national laboratories, including but not limited to laboratory management, research facilities, research infrastructure, and research priorities. The Committee will also examine the Office of Fossil Energy and Carbon Management laboratory which requires additional oversight due to its unique government owned, government operated management structure.

The Committee will continue to conduct oversight into DOE's research security and cybersecurity practices, to ensure the protection of DOE-funded research and the safety of DOE's national laboratories and user-facilities.

ENVIRONMENT

The Committee will review, and conduct oversight of the broad array of government and private sector programs engaged in environmental research, development, and demonstration. Broadly, the Committee will ensure that existing programs addressing climate change across the Federal government are necessary, appropriately focused, effectively coordinated, and properly organized to prevent duplication of efforts and waste taxpayer resources.

NOAA Activities

The Committee will conduct oversight into NOAA and its programs. A major priority for the Committee will be oversight of Next Generation Satellite Systems. The Committee will continue to review the federal government's development, management, and operation of earth observations satellites at both NOAA and NASA. Previous modernization efforts have resulted in systems plagued with cost overruns, delays, and mismanagement that endanger American lives and property with degraded weather data.

The Committee will continue its oversight over management and workforce issues at the National Weather Service (NWS), including issues with recruitment and retention. NWS serves a critical mission of protecting lives and properties, and sound management of its workforce, services, and technology is a critical priority.

Severe storms, floods, fires, and hurricanes result in multi-billion-dollar events. The Committee will examine various issues surrounding these extreme weather events, including oversight of the science behind these hazards and how commercial data and solutions are being utilized or coordinated with federal efforts.

EPA Activities

The Committee will review and conduct oversight of EPA's management of science and its use of science in the promulgation of rules and regulations, including lab management, regulatory science, transparency, and risk assessment. In particular, the Committee will examine how to better integrate science into the regulatory decision-making process. This includes how EPA uses and manages scientific data to reach its regulatory conclusions and incidents where principles of scientific and analytical integrity were not met.

The Committee will continue its long-standing oversight of the EPA's Integrated Risk Information System (IRIS). IRIS develops toxicological assessments that underpin regulations of toxic chemicals. A 2011 National Academies of Sciences (NAS) report found multiple process issues at IRIS, some of which have yet to be addressed.

The Committee will work to ensure that EPA is using the best available science in its chemical policy decisions, and that other federal agencies like USDA and DOD are equal and valued participants in an open, transparent process.

The EPA has proposed additional methane monitoring, quantification, and mitigation rules for the oil and gas industry. The Committee will review the effectiveness of current leak detection technologies and the need for additional data, research, and development.

RESEARCH AND TECHNOLOGY

The Committee will continue oversight of all of the Research & Technology agencies and programs in its jurisdiction, including NSF, NIST, the White House Office of Science and Technology, and the CHIPS program. The Committee will also continue its broader oversight over technology issues like artificial intelligence and quantum information sciences and matters that impact the entire

civilian R&D sector, including research security, safety and security of the STEM workforce, and public access to scientific publications.

National Science Foundation Activities

The Committee will conduct oversight over the implementation of the CHIPS and Science Act, which reauthorized NSF and created the new directorate for Technology, Innovation, and Partnerships. The Committee will also conduct oversight over NSF's expansion of its research and security programs, including risk-assessment tools and new training requirements.

National Institute of Standards and Technology Activities

The Committee will conduct oversight over the implementation of the reauthorization of NIST, which was included in the CHIPS and Science Act. This will include oversight into how NIST balances its new directives for research activities with its facility needs.

The Director of NIST serves as the President's principal advisor on standards and chairs the Interagency Committee on Standards Policy, which advises Federal agencies on standards policy and plays a key role in fostering cooperation between the Federal government, industry, and private sector organizations. The Committee will conduct oversight on how NIST drives federal support of and engagement in industry-led standards development to bolster U.S. standards leadership.

The Committee will conduct oversight over NIST's Manufacturing Extension Partnerships (MEP) program, its fifty-one centers, and the implementation of programs authorized in the CHIPS and Science Act, including the establishment of a pilot program of expansion awards for MEP centers and the creation of a national supply chain database.

NIST coordinates the national network of Manufacturing USA institutes and funds the National Institute for Innovation in Manufacturing Biopharmaceuticals (NIIMBL). The Committee will conduct oversight on the coordination across Manufacturing USA Institutes and the operation of the Institutes that fall within its jurisdiction.

As directed in the National AI Initiative Act, NIST is releasing an AI Risk Management Framework in 2023. The Committee will conduct oversight over the Framework, and its use by the federal government and the private sector.

White House Office of Science and Technology Policy Activities

The White House Office of Science and Technology Policy (OSTP) coordinates federal R&D policy across the federal government. The Committee will conduct oversight over directives to OSTP in the CHIPS and Science Act, including implementation of the National Science and Technology Strategy and Quadrennial Review required in the law. The Committee will also conduct oversight over OSTP's coordination of activities in artificial intelligence, quantum information science, high-performance computing, and climate research.

In 2022, OSTP released new guidance on public access to federally funded research, and directed federal research agencies to develop implementation plans to respond to that guidance. The

Committee will conduct oversight over the implementation of this guidance to ensure that the process is transparent and encourages all stakeholders to offer input. The Committee will also conduct oversight to ensure that the guidance does not place any undue or unfeasible burden on federal research agencies or awardees.

Research Security Activities

In the 116th and 117th Congress, the Committee passed several new requirements related to research security, including new disclosure requirements, training requirements, and a prohibition on participation in malign foreign talent programs by federally funded researchers. The Committee will conduct oversight over the implementation of these laws by all federal research agencies, examine any gaps in the current laws, and review any unintended consequences from the new requirements.

CHIPS Act Activities

The CHIPS and Science Act authorized and provided \$50 billion in funding to support the reshoring of semiconductor manufacturing and packaging in the United States and research and development activities. NIST, under the Department of Commerce, will be implementing these provisions. Oversight over the management of the programs and the awarding of funds will be a high priority for the Committee.

SPACE

The Committee will review, and conduct oversight of all activities contemplated and authorized by the *National Aeronautics and Space Act of 1958*, as amended, as well as all other laws pertaining to the Committee's jurisdiction over space under Title 51 U.S. Code, and House Rule X.

NASA Activities

The Committee will continue its oversight of all NASA activities. The Committee will monitor and review all programs, projects, and activities for cost, schedule, and performance issues as well as for waste, fraud, abuse, and mismanagement.

The Committee will prioritize oversight of the Artemis program to return humans to the Moon and then land on Mars. The Committee will continue to conduct vigorous oversight to ensure NASA stays on track to fulfil its mission to build the systems necessary to return U.S. astronauts to the Moon and land the first humans on Mars.

The Committee will also continue to review U.S. cooperation with other government agencies and international partners related to outer space.

Commercial Space

The Committee will continue to review commercial space activities, both public and private. This includes not only NASA's use of commercial space partnerships, but also the executive branch's use of existing regulatory authority granted by statute. Furthermore, as agencies seek additional regulatory authority for space activities, the Committee will maintain rigorous oversight of its jurisdiction.

tion over “[a]stronautical research and development, including resources, personnel, equipment, and facilities,” and “outer space, including exploration and control thereof” as granted by House rule X.

FAA Activities

The Committee will review and conduct oversight of all activities within the FAA’s Office of Commercial Space Transportation (AST), which licenses commercial launch and reentry activities, as well as spaceport operations. The Committee will also review and monitor the emergence of several fledgling commercial suborbital space flight ventures.

Additionally, the Committee will oversee and review all of the FAA’s RE&D activities to ensure that they lead to improvements in the U.S. aerospace sector, focusing with particular interest on the FAA’s management of its Next Generation Air Transportation System (NextGen) program.

National Space Council

The Committee will also conduct oversight into the activities of the National Space Council, including execution of all congressionally mandated activities and reports.

GENERAL OVERSIGHT

The Committee will conduct an in-depth oversight audit of the programs in its jurisdiction to ensure that its robust and exhaustive oversight efforts continue to be effective. Specifically, the Committee will conduct oversight of inspectors general to ensure that they are actively working to combat waste, fraud, abuse, and mismanagement; while at the same time ensuring that they are properly equipped, funded, and have the authorities necessary to complete their important investigations and audits.

The Committee stands ready to work with whistleblowers across the government in its oversight efforts. It will review whistleblower protections applicable to its jurisdiction and consider where expansions of such authorizations may be warranted to better protect those that come forward in an effort to make government better. The Committee will combat whistleblower retaliation and will keep the anonymity of whistleblowers that provide information to Congress.

Appendix A

HOUSE RULE X

ORGANIZATION OF COMMITTEES

Committees and their legislative jurisdictions

1. There shall be in the House the following standing committees, each of which shall have the jurisdiction and related functions assigned by this clause and clauses 2, 3, and 4. All bills, resolutions, and other matters relating to subjects within the jurisdiction of the standing committees listed in this clause shall be referred

to those committees, in accordance with clause 2 of rule XII, as follows:

- (p) Committee on Science, Space, and Technology.
 - (1) All energy research, development, and demonstration, and projects therefor, and all federally owned or operated nonmilitary energy laboratories.
 - (2) Astronautical research and development, including resources, personnel, equipment, and facilities.
 - (3) Civil aviation research and development.
 - (4) Environmental research and development.
 - (5) Marine research.
 - (6) Commercial application of energy technology.
 - (7) National Institute of Standards and Technology, standardization of weights and measures, and the metric system.
 - (8) National Aeronautics and Space Administration.
 - (9) National Space Council.
 - (10) National Science Foundation.
 - (11) National Weather Service.
 - (12) Outer space, including exploration and control thereof.
 - (13) Science scholarships.
 - (14) Scientific research, development, and demonstration, and projects therefor.

Special oversight functions

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

ROGER WILLIAMS, TEXAS
CHAIRMAN

NYDIA M. VELAZQUEZ, NEW YORK
RANKING MEMBER

Congress of the United States
U.S. House of Representatives
Committee on Small Business
2301 Rayburn House Office Building
Washington, DC 20515-8515

February 8, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Comer:

Pursuant to clause 2 (d) (1) of Rule X of the Rules of the House, I am transmitting the "Authorization and Oversight Plan for the 118th Congress." The Committee approved, with a quorum being present, the Authorization and Oversight Plan on February 8, 2023, by voice vote.

Should you or your staff have further questions regarding this document, please contact Lauren Holmes, General Counsel for the Committee, at 202-225-5821.

Sincerely,



Roger Williams
Chairman

Enclosure

COMMITTEE ON SMALL BUSINESS

AUTHORIZATION AND OVERSIGHT PLAN

U.S. HOUSE OF REPRESENTATIVES

118TH CONGRESS

Rule X, clause 2(d) of the Rules of the House requires each standing committee of the House to adopt and submit an authorization and oversight plan for this Congress to the Committee on Oversight and Accountability and the Committee on House Administration by March 1 of the first session of Congress.

The following is the authorization and oversight plan for the Committee on Small Business and its subcommittees for the 118th Congress. The Committee will conduct oversight and investigations pursuant to its legislative and oversight jurisdiction under rule X, which permits the Committee to investigate any matter affecting small business.

Rule X, clause 2(d)(2) requires that committee oversight plans include a list of programs or agencies within each committee's jurisdiction with lapsed authorizations that received funding in the prior fiscal year, or a program or agency with a permanent authorization, which has not been subject to a comprehensive review by the committee in the prior three Congresses. The Committee has found no Small Business Administration Programs (SBA) that fit these parameters.

Rule X, clause 2(d)(2) also requires a description of the programs or agencies to be authorized in the current Congress or the next Congress, and any oversight to support the authorization of each such program or agency in the current Congress, and recommendations for changes to existing law for moving such programs or agencies from mandatory funding to discretionary appropriations, where appropriate. The Committee may consider reforms and improvements to various SBA programs as noted throughout this Authorization and Oversight Plan.

OVERSIGHT OF FEDERAL CAPITAL ACCESS PROGRAMS

The Committee will conduct hearings and investigations of SBA and other federal agencies that provide capital to American's entrepreneurs that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Effectiveness of the capital access programs to generate jobs in the fastest growing small businesses.
- Whether lenders are meeting their goals to lend to small businesses and create jobs.
- Risk to the taxpayers of the capital access programs.

- Adequacy of SBA oversight of its lending partners to ensure that federal taxpayers are properly protected.
- Capabilities of the SBA information technology to manage the loan portfolio.
- Whether SBA rules, regulations, and guidance result in transparent and reasoned decision making with respect to capital access programs.
- Assessment of credit-scoring algorithms as a replacement for individual credit assessment by SBA and its lending partners.
- The exercise of discretion by SBA to create pilot programs and the risk they pose to the taxpayer and whether such authority should be curtailed or eliminated.
- Whether SBA disaster loan program and its oversight ensures that small businesses are able to revive and rebuild communities without unduly placing the federal taxpayer at risk.
- Review of the Paycheck Protection Program, the Economic Injury Disaster Loan program, and other COVID-19 related relief programs related to small business.
- Efficacy and duplication of federal capital access programs offered by the Department of Agriculture to small business in rural areas.
- Utilization by small businesses of export capital programs at the Export-Import Bank and the Overseas Private Investment Corporation.
- Continued examination of the Small Business Lending Fund and State Small Business Credit Initiative established by Pub. L. No. 111-240, the Small Business Jobs Act of 2010, in creating jobs and providing capital to small businesses.
- Impact of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Pub. L. No. 111-203, on small business access to capital.
- Implementation of crowdfunding and other provisions of the Jumpstart Our Business Startups Act, Pub. L. No. 112-106.
- Review of proposed changes to capital access programs, to include lifting the moratorium on licensing new Small Business Lending Companies.
- Implementation of program clarifications made to encourage more cooperative and employee stock ownership plan lending through SBA programs established by the Main Street Employee Ownership Act of 2018, passed into law by the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232.

In performing oversight, the Committee will focus on risky aspects of financial assistance programs including, but not limited to, commercial real estate financing, premier certified lenders, participating security small business investment companies, small business lending companies, express lenders, and loan programs utilizing simplified lending applications.

OVERSIGHT OF SBA AND OTHER FEDERAL ENTREPRENEURIAL DEVELOPMENT PROGRAMS

The committee will conduct hearings and investigations into the SBA programs that providing training and advice to small businesses that may include any or all of the following, as well as mat-

ters brought to the attention of the Committee subsequent to the filing of this Report:

- Examining effectiveness of SBA entrepreneurial development programs, including programs for veterans, in creating jobs at startups and traditional firms.
- Determining whether certain programs should be eliminated as a result of their ineffectiveness or duplications of programs provided by other agencies or by the private sector.
- Suggesting methods for enhancing coordination among federal agencies in providing assistance to entrepreneurs, including, but not limited to, businesses located in rural areas and those seeking to provide goods and services in the federal procurement marketplace.
- Recommending improvements in assistance to small businesses in rural areas and low-income areas
- Review SBA's transition from EDMIS to Nexus, the new data collection system for Entrepreneurial Development programs.

OVERSIGHT OF FEDERAL GOVERNMENT CONTRACTING MATTERS

The Committee will conduct hearings and investigations into the federal procurement system that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Whether fraud or other problems exist in the federal government contracting programs overseen by the SBA.
- Effectiveness of SBA contracting programs to increase participation by small business in federal procurement.
- Review SBA certification systems to ensure timely and accurate processing of applications and continue to monitor the migration of the veteran certification program from the Department of Veterans Affairs to the Small Business Administration.
- Effectiveness of federal agency protection against contract bundling and consolidation. The accuracy and utility of SBA size standards and federal procurement databases.
- Operation and effectiveness of federal agency assistance provided to small businesses interested in federal procurement, including that provided by the SBA, Offices of Small and Disadvantaged Business Utilization and Procurement Technical Assistance Centers.
- Development of federal acquisition policies and whether small businesses have sufficiently effective voice in development of such policies.
- Cost-effectiveness of outsourcing government work to private enterprise rather than expanding the government to provide the good or service internally.
- Implementation and efficacy of changes made in small business federal procurement programs arising from the enactment of the National Defense Authorization Acts.
- Examination of the Small Business Innovation Research Program as modified by the National Defense Authorization Act for FY2012, Pub. L. No. 112–81, including but not limited to, increased efforts at commercializing federally funded technology.

- Review the implementation of Small Business Innovation Research Program and Small Business Technology Transfer programs as extended by Pub. L. No. 117–183.

In performing oversight, the Committee will focus its efforts on uncovering abuse and misuse of the small business designation to obtain federal government contracts.

OVERSIGHT OF SBA MANAGEMENT

The committee will conduct hearings and investigations into the management of the SBA that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- The fulfillment of the mission of the SBA.
- Whether agency employees in the field are empowered to assist small business.
- Whether field offices are appropriately staffed.
- Duplication of offices and missions at SBA headquarters.
- Effectiveness of personnel management.
- Capabilities of SBA employees to provide proper assistance to small business owners.
- Agency personnel capabilities to properly manage loan defaults to maximize recovery of collateral.
- Whether SBA improperly utilizes statutory authority to create untested initiatives and the procedures by which the agency develops such programs.
- Policies and procedures to ensure fair and competitive contracting opportunities for small business.
- Monitor the agency's spending and efforts as it relates to the pandemic response and fully account for Covid–19-provided appropriations.
- Review the SBA's technology and data systems in an effort to modernize, strengthen, and improve interoperability between platforms.
- Assess the agency's efforts to secure their networks and data systems.

In carrying out this oversight the Committee will focus particularly on streamlining and reorganizing of the agency's operations to provide maximum assistance to small business owners. Offices that primarily provide assistance or advice to headquarters staff that do not promote the interests of small businesses or protect the federal government as a guarantor of loans will be recommended for cuts or elimination.

OVERSIGHT OF FEDERAL REGULATORY AND PAPERWORK BURDENS

The Committee will conduct hearings and investigations into unnecessary, burdensome, and duplicative federal rules, reporting and recordkeeping requirements affecting small businesses that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Consumer Financial Protection Bureau.
- Consumer Product Safety Commission Department of Agriculture.
- Department of Commerce.

- Department of Energy, particularly the Office of Energy Efficiency and Renewable Energy.
- Department of Health and Human Services, particularly the Centers for Medicare and Medicaid Services and the Food and Drug Administration.
- Department of the Interior.
- Department of Homeland Security, particularly the Transportation Security Administration.
- Department of Labor, particularly the Occupational Safety and Health Administration and the Wage and Hour Division.
- Department of Transportation, particularly the Federal Aviation Administration and the Federal Motor Carrier Safety Administration.
- Department of the Treasury, particularly the Internal Revenue Service.
- Environmental Protection Agency, particularly the office of Environmental Justice and External Civil Rights.
- Federal Communications Commission.
- Federal Financial Institutions Examination Council and its constituent agencies.
- Office of Management and Budget, particularly the Office of Federal Procurement Policy.
- Securities and Exchange Commission.

The Committee will identify specific rules and regulations already issued or at the proposed rule stage to assess the impact on small business. In addition, the Committee will examine agency compliance with the Regulatory Flexibility Act, the Small Business Regulatory Enforcement Fairness Act, and the Paperwork Reduction Act. The Committee will pay close attention to the effect that regulations have on startups. Oversight of the regulatory process also will, to the extent relevant, examine the work of the Office of Informational and Regulatory Affairs and the Office of Management and Budget. Special attention will be paid to the work performed by the Chief Counsel for Advocacy at the Small Business Administration to ensure that office is fulfilling its mission to advocate vigorously on behalf of America's small business owners in regulatory matters at federal agencies. Finally, this oversight will entail an examination of compliance by federal agencies with amendments to Executive Order 12866 and memoranda on regulatory flexibility and regulatory compliance issued on January 18, 2011, as well as Executive Order 13272.

OVERSIGHT OF FEDERAL TAX POLICY

The Committee will conduct hearings and investigations into the federal tax code, its impact on small business, and Internal Revenue Services' (IRS) collection of taxes that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Identification of tax code provisions and proposed rules that hinder the ability of small businesses to create jobs and recommendations for modifying those provisions to boost small business job growth.
- Examination of the structure of the tax code in order to simplify compliance for small businesses.

- Assessment of the recordkeeping and reporting requirements associated with tax compliance and suggestions for reducing such burdens on small businesses.
- Evaluation of the estate tax provisions to determine whether they inhibit the ability of successive generations to maintain successful job creating enterprises.
- Efficiencies at the IRS that improve the interaction between the government and small business owners.
- Inefficiencies at the IRS that force small businesses to divert capital from job growth to tax compliance.

OVERSIGHT OF TRADE AND INTELLECTUAL PROPERTY POLICY

The Committee will conduct hearings and investigations into international trade and intellectual property policies of America and its trading partners that may include any or all of the following, as well as matters brought to the attention of the Committee subsequent to the filing of this Report:

- Impact of free trade agreements to increase exports by American small businesses.
- Oversight of SBA's Office of International Trade and the agency's efforts to promote small business exports.
- Examination of the impact of illicit actions by foreign entities on small businesses and whether the federal government is doing enough to protect their interests.
- Whether the federal government is doing enough to protect the intellectual property rights of small businesses by foreign competitors.
- The impact of federal intellectual property policies, particularly patents and copyrights, to protect the innovation of American entrepreneurs.
- Efforts to increase exports by small businesses.
- Whether the United States Trade Representative takes position at the World Trade Organization that sufficient promote the interests of American small business.

The focus of oversight will emphasize the best mechanisms to promote and protect advanced technology innovations of small business.

REDUCTIONS IN PROGRAMS AND SPENDING

In addition to the programs and policies already cited, the committee will examine any and all offices and programs that fall within the Committee's legislative jurisdiction to find areas that could lead to reduction in the federal deficit. Some programs and offices may include:

- Express Loan Program overseen by SBA.
- Emerging Leaders initiative started by SBA.
- Clusters Program initiated by SBA.
- Innovation and Impact Fund Pilot Programs operated by the SBA.
- SBA Office of Policy.
- SBA Regional Administrators.
- Office of Advocacy Regional Advocates.
- SBA Deputy District Directors.
- SBA Office of International Trade.

- SBA's Cybersecurity for Small Business Pilot Program

In particular, the Committee will assess whether a reorganization of offices to more critical functions at the SBA will provide a more effective agency at helping small businesses to generate growth.

PROGRAMMATIC DUPLICATION

The Committee notes that § 18 of the Small Business Act prohibits duplication of any effort by the Small Business Administration if a program is already offered by another federal agency unless the Small Business Administration expressly authorizes the duplication. The Committee will continue to monitor the Small Business Administration for programs that duplicate the efforts of other federal agencies.



Committee on Transportation and Infrastructure
U.S. House of Representatives
Washington, DC 20515

Sam Graves
Chairman

Jack Ruddy, Staff Director

Rick Larsen
Ranking Member

Katherine W. Dedrick, Democratic Staff Director

February 28, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
United States House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Comer,

Pursuant to Rule X, clause 2(d) of the Rules of the United States House of Representatives, I respectfully submit the Committee on Transportation and Infrastructure's authorization and oversight plan to the Committee on Oversight and Accountability. This plan is simultaneously being submitted to the Committee on House Administration. On February 28, 2023, the Committee on Transportation and Infrastructure met in open session and adopted the plan by voice vote with a quorum present.

Sincerely,

Sam Graves
Chairman
Committee on Transportation
and Infrastructure

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

AUTHORIZATION AND OVERSIGHT PLAN FOR THE COM- MITTEE ON TRANSPORTATION AND INFRASTRUC- TURE—118TH CONGRESS

In accordance with rule X clause 2(d) of the Rules of the House of Representatives, the Committee on Transportation and Infrastructure (Committee) is responsible for determining whether laws and programs within its jurisdiction are being effectively implemented according to Congressional intent and whether they should be continued, changed, or eliminated. In the 118th Congress, the Committee will examine options to improve the overall performance and operation of the agencies and entities it oversees, promote cost savings, and eliminate wasteful spending, mismanagement, and abuse.

The Committee will also evaluate the Administration's annual budget requests with respect to programs and activities within the Committee's jurisdiction. To ensure the responsible stewardship of taxpayer resources, the Committee will rigorously examine how agencies and entities allocate funding and assess existing programs to prevent duplicative efforts.

In addition to Committee-led efforts, the work of the Government Accountability Office (GAO) and various Inspectors General (IG) will contribute to the Committee's oversight activities. For example, the GAO provides Congress with a biennial update on high-risk programs, highlighting Federal programs GAO considers needing broad reform or at risk for waste, fraud, abuse, or mismanagement. These reports will inform the Committee of areas ripe for oversight. Additionally, the Committee will hold hearings on waste, fraud, or mismanagement in government programs the Committee authorizes, focusing on egregious examples highlighted by the IG or GAO.

Following its investigations, the Committee will determine appropriate remedies to bring accountability to agency actions. The Committee will utilize all available tools, including introducing resolutions to reverse Administration policies, implementing legislation, and requesting additional investigations, to ensure that identified issues and Administration failures are properly addressed.

American Rescue Plan Act and COVID-19 Pandemic

On March 13, 2020, President Trump formally tapped Federal Emergency Management Agency (FEMA) to join the Federal re-

sponse to COVID-19, invoking the *Stafford Act*.¹ The *Coronavirus Aid, Relief, and Economic Security Act (CARES)* (P.L. 116-136) and the *Consolidated Appropriations Act of 2021* (P.L. 116-260) provided tens of billions of dollars in financial and regulatory relief for several agencies, industries, and stakeholders within the Committee's jurisdiction. In 2021, the *American Rescue Plan Act* (P.L. 117-2) provided further influxes of funding. During the 116th and 117th Congresses, the Committee organized multiple hearings and briefings on the Federal Government's efforts to address the COVID-19 pandemic. In the 118th Congress, the Committee will continue oversight of laws and response efforts intended to respond to the COVID-19 pandemic. The Committee will closely oversee the implementation, awards, and effects of these relief programs. For example, under FEMA the Committee will examine COVID-19 response efforts and whether the disaster relief fund (DRF) and broad authority were utilized correctly.

Additionally, the COVID-19 pandemic presented unique challenges to the United States' aviation industry. In the months following the initial spread of the novel coronavirus within the United States in 2020, commercial air travel plummeted by as much as 90 percent from the same periods in 2019, and many companies were forced to initially furlough tens of thousands of aviation employees due to the harsh economic effects.² The passage of the CARES Act and subsequent pandemic relief bills helped airlines, airports and other aviation stakeholders retain thousands of jobs that would have otherwise been lost due to the effects of the pandemic.³ The Committee will closely review the aviation industry's use of financial relief awarded under the Acts; and awardees' compliance with any conditions contained therein.

Infrastructure Investment and Jobs Act (IIJA)

The *Infrastructure Investment and Jobs Act (IIJA)* (P.L. 117-58) represented the largest Federal investment in decades in the United States' infrastructure. This legislation provided \$1.2 trillion for infrastructure programs over five years, from Fiscal Year (FY) 2022 to FY 2026, of which \$661 billion will be administered by the Department of Transportation (DOT). *IIJA* included provisions to address the Nation's infrastructure, including roads, bridges, transit, railroads, water-related infrastructure, and airports, as well as energy and broadband.

While *IIJA* provided historic levels of funding to address America's infrastructure needs, stakeholders have raised concerns that persistently high inflation is undermining those funding increases. The Committee will conduct extensive oversight to monitor the disbursement of *IIJA* funds to ensure DOT complies with Congress-

¹ Letter from Donald J. Trump, President of the United States, to the Hon. Chad Wolf, Acting Sec'y, Dep't of Homeland Security, the Hon. Steven Mnuchin, Sec'y, Dep't of Treasury, the Hon. Alex Azar II, Sec'y, Dep't of Health and Human Services, & the Hon. Pete Gaynor, Administrator, FEMA (March 13, 2020) available at <https://trumpwhitehouse.archives.gov/briefings-statements/letter-president-donald-j-trump-emergency-determination-stafford-act/>.

² See TRANSP. SEC. ADMIN., *TSA Checkpoint Travel Numbers (Current Year(s) Versus Prior Year/Same Weekday)*, <https://www.tsa.gov/coronavirus/passenger-throughput>.

³ See, Niraj Chokshi, *Relief Bill Gives Airline and Airport Workers a Reprieve, for Now*, N.Y. TIMES (Mar. 11, 2021), available at: <https://www.nytimes.com/2021/03/11/business/stimulus-bill-airline-jobs.html>.

sional intent, as well as the effective and efficient use of the taxpayers' dollars.

IIJA devotes record amounts of funding to competitive grants that are to be awarded by the Administration through the Notice of Funding Opportunity process. Overall, total funding for DOT increased 61 percent in FY 2022, compared to FY 2021. As part of that funding, in FY 2022, the first year of *IIJA*, funding for competitive grants was five times higher than in FY 2021.⁴ The Committee's oversight activities will include monitoring DOT's awarding of these grant funds to ensure compliance with the statutory requirements. The Committee will also examine the impact of increased construction costs due to record inflation levels and supply chain challenges, and on the ability of Federal agencies to complete cost-effective projects. Further, the Committee will utilize its oversight activities to bring accountability and transparency to the implementation of *IIJA*.

Inflation Reduction Act Implementation

The *Inflation Reduction Act (IRA)* (P.L. 117–169) provided significant funding following the passage of *IIJA*. Given the new programs for alternatives in energy and low-carbon materials, the Committee will conduct oversight on the ability of Federal agencies to complete cost-effective projects. Further, the Committee will utilize its oversight activities to bring accountability and transparency to the implementation of *IRA*.

SUBCOMMITTEE ON AVIATION

The Subcommittee on Aviation has broad jurisdiction over all aspects of civil aviation, including safety, infrastructure, labor, economic regulation, and international issues. Within this scope of responsibilities, the Subcommittee has jurisdiction over the Federal Aviation Administration (FAA), a modal administration within DOT. This jurisdiction covers all programs within the FAA, as well as aviation programs of the DOT with respect to economic regulation of air carriers and passenger airline service. In addition, the Subcommittee has jurisdiction over commercial space transportation, the National Mediation Board (NMB), and the National Transportation Safety Board (NTSB). The oversight activities of the Subcommittee will work to ensure the effective and efficient operation of the civil aviation industry, by ensuring the implementation of common-sense policies that put safety and American taxpayers first.

Fiscal Years 2024 and 2025 Budget Requests

The Subcommittee will review and evaluate the FY 2024 and FY 2025 budget proposals for the agencies within the Subcommittee's jurisdiction including the FAA, NMB, and NTSB.

Safety Programs

During the last several Congresses, the Subcommittee held numerous safety hearings and will continue this oversight in the

⁴Jeff Davis, *Status Check: The First Year of IIJA Competitive Grant Funding*, ENO CENTER FOR TRANSPORTATION, (Sept. 6, 2022), available at <https://www.enotrans.org/article/status-check-the-first-year-of-iija-competitive-grant-funding/>.

118th Congress. Maintaining a safe and efficient aviation system is critical to the aviation industry, passengers, the United States economy, job creation, and our Nation's competitiveness in the global marketplace. Issues the Subcommittee may address include general aviation safety, key safety agreements, the safe integration of unmanned aircraft systems (UAS) and advanced air mobility (AAM), pilot and air traffic controller training, losses of separation between aircraft, the FAA's enforcement and certification activities, commercial airline safety, and the FAA's voluntary reporting and data-sharing and assessment programs.

National Transportation Safety Board (NTSB)

The *FAA Reauthorization Act of 2018* (P.L. 115–254) authorized NTSB programs through FY 2022. The bill included provisions to improve transparency of the NTSB's investigations and enhance the public's understanding of the Board's safety recommendations.

The Subcommittee will conduct oversight of NTSB's implementation of the *FAA Reauthorization Act of 2018* and evaluate whether the intended objectives are achieved.

Oversight of the Commercial Space Industry

The mission of the FAA's Office of Commercial Space Transportation is to ensure protection of the public, property, and the National security and foreign policy interests of the United States during commercial launch or reentry activities; and to encourage, facilitate, and promote the United States' commercial space transportation. The Subcommittee will continue to monitor the status and future of the United States' commercial transportation industry and the FAA's role in providing safety oversight of the industry.

Evaluation of FAA's Next Gen Air Traffic Control Modernization

Since the early 1980s, the FAA has worked to modernize the air traffic control system, and its most current effort is the Next Generation Air Transportation System (NextGen). NextGen is intended to increase airspace system efficiency; reduce noise exposure, pollution, and fuel burn; improve safety; increase accuracy and reliability in the equipment and software used for navigation and air traffic control; and maintain the capacity for future technology enhancements. Over the years, the FAA's NextGen efforts have been behind schedule and over budget. The Subcommittee will continue to examine the FAA's efforts to establish performance metrics, meet deadlines, stay within budget, ensure appropriate level of aircraft equipage with NexGen avionics, and pursue solutions to identified challenges.

Cybersecurity of the National Airspace System

As the FAA modernizes air traffic control technology, and the aviation industry modernizes the aircraft fleet, concerns about the robustness and resiliency of these systems have arisen. Ensuring the cybersecurity of these systems is critical. The *FAA Extension, Safety, and Security Act of 2016* (P.L. 114–190) directed the FAA to implement a strategic framework for cybersecurity. The *FAA Reauthorization Act of 2018* (P.L. 115–254) required the FAA to review and assess, and update as appropriate, this strategic frame-

work. The Subcommittee will continue its oversight of the cybersecurity activities of the FAA and relevant stakeholders to ensure appropriate steps are being taken by the FAA to address cyberthreats. Additionally, the Subcommittee will monitor whether the FAA's strategic framework for cybersecurity is being effectively employed.

Implementation of FAA Extension, Safety, and Security Act of 2016

The *FAA Extension, Safety, and Security Act of 2016* (P.L. 114–190) authorized funding for the FAA through FY 2017 and contained several safety-critical and time-sensitive reforms. The Subcommittee will continue to oversee the FAA's efforts to implement the provisions of this Act.

Implementation of FAA Reauthorization Act of 2018

The *FAA Reauthorization Act of 2018* (P.L. 115–254) authorized Federal aviation programs and policies through FY 2023. The Act included numerous provisions aimed at maintaining and advancing the Nation's global leadership in aviation by putting American jobs, American innovation, aviation safety, and the traveling public first. The Subcommittee will continue oversight of the implementation of this Act, including the safe and efficient integration of unmanned aircraft systems (UAS) into the National Air-space System (NAS) and the growth of the United States' commercial space transportation industry.

Implementation of Aircraft Certification, Safety, and Accountability Act

The *Aircraft Certification, Safety, and Accountability Act* (P.L. 116–260; Division V) was signed into law on December 27, 2020. This Act provided significant reforms to the FAA's aircraft certification process; increased transparency, accountability, and integrity in FAA regulation of United States aircraft manufacturers; addresses issues identified related to human factors, automation in the cockpit, and international pilot training; and authorizes nearly \$275 million over five years in robust FAA oversight, staffing increases, and aviation safety-improving programs and initiatives, among other things. The Subcommittee will closely oversee the efforts of the FAA to implement the provisions in the Act, as well as the effects this Act has on safety and the United States aerospace industry.

Oversight of Implementation and Deployment of Counter-UAS Authority

The ubiquity and capability of UAS pose unique safety and security challenges that are different for traditional aviation. Therefore, in the *National Defense Authorization Act (NDAA) for FY 2017* (P.L. 114–328) and the *NDAA for FY 2018* (P.L. 115–91), the Department of Defense (DOD) and the Department of Energy (DOE) were granted counter-UAS authorities to protect certain military and nuclear facilities and assets in the United States. The *FAA Reauthorization Act of 2018* (P.L. 115–254) provided similar authority to the Department of Justice (DOJ) and Department of Homeland Security (DHS) to counter credible threats from UAS to protect

critical assets and facilities within the agencies' purview. Under the *Consolidated Appropriations Act, 2023* (P. L. 117 328), the counter-UAS authority for DOJ and DHS will expire on September 30, 2023. The Subcommittee will closely oversee the agencies' implementation of their respective counter-UAS authorities to ensure close and continued coordination with the FAA to reduce impacts on United States airspace and to ensure the safety of civil aviation.

Investment in Aviation Infrastructure

America's airports are part of a global aviation system, and as such they must remain safe and efficient in order to compete with global hubs of air commerce. Airports rely on Airport Improvement Program (AIP) funding, supplemented with revenue from the statutorily authorized passenger facility charge, which is capped at \$4.50 per segment and \$18 per round trip. The Subcommittee will conduct oversight, as appropriate, regarding airport financing and the FAA's administration of the AIP.

Airline Financial Position Customer Service.

The Office of the Secretary (OST) within DOT is responsible for economic oversight of the airline industry, including ensuring that air carriers do not engage in unfair and deceptive practices that could harm consumers and that business agreements among air carriers do not result in harmful effects. DOT's action in this regard may have a dramatic impact on the industry, competition, job creation, and airlines' obligations to their passengers. The Subcommittee will continue to examine opportunities to improve the airline industry's competitiveness, review recently established regulations to ensure the aviation system remains safe and accessible to the traveling public, and provide oversight of standards for passenger service.

5G C-Band Deployment and Aviation Safety

The Subcommittee will continue its oversight of the 5G C-band deployment, examining safety concerns related to how the C-band spectrum was reallocated for 5G wireless services. Many aviation stakeholders have expressed concerns about the potentially harmful radio frequency interference with certain aviation safety equipment. Given the safety and economic ramifications of this conflict for both the aviation and telecommunications industries, the Subcommittee continues to advocate for a long-term resolution to this apparent conflict in spectrum use and ensure that 5G wireless services, and future spectrum reallocations, can safely coexist with aircraft operations in the NAS.

SUBCOMMITTEE ON THE COAST GUARD AND MARITIME TRANSPORTATION

The Subcommittee has broad authority over the programs and activities of the United States Coast Guard codified under titles 14 and 46, United States Code, and other statutes. *The Don Young Coast Guard Authorization Act of 2022* (P.L. 117–263; Division K) authorized discretionary Coast Guard funding levels of \$14.22 billion in FY 2023.

The Subcommittee also has jurisdiction over the Federal Maritime Commission (FMC) and the non-defense programs of the Maritime Administration (MARAD). FMC is responsible for the economic regulation of United States waterborne foreign commerce and unfair shipping practices. MARAD oversees several programs related to defense readiness, as well as programs designed to promote and develop the domestic merchant marine and shipbuilding industries. The *Ocean Shipping Reform Act of 2022* (P.L. 117–146) authorized funding for the FMC of \$38.26 million in FY 2023 and \$43.72 million in FY 2024, and \$49.2 million for FY 2025. Division C of title XXXV of the *James M. Inhofe NDAA for FY 2023* (P.L. 117–263) authorized \$1.63 billion for FY 2023 to support MARAD's activities, including \$750 million for the Port Infrastructure and Development Program, \$30 million for the Small Shipyard Grant Program, \$15 million for the Maritime Environmental and Technical Assistance Program, and \$15 million for the Marine Highway program.

Fiscal Years 2024 and 2025 Coast Guard and Maritime Budget Requests

The Subcommittee will hold hearings on the President's budget requests for FY 2024 and FY 2025 and consider legislation to authorize the Coast Guard and MARAD. The Subcommittee will explore ways to improve Coast Guard operations, and laws governing maritime transportation. Additionally, the Subcommittee will explore ways to promote job growth in the domestic fleet while reducing costs at both FMC and MARAD.

Coast Guard Acquisition

The Coast Guard is currently undergoing a major recapitalization of its oceangoing and shoreside assets, including the initiation of a new Offshore Patrol Cutter (OPC) Program and construction of Polar Security Cutters to replace its aged assets. The recapitalization will replace or modernize more than 90 ships and approximately 200 aircraft used to carry out the Service's missions beyond near coastal waters. The recapitalization program will also upgrade shoreside facilities and replace antiquated information technology systems, as well as command, control, and communications systems. The program continues to face serious challenges related to schedule and budget. The longer the acquisition program drags out, the more resources are siphoned off to maintain existing assets. In many cases, those assets, especially the Medium Endurance Cutter fleet and the Heavy Icebreaker fleet, are at or beyond projected service life and are more difficult and expensive to maintain. The Subcommittee is concerned that delays in new asset acquisition and the cost to maintain increasingly less reliable legacy assets threatens the ability of the Service to complete this recapitalization and avoid gaps in operational capability.

The Subcommittee will continue to closely review the programs of record, as well as any changes to those programs which may be advisable or necessary to ensure the men and women of the Coast Guard who risk their lives for our Nation have the best equipment possible to carry out their mission at the best price for the taxpayer. Among its oversight efforts, the Subcommittee will examine

the status of the OPC and Polar Security Cutter acquisition. Also, the Subcommittee expects to review improvements to shoreside facilities, the acquisition of Coast Guard IT systems, and Coast Guard rotary aircraft needs and its plan to transition to a primary MH 60 fleet while reducing the number of rotary aircraft assets to ensure to the Coast Guard can meet its operational needs.

Mission Balance

The Subcommittee continues to have concerns regarding the Coast Guard's ability to balance funding among its many distinct and competing missions. Since September 11, 2001, significant additional resources have been directed to the Service's homeland activities. Security-related missions such as ports, waterways, and coastal security and migrant interdiction have seen dramatic increases from pre-September 11, 2001, funding levels. Growing geopolitical tension in South Asia and the China Sea, and numerous calls for the Coast Guard to play a more active role in the region, might further stretch Coast Guard resources.

The Subcommittee will continue its oversight of Coast Guard mission balance to ensure the Service qualitatively and quantitatively reviews its many missions, makes and justifies decisions about which missions it cannot afford to meet performance measures, identifies and responds to exigencies that divert resources between missions, and plans how it allocates resources appropriately among its many missions.

Maritime Domain Awareness

Maritime Domain Awareness (MDA) is the effort to know what is happening at all times on the ocean, coastal, and interior waters of the United States, and aboard the vessels that transit in or through waters under United States' jurisdiction. The successful implementation of MDA is critical to maritime safety, homeland security, and the efficiency and reliability of the United States maritime supply chain.

As the Coast Guard relies on several new and developing technologies to acquire, manage, and disseminate interoperable MDA information, the Subcommittee will continue its oversight of the Service's ongoing efforts to assess, develop, and implement new MDA technologies to ensure that Coast Guard operations are informed by the best MDA information possible that is gathered in a timely, reliable manner, and provides high value for the taxpayer. The Subcommittee will also examine the costs imposed on maritime stakeholders as part of the MDA program and examine methods to reduce those costs without negative impacts to quality and quantity of MDA information.

Coast Guard Prevention and Response Activities

The Coast Guard plays major roles in response to oil spills and natural disasters. The Service serves as the Federal On-Scene Coordinator and National Incident Commander for oil spills on water. The Service is also a first responder for natural disaster in coastal areas, and accidents at sea. The Subcommittee will conduct oversight of the Coast Guard's crisis prevention and response capabilities. Oil spills, natural disasters, and mass migration events can

each over-extend the Coast Guard's prevention and response systems and capabilities. The Subcommittee will examine the Coast Guard's prevention and response programs, including its existing regulations authorizing the use of Alternative Planning Criteria.

United States Marine Highways

United States Marine Highways support the waterborne movement of commercial freight between two ports in the United States or between ports in the United States and Canada. At the present time, the most highly developed water freight transportation system in the United States operate on the Mississippi River, the Great Lakes, and the St. Lawrence Seaway. Revitalization of our marine highways has the potential to reduce congestion on our highways, improve air quality, and create new maritime industry jobs for Americans. The Subcommittee will examine potential options for increasing the cost-competitiveness and expanded use of this important transportation system. This will include oversight of MARAD's Marine Highway Program and the program's impact on increasing vessel traffic along these important routes.

National Maritime Strategy

Section 3542 of the *James M. Inhofe NDAA for FY 2023* (P.L. 117-263) directed the Secretary of Transportation and the Secretary of the Department of Homeland Security, in which the Coast Guard is operating, to enter into an agreement with a Federally funded research and development center to complete a study within one year of the date of enactment, that identifies the key elements needed for a National maritime strategy that is designed to among other things, ensure a capable, commercially viable, and military useful United States flag fleet, a robust United States mariner workforce and a strong domestic shipbuilding infrastructure.

As MARAD and the Coast Guard enter into the study to further develop a comprehensive strategy to promote and expand economic opportunities for United States-flag carriers and related marine industries, the Subcommittee will conduct oversight of their efforts.

Status of the United States Merchant Marine and Coast Guard Recruiting Challenges

The Subcommittee remains concerned with the downward trend in the number of licensed and unlicensed United States mariners and a potential spike in attrition when many seafarers approach retirement age. The recruitment, training, and retention of credentialed United States mariners is necessary to not only maintain a United States flag presence on the high seas and in the United States domestic coastwise trade, but also to maintain sufficient seafarers to operate vessels deployed for military sealift during times of National emergency. At the same time, the Coast Guard, like other services, faces recruiting challenges that could harm the Service's readiness.

The Subcommittee will continue its oversight of the issues involved in the current deficit of licensed merchant mariners and Coast Guard recruiting issues and explore potential options to expand the United States maritime workforce and strengthen the Coast Guard's ability to attract qualified service members. The

Subcommittee will also look at credentialing requirements for United States seafarers, including recent Coast Guard enforcement of mariner credential requirements for non-maritime, industrial, and technical workers on vessels. Furthermore, the Subcommittee will examine ways to facilitate viable pathways for separating servicemembers to enter the commercial maritime workforce, either at sea, on the docks, or in the shipyards through the existing Military to Mariner initiative.

Additionally, the Subcommittee will continue its oversight of the Coast Guard's efforts to eliminate sexual harassment and sexual assault amongst its ranks.

Supply Chain, Port Infrastructure, and Implementation of the Ocean Shipping Reform Act

As FMC continues its work to implement the *Ocean Shipping Reform Act* (P.L. 117–146), the Subcommittee will review FMC's efforts to support trade opportunities for American exporters and improve the practices of international ocean shipping at our ports that contribute to a well-functioning supply chain. At the same time, the Subcommittee will review port infrastructure programs, including MARAD's Port Infrastructure Development Grant (PIDG) Program, to ensure the programs are operating effectively and contributing to the enhancement and efficiency of port operations.

SUBCOMMITTEE ON ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS,
AND EMERGENCY MANAGEMENT

The Subcommittee on Economic Development, Public Buildings, and Emergency Management is responsible for the authorization and oversight of Federal real estate programs, including construction, repair, alteration, maintenance, and acquisition of such real property; the authorization and oversight of programs promoting economic development in communities suffering economic distress; the authorization and oversight of programs addressing the full cycle of Federal management of emergencies and disasters—preparing for, protecting against, responding to, recovering from, and mitigating against future emergencies and disasters; and a variety of measures affecting homeland security, including building security provided by the Federal Protective Service (FPS). The Subcommittee will utilize its oversight activities to ensure that the Federal Government is responsibly stewarding taxpayer resources as it manages properties and responds to disasters.

Fiscal Years 2024 and 2025 Budget Requests

The Subcommittee will review and evaluate the FY 2024 and FY 2025 budget proposals for the agencies within the Subcommittee's jurisdiction including the Economic Development Administration (EDA), FEMA, FPS, the General Services Administration's (GSA's) Public Buildings Service, and the regional commissions.

Emergency Management

The Subcommittee will continue to examine and evaluate the Nation's ability to prevent, prepare for, mitigate against, respond to, and recover from disasters and emergencies of all types, including terrorism. Continued oversight will be needed as states continue to

be impacted by and recover from prior disasters. In addition, the Subcommittee will continue its oversight of the Federal Emergency Management Agency's (FEMA) implementation of reforms and authorities to the *Robert T. Stafford Disaster Relief and Emergency Assistance Act* (P.L. 93–288 as amended) (*Stafford Act*), the *Disaster Recovery Reform Act* (Division D of P.L. 115–254) (DRRA), the *Sandy Recovery Improvement Act of 2013* (P.L. 113–2), and the *Post-Katrina Emergency Management Reform Act of 2006* (P.L. 109–295).

Further, the Subcommittee will continue its comprehensive review and assessment of how Federal disaster assistance has evolved over the past several decades and its continued effectiveness. The purpose is to examine how and why disaster costs and losses have continued to increase, which agencies provide assistance and how that money is spent, what guidance or controls are in place for the effective use of assistance, the appropriate role of the Federal Government, and measures that can improve resilience. Moreover, the Subcommittee will examine the appropriate role of FEMA and use of its resources and authorities by the Secretary of Homeland Security.

Border Security

Border Security remains a critical issue in our Nation. Given the crisis at the Southern border, the Subcommittee will examine the use of resources within its jurisdiction and the Executive Branch's allocation of resources and funds in accordance with the law. The Subcommittee will also continue its oversight of Land Ports of Entry (LPOEs) construction projects, the implementation of the Public-Private Partnerships program, and examine additional ways in which private dollars could be leveraged.

Leasing

The GSA owns or leases more than 8,800 assets, maintains an inventory of nearly 370 million square feet of workspace, and preserves approximately 500 historic properties. The GSA owns more than 1,500 Federal buildings with a total of 190 million square feet of space, and leases 187 million square feet of space in more than 8,100 leased properties.⁵ The Subcommittee will continue its oversight of GSA leasing and how it manages the replacement of expiring leases with quantifiable value for the taxpayer.

Real Property Management

The management of Federal Real Property has been on the GAO's "High Risk" list since 2003 due to a number of mismanagement issues including the overreliance on leasing to meet long-term space needs and underused or vacant space. In addition, with nearly half of GSA's assets over 50 years old, GSA has faced challenges maintaining a balanced inventory, draining Federal resources, and costing more to maintain old buildings that are often inefficient. This level of deterioration could have significant consequences for tenant agency missions and taxpayer costs. The Subcommittee will

⁵ See GSA, *Public Buildings Service*, available at <https://www.gsa.gov/about-us/organization/public-buildings-service> (last visited Jan. 17, 2023); see also GSA, *GSA Properties*, available at <https://www.gsa.gov/real-estate/gsa-properties> (last visited Jan. 17, 2023).

continue to examine how GSA manages its maintenance portfolio and whether GSA is sufficiently prioritizing maintenance requests.

The COVID-19 pandemic changed the way Federal workers utilize real property. The Subcommittee will examine how the pandemic affected the amount and type of space GSA tenants need and what that means for future project funding. However, even prior to COVID-19, excess space existed across government adding to the cost to the taxpayer. The Subcommittee will examine current space utilization and work to reduce real estate costs. Additionally, the Subcommittee will continue oversight of the Public Buildings Reform Board created by the Federal Assets Sale and Transfer Act of 2016 (P.L. 114-287), which is charged with developing recommendations for the sale or redevelopment of high value real estate assets.

The Subcommittee will also examine alternative solutions for leveraging private investment in capital projects, such as public private partnerships, to reduce the costs to the taxpayer, ensure buildings are properly maintained, and address problems with deferred maintenance.

Capital Investment and Leasing Program (CILP)

As part of the Committee's annual work to review and authorize GSA's requests for authority to repair, alter, construct, and lease property for use by Federal agencies, the Subcommittee will review each prospectus presented to the Committee and recommend approval only after the Subcommittee is satisfied that the requests are cost-effective and in the best interest of the Federal Government and taxpayer.

Federal Courthouses

The Subcommittee will closely oversee the progress made on authorized courthouses to ensure they are constructed within the limitations placed upon them by the Committee and the United States Courts Design Guide, including courtroom sharing by judges and staying below or within budget. The Subcommittee will also examine when and whether new courthouses are needed and whether newly constructed courthouses are overbuilt.

Federal Protective Service (FPS)

The Subcommittee will continue to monitor and review the policies, procedures, and requirements of security at public buildings, as well as requirements of security at public buildings. The Subcommittee's oversight activities will also track the use of the FPS's law enforcement authority to ensure resources are appropriately focused on securing Federal buildings.

Architect of the Capitol (AOC)

The Subcommittee will engage in ongoing oversight of projects being undertaken by the AOC pursuant to the Master Plan for the Capitol Complex. Consistent oversight will ensure proper prioritization and cost savings.

Smithsonian Institution Facilities

The Subcommittee will conduct oversight of projects undertaken by the Smithsonian Institution including the acquisition, construction, and use of local and remote museums, research and storage facilities of the Institution, as well as future needs for new museums authorized by Congress. The Subcommittee will continue to ensure cost-effective solutions to the Smithsonian's space needs, such as leveraging private dollars and disposal or effective reuse of underused assets.

John F. Kennedy Center for the Performing Arts

As a part of its ongoing oversight of the Kennedy Center's programs, the Subcommittee will regularly review the construction, alteration, and modernization activities of the Kennedy Center that are conducted using Federal funds to ensure appropriate management and cost savings, including Federal funds received due to the pandemic.

Economic Development

The Subcommittee will work to ensure economic development programs leverage private dollars through infrastructure improvements to attract new jobs to distressed communities. The Subcommittee will conduct oversight to determine if these programs are targeted, effective, and adhering to their core missions. Additionally, the Subcommittee will continue its oversight of disaster relief funds appropriated to the EDA programs to assist communities impacted by natural disasters and the COVID-19 pandemic.

SUBCOMMITTEE ON HIGHWAYS AND TRANSIT

The Subcommittee on Highways and Transit has jurisdiction over Federal surface transportation policies, as well as transportation infrastructure and safety. The Subcommittee will broadly conduct oversight activities to ensure that our Nation's highways are safe, and American tax dollars are stewarded responsibly in the support of infrastructure improvement projects. The Subcommittee will closely monitor the regulations and guidance issued by DOT to ensure the agency is acting in accordance with Congressional intent.

Fiscal Years 2024 and 2025 Budget Requests

The Subcommittee will review and evaluate the FY 2024 and FY 2025 budget proposals for agencies within its jurisdiction, including the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), National Highway Traffic Safety Administration (NHTSA), the Federal Motor Carrier Safety Administration (FMCSA), and OST.

Supply Chain Crisis

The rapid spread of COVID-19 exposed fragilities in transportation networks, with a disruption in one part of the supply chain having a ripple effect across all parts of the supply chain, from manufacturers to suppliers and distributors. Weaknesses in the global supply chain were exacerbated by supply and demand imbal-

ances, restrictions and regulations, and workforce and infrastructure challenges. The Subcommittee will perform oversight of the supply chain and explore solutions to ensure resilience.

Infrastructure Surface and Transit Programs and Grants

IJA reauthorized Federal surface and transit transportation programs through FY 2026. While *IJA* provided significant funding increases to address America's infrastructure needs, stakeholders have raised concerns that persistently high inflation is undermining those funding increases. The majority of funding in *IJA* (under FHWA, FTA, and OST) allows recipients up to four years to obligate funding. If high inflation levels continue, *IJA*'s funding increases in the outyears also could be threatened. The Subcommittee will examine the impacts of inflation on infrastructure program and grant funding. Further, the Subcommittee will continue to assess the implementation of *IJA*'s mandates and grant programs through its oversight activities, particularly focused on ensuring that funding and grants criteria fall in line with *IJA*.

Sustainability of Surface Transportation Programs

The Federal highway, highway safety, and public transportation programs are user-fee financed through Federal excise taxes levied on motor fuels and on various highway-related products such as tires and heavy trucks. Revenues from these user fees are deposited into the Highway Trust Fund (HTF) and may be used only for eligible transportation projects and activities. The Subcommittee will continue to monitor the status and solvency of the HTF.

SUBCOMMITTEE ON RAILROADS, PIPELINES, AND HAZARDOUS
MATERIALS

The Subcommittee on Railroads, Pipelines, and Hazardous Materials has jurisdiction over all Federal laws and programs regulating railroad transportation, as well all Federal laws and programs regulating the safety of gas and liquid pipelines and safety of transporting material and freight that has been classified as hazardous. The Subcommittee will conduct oversight to ensure these activities occur in a safe and efficient manner. Additionally, the Subcommittee will work to hold Federal agencies accountable for their use of taxpayer resources, bringing greater transparency to agency decisions.

Fiscal Years 2024 and 2025 Budget Requests

The Subcommittee will review and evaluate the FY 2024 and FY 2025 budget proposals for agencies within its jurisdiction, including the Federal Railroad Administration (FRA), Amtrak, the Surface Transportation Board (STB), the Railroad Retirement Board, the National Mediation Board, and the Pipelines and Hazardous Materials Safety Administration (PHMSA).

Rail Infrastructure and Safety Programs

Congress has authorized and appropriated legislation addressing rail infrastructure and safety improvements. For example, the Railroad Rehabilitation and Improvement Financing program (RRIF) was established by the *Transportation Equity Act for the 21st Cen-*

ture (P.L. 105–178) (*TEA-21*) and amended by the *Safe, Accountable, Flexible and Efficient Transportation Equity Act: a Legacy for Users* (P.L. 109–59) (*SAFETEA-LU*), the *Rail Safety Improvement Act of 2008*, the *Fixing America's Surface Transportation Act (FAST Act)* of 2015, and *IJA*. Under this program, DOT is authorized to provide direct loans and loan guarantees up to \$35 billion. Up to seven billion dollars is reserved for projects benefiting short line (Class II and III) freight railroads. Further, the Consolidated Railroad Infrastructure and Safety Improvements (CRISI) grant program was authorized in Section 11301 of the *FAST Act*. Under this program, DOT is authorized to provide grants up to \$1 billion annually for both passenger and freight rail capital projects, workforce development and research, among others. Additionally, the Railroad Crossing Elimination Program was authorized in Sections 22104 and 22305 of *IJA* at up to \$500 million per year. This program provides funding for grade separation or closure, including through the use of a bridge, embankment, tunnel, or combination thereof; track relocation; and the planning of these projects. The Subcommittee's oversight activities will include monitoring the use of these funds.

The FRA is the component of DOT responsible for administering Federal railroad safety laws and rail grant programs. The broad safety authority of the FRA encompasses railroad safety practices, equipment, and reporting. The FRA is also responsible for inspecting railroad operations for compliance with Federal safety requirements. Federal rail safety statutes are found in subtitle V of title 49, U.S.C. The Subcommittee will conduct oversight of FRA's safety programs.

Amtrak

The National Railroad Passenger Corporation, known as “Amtrak,” was created by the *Rail Passenger Service Act of 1970*, and its operations were additionally restructured by subsequent authorizations including the *Passenger Rail Investment and Improvement Act of 2008* (P.L. 110–432) (*PRIIA 2008*). Amtrak operates three types of routes: the Northeast Corridor, operated on mostly Amtrak-owned track with costs allocated between Amtrak and commuter rail partners in accordance with Section 212 of *PRIIA 2008*; long-distance routes operated directly by Amtrak codified by *PRIIA 2008*; and state supported routes less than 750 miles, funded by states with costs allocated in accordance with Section 209 of *PRIIA 2008*.

The *Passenger Rail Reform and Investment Act of 2015 (PRRIA 2015)* was included as Title XI of the *FAST Act*, and reauthorized Amtrak funding through FY 2020. *PRRIA 2015* further changed the Federal funding of Amtrak by authorizing grants by service—the NEC and the National Network—rather than providing separate grants for operating and capital/debt service activities. Funds may be transferred between accounts upon notification to the Amtrak Board of Directors. This Act also reformed Amtrak's operations, budgeting, and planning processes to reflect the lines-of-business approach, including the allocation of costs and revenues to each account, and provided new procedures for Amtrak to follow when preparing and submitting a request for Federal grants.

PRRIA 2015 also required Amtrak's accounting to be more transparent. Amtrak must provide detailed information to states on the costs of the routes for which the state provides financial support. Further, Amtrak is required to complete detailed five-year capital and financial plans, with annual explanations of the prior year's performance relative to the plan. *PRRIA* 2015 also established a State-Supported Route Advisory Committee, named the State-Amtrak Intercity Passenger Rail Committee, to promote mutual cooperation and planning pertaining to the rail operations of Amtrak and related activities of trains operated by Amtrak on state-supported routes, which account for nearly half of Amtrak's total ridership.

IJA provided intercity passenger and freight rail generally, and Amtrak specifically, with historic levels of funding, including \$66 billion in advance appropriations over five years. *IJA* also redesignated the *FAST Act's* Federal-State Partnership for State of Good Repair grant program to the Federal-State Partnership for Intercity Passenger Rail grant program, and included advance appropriations of \$36 billion for the program, of which no more than \$24 billion can be awarded to projects on the Northeast Corridor, as identified in the FRA—created Northeast Corridor Inventory. *IJA* also authorized \$7.5 billion for potential future appropriations for the restructured program. The law further directed the Secretary of Transportation to take steps to develop intercity passenger rail corridors. *IJA* also made other Amtrak changes, including changing one of its missions from achieving profit, to be in line with other Federally funded surface transportation programs to operate as a public service.

Due to Amtrak's reliance on Federal funding, the Subcommittee exercises extensive oversight of the railroad to ensure that it is serving passengers reliably in accordance with statutory mandates and is responsibly spending its taxpayer funds. Specific areas of concern include prioritizing issues with Amtrak's existing network over plans for expansion, working with the private sector and states, ADA compliance, Southern border issues, profitability, policing, and generally following Congressional mandates.

Surface Transportation Board

The *Surface Transportation Board Reauthorization Act of 2015* (P.L. 114–110) reauthorized the STB for the first time since the agency was created in 1995, which was a reconstituted Interstate Commerce Commission (ICC) in place since the *Interstate Commerce Act of 1887*. The STB, as was the ICC, is the economic regulator of the freight railroads and as such is responsible for monitoring freight railroad service. The 2015 Act established the STB as a wholly independent Federal agency; expanded the STB's membership from three to five members; gave the STB authority to investigate issues of National or regional significance on its own initiative; and reauthorized the agency's funding through FY 2020. The Act also directed the STB to modify its voluntary arbitration process and made other changes to improve the STB's efficiency and responsiveness. The Subcommittee will continue to monitor freight railroad service, the STB's regulatory agenda and transparency into its operation, and potential need for grant funding. Fi-

nally, the Committee will continue to review STB and assess its authorization and funding structure.

Pipeline Safety Programs

Congress reauthorized the PHMSA's pipeline safety program in the 116th Congress by enacting the *Protecting Our Infrastructure of Pipelines and Enhancing Safety (PIPES) Act of 2020* (P.L. 116–260) (*PIPES Act of 2020*). The *PIPES Act of 2020* reauthorized the PHMSA's pipeline safety program for FY 2021 through FY 2023 and supports PHMSA in its mission to ensure the millions of miles of pipelines in the United States are safe, reliable, and environmentally sound.

The *PIPES Act of 2020* addressed pipeline methane emissions by directing pipeline operators to conduct leak detection and repair programs in an effort to protect the environment and pipeline safety, while enabling advanced leak detection technologies. The bill also required PHMSA study and implement best available technologies or practices to prevent or mitigate the release of natural gas when making planned repairs or maintenance, and when intentionally venting or releasing natural gas during blowdowns or other activities.

The *PIPES Act of 2020* supported PHMSA's oversight and rule-making activities, by increasing the minimum number of full-time inspection and enforcement personnel, as well as subject matter experts who support agency rulemaking efforts. The legislation also required frequent reporting to Congress on progress made toward completing outstanding mandates. The Subcommittee will conduct oversight of the Office of Pipeline Safety at PHMSA. Additionally, the Subcommittee will monitor the implementation of the *PIPES Act of 2020*, including tracking updates on the completion of outstanding mandates. The Subcommittee will monitor PHMSA's overall work on pipeline safety, as well as any outstanding mandates from the 2016 pipeline safety bill. Finally, the Committee will continue to review PHMSA and assess its authorization and funding structure.

Hazardous Materials Safety

The *Hazardous Materials Transportation Safety Improvement Act of 2015*, enacted as Title VII of the *FAST Act*, reauthorized the hazardous materials safety program through FY 2020. The Act included a number of provisions to enhance safety, with a significant focus on the transportation of flammable liquids, including crude oil, by rail. In 2021, *IIJA* reauthorized the hazardous materials safety program through FY 2026 and included an increase in authorization level for hazardous materials grant programs. *IIJA* also included authorization for the assistance for local emergency response training or “ALERT” grant program. The ALERT grant program allows PHMSA to promote hazmat response training for volunteer or remote emergency responders for activities that include the transportation of crude oil, ethanol, and other flammable liquids by rail. The legislation also requires Class I railroads that transport hazardous materials to share train consist information, including the quantity of hazardous materials and the origin and destination of the train, so that railroads provide this information

electronically to appropriate State and local first responders, rather than through a third party. The Subcommittee will continue oversight of PHMSA's hazardous materials safety program.

SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT

The Subcommittee on Water Resources and Environment has jurisdiction over matters relating to water resources development, conservation and management, water pollution control and water infrastructure, and hazardous waste cleanup. The Subcommittee's oversight activities will examine Federal actions impacting its jurisdiction, and work to ensure the programs under its jurisdiction benefit everyday Americans, businesses, farmers, and property owners, and protect the nation's water related environment from Federal overreach and burdensome regulations.

Fiscal Years 2024 and 2025 Budget Requests

The Subcommittee will review and evaluate the FY 2024 and FY 2025 budget proposals for the agencies within its jurisdiction, including programs administered by the DOT, the Environmental Protection Agency (EPA), the United States Army Corps of Engineers (Corps), the United States Department of Agriculture (USDA), the National Oceanic and Atmospheric Administration (NOAA), and the Tennessee Valley Authority (TVA).

Clean Water Act and Water Infrastructure Programs

Continued improvement of water quality will likely require a combination of regulatory and non-regulatory approaches, as well as continued investment in the implementation of water quality-related and water infrastructure programs. The Subcommittee's oversight will focus on issues related to these approaches and investments.

The Subcommittee will conduct oversight of the implementation of various regulatory and non-regulatory programs under the *Clean Water Act* (CWA), including how the EPA and the Corps implement these programs in conjunction with the states, and the trend on the effectiveness of the CWA on water quality. This includes oversight of issues involving the establishment and implementation of water quality standards, total maximum daily loads, effluent limitations and pretreatment requirements, dealing with discharges of oil or hazardous substances, permitting of point source discharges of pollutants under the National Pollutant Discharge Elimination System (NPDES) permit program, permitting of discharge of dredged or fill materials under CWA section 404 permit program, and how the EPA and Corps assert Federal jurisdiction and make jurisdictional decisions under the CWA. Oversight will also include an examination of Federal and state policies and efforts to address the presence of nutrients and other contaminants in waters under the CWA and other Federal statutes, science and data quality issues, the impact of CWA-associated releases on waters that may be used as a source of drinking water, and continued efforts to improve the management of combined and sanitary sewer overflows, stormwater, and nonpoint sources of pollution.

IIJA included the first reauthorization of the Clean Water State Revolving Fund (SRF), the primary source of Federal wastewater

infrastructure funding, since its enactment in 1987, and appropriated \$11.7 billion for the Clean Water SRF program from FY 2022 through FY 2026. *IIJA* also required that 49 percent of appropriated Clean Water SRF funds be allocated by States to eligible recipients as 100 percent principal forgiveness or grants (or a combination of these). Continued investments in our Nation's water-related infrastructure should prioritize the creation of American jobs, should support a healthy economy and a healthy water-related environment, and should be affordable to communities facing financial challenges. In furtherance of this point, the Subcommittee will conduct oversight of wastewater treatment and water pollution control funding issues, including levels and sources of funding and management of grant and loan programs; opportunities for utilities to increase their overall efficiency and resiliency; wastewater security; and infrastructure needs.

Further, the Subcommittee's oversight will include a review of the EPA's implementation of integrated approaches to municipal stormwater and wastewater management through EPA's integrated planning approach framework. The Subcommittee may investigate whether non-regulatory approaches, such as water quality trading and other market-based approaches, and other innovative approaches undertaken by state and local government, could result in improvements to the environment. Section 50204 of *IIJA* amended the Sewer Overflow and Stormwater Reuse Municipal Grant Program, notably requiring EPA to work with the states to use at least 25 percent of grant awards on projects in rural communities with a population of less than 10,000 people and/or financially distressed communities as defined by each state. The Subcommittee will monitor the implementation of this grant program.

Moreover, the Subcommittee may review the implications of addressing, through traditional CWA permitting requirements, certain pollutant discharges, including discharges of pesticides, ballast water and incidental discharges from vessels, stormwater, and water transfers.

The Corps Water Resources Program

The Subcommittee will review efforts to improve the efficiency and effectiveness of the organization, management, and missions of the civil works program of the Corps, including the selection, planning, and implementation of water resources projects; financing and maintenance of harbor and inland waterways infrastructure, and utilization of large, medium, and small harbors; the backlog of uninitiated Corps construction projects or deferred Corps maintenance projects, including prioritization of projects; asset management of projects in its operation and maintenance account, including existing and future levels of service; and efforts to improve the efficiency, effectiveness, transparency, and consistent implementation of the Agency's regulatory programs, including those pertaining to wetlands (including the jurisdictional scope and procedural and substantive requirements of the permitting programs) and dredging activities. The Subcommittee will review the Corps' implementation of provisions of the *Water Resources Development Act of 2022*, including those that were intended to improve the efficiency of the project planning and project delivery process.

The Subcommittee will focus on facilitating projects for the Nation to be built more efficiently and cost effectively, thereby more quickly delivering project benefits to the public, while ensuring compliance with existing planning and environmental laws. In addition, the Subcommittee will review Corps' activities to ensure that the Corps review of proposed non-Federal sponsor modifications to Federal projects are carried out in an effective manner.

EPA—Superfund/Comprehensive Environmental Response Compensation, and Liability Act and Brownfields

The Superfund program under the *Comprehensive Environmental Response, Compensation, and Liability Act* (P.L. 96–51) (*CERCLA*) is aimed at cleaning up land in the United States that has been contaminated by hazardous waste and poses a risk to human health and/or the environment. The Brownfields program was authorized under the *Brownfields Revitalization and Environmental Restoration Act* (which amended *CERCLA*). The Brownfields program is aimed at enhancing state, local, and private-sector cleanups of properties, the redevelopment or use of which may be complicated by the presence or potential presence of a contaminant. Unaddressed Brownfields and Superfund sites pose potential human health concerns, drive down property values and tax revenues, and can deter reinvestment in cities and towns. The Brownfields program protects from Superfund liability many parties engaged in voluntary Brownfields cleanups and supports state and local Brownfields assessment and cleanup activities, and state voluntary cleanup programs. The Subcommittee's oversight will focus on issues related to implementation of the Superfund and Brownfields programs, as well as assess authorization of the Brownfields program, which expires at the end of FY 2023.

The Subcommittee will review efforts to improve the efficiency and effectiveness of the contaminated site cleanup process, the process of assessing natural resources damages, and the efforts to hold responsible parties accountable, consistent with Federal law. In addition, the Subcommittee will review the liability, financing, and settlement mechanisms and procedures under the current Superfund program, including the relation of funding sources and levels for the Superfund and Brownfields programs to current demands and needs. The Subcommittee will continue to review implementation of the *Small Business Liability Relief and Brownfields Revitalization Act* (P.L. 107–118). This includes evaluating whether there is a need to amend the liability provisions associated with Brownfields sites, including those providing protections for innocent parties.

The Subcommittee will also review the role of the states in conducting financing cleanups, and review the relationships among the states, EPA, and other Federal entities in implementing the Superfund and Brownfields programs. Further, the Subcommittee's oversight will include a review of ongoing Federal, state, and local efforts to revitalize brownfields, including through the implementation of the *Small Business Liability Relief and Brownfields Revitalization Act*. Finally, the Subcommittee will work to promote state, local, and private efforts to clean up and redevelop Superfund and Brownfields sites.

Tennessee Valley Authority

The Subcommittee will review the management of TVA and its programs, including its energy program, operations in the current marketplace, its long-term management of TVA assets, properties and byproducts of energy generation, labor relations, and the impact of TVA debt on its long-term goals.

International Boundary Water Commission

The International Boundary and Water Commission (IBWC) was established in 1889 with the responsibility for applying the boundary and water treaties between the United States and Mexico and settling any disputes over their application. The body is comprised of both the United States and Mexican sections, headed by an Engineer-Commissioner who is appointed by the President. The United States Section is headquartered in El Paso, TX, and operates under the guidance of the State Department. The IBWC carries out, in accordance with their governing treaties, the distribution, regulation, and conservation of water in the Rio Grande and Colorado Rivers for use by both countries; joint construction, operations, and maintenance of international storage dams and reservoirs and hydroelectric plants, flood protection, and sanitation projects for border water quality problems, as well as demarcating the boundary between the United States and Mexico.

In the *United States-Mexico-Canada Agreement Implementation Act* (P.L. 116–113), Congress appropriated \$300 million to EPA for the planning, design, and construction of high priority wastewater facilities in the area of the United States-Mexico Border. The Subcommittee will continue to conduct oversight over the implementation of this funding and the coordination between EPA and IBWC to carry out this work. The Subcommittee will also continue its oversight of IBWC's efforts to upgrade the International Outfall Interceptor in Nogales, Arizona.

"Waters of the United States" (WOTUS) Rulemakings

Congress enacted the 1972 amendments to the *Federal Water Pollution Control Act*, commonly referred to as the *Clean Water Act* (CWA), with the goal of restoring and maintaining the integrity of the Nation's waters. The CWA protects "navigable waters," which is defined in the CWA as the "waters of the United States, including the territorial seas."

The CWA does not further define the term "waters of the United States" (WOTUS), leaving it up to EPA and the Corps to define which waters are subject to Federal regulation under the CWA. Since the CWA grants authority to EPA and the Corps to implement the Act, EPA and the Corps have promulgated several sets of rules interpreting the agencies' jurisdiction over WOTUS and the corresponding scope of CWA authority.

A clear and consistent WOTUS definition, which is consistent with the statutory intent of CWA and operates with certainty and efficiency to protect the environment and sustain and grow new jobs is crucial to achieving the goals of the CWA. The Subcommittee will examine any proposed or final rules issued by the Administration relating to WOTUS, and their implementation. Additionally, the Subcommittee will assess the regulatory burden of

any rule, highlighting the impact of these changes on regulatory certainty.

EXPIRING AUTHORIZATIONS OF PROGRAMS WITHIN THE JURISDICTION OF THE COMMITTEE

During the 118th Congress, as part of both its oversight and legislative agenda, the Committee will review the authorizations of agencies and programs within its jurisdiction. In addition to the efforts outlined above, the reauthorization activities of the Committee will include legislation regarding the FAA, the Coast Guard, water resources development projects, and pipeline safety.

The following pieces of legislation contain programs within the Committee's jurisdiction that have expiring authorizations in FY 2023. First, the *FAA Reauthorization Act of 2018* (P.L. 115–254) contains several expiring authorizations including those for the Airport Improvement Program (AIP), FAA operations, Essential Air Service, air navigation facilities and equipment, Federal aviation research, engineering, and development, supplemental discretionary grants for airport improvement, the Know Before You Fly education campaign, and small community air service.⁶ Second, *America's Water Infrastructure Act of 2018* (P.L. 115–270), includes expiring authorizations for levee safety programs, dam safety research and training, and the Long Island Sound Stewardship Initiative.⁷ Third, the *Frank LoBiondo Coast Guard Authorization Act of 2018* (P.L. 115–282) contains an expiring authorization for the activities of the Great Lakes and Lake Champlain Invasive Species Program.⁸ Fourth, the *Agriculture Improvement Act of 2018* (P.L. 115–334) contains expiring authorizations for the Northern Border Regional Commission, the Southeast Crescent Regional Commission, and the Southwest Border Regional Commission.⁹ Fifth, the *Consolidated Appropriations Act, 2021* (P.L. 116–260) Divisions V and R includes provisions related to the FAA's oversight of organization designation authorization unit members, the FAA providing certification personnel continuing education, international authorities at the FAA, as well as pipeline safety and associated grants.¹⁰ Sixth, the *STORM Act* (P.L. 116–284) contains a provision authorizing FEMA to provide grants to states for disaster relief. Seventh, *IIJA* (P.L. 117–58) has an expiring authorization for Amtrak to conduct a daily long-distance service study.¹¹ Eighth, the *James M. Inhofe NDAA for FY 2023* (P.L. 117–263) Division K includes expiring authorizations related to the Maritime Administration, the Coast Guard, and the Alteration of Bridges Program.¹² Finally, the *Consolidated Appropriations Act, 2023* (P.L. 117–328), contains expiring authorizations related to levee stability projects for the Calfed Bay-Delta and a pilot program providing grants to develop comprehensive plans for advanced air mobility infrastructure.¹³

⁶ See Pub. L. 115–254, §§ 158, 356, 455.

⁷ See Pub. L. 115–270, §§ 1144, 1163, 4104 (c).

⁸ See Pub. L. 115–282, § 903(g)(7).

⁹ See Pub. L. 115–334, § 6304(e).

¹⁰ See Pub. L. 116–260, Div. V §§ 104(a), 107(a), 112(a), 119(f), 119(g), Div. R § 101(a),(b).

¹¹ See Pub. L. 116–284.

¹² See Pub. L. 117–263, Div. K, §§ 1101(1), (2)(C), (3)(A), (3)(B), (5)(B).

¹³ See Pub. L. 117–328, Div. D § 204(a), Div. Q § 101(c)(1).

Authorizations within the Committee's jurisdiction also expired in FY 2022. Those provisions were included in the *FAA Reauthorization Act of 2018* (P.L. 115–254) and are related to the NTSB, grants to administer the Emergency Management Assistance Compact, and Emergency Management Performance Grants.¹⁴

Further, within the Committee's jurisdiction are several programs contained within the *Railroad Retirement Act*, the *Railroad Retirement and Survivors' Improvement Act*, and the *Railway Labor Act* that are permanently authorized. The Committee will work to conduct the necessary reviews of these programs over this and next Congress. Such oversight may include hearings, roundtables, site visits, GAO investigations, IG Audits, briefings and meetings with the relevant agency, and oversight letters to the relevant agency, as appropriate. Upon completion of such review and oversight, the Committee will determine the appropriate next steps regarding these permanent authorizations.

¹⁴ See Pub. L. 115–254, §§ 1217(b), (c).

REPUBLICANS
MIKE BOST, ILLINOIS, CHAIRMAN

DEMOCRATS
MARK TAKANO, CALIFORNIA, RANKING MEMBER

U.S. House of Representatives

COMMITTEE ON VETERANS' AFFAIRS

ONE HUNDRED EIGHTEENTH CONGRESS

364 CANNON HOUSE OFFICE BUILDING

WASHINGTON, DC 20515

<http://veterans.house.gov>

March 1st, 2023

The Honorable Bryan Steil
Chairman
Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Steil and Chairman Comer:

Pursuant to clause 2(d) of Rule X of the Rules of the House of Representatives, please find attached the Authorization and Oversight Plan for the Committee on Veterans' Affairs for the 118th Congress. I appreciate your commitment to Congressional oversight and look forward to our continued cooperation on matters of shared jurisdiction.

Sincerely,



Mike Bost
Chair

Cc: Hon. Mark Takano, Ranking Member, Committee on Veterans' Affairs
Hon. Joseph D. Morelle, Ranking Member, Committee on House Administration
Hon. Jamie Raskin, Ranking Member, Committee on Oversight and Accountability

COMMITTEE ON VETERANS' AFFAIRS

AUTHORIZATION AND OVERSIGHT PLAN OF THE COMMITTEE ON VETERANS' AFFAIRS

U.S. HOUSE OF REPRESENTATIVES, 118TH CONGRESS

(Adopted February 28th, 2023)

Pursuant to clause 2(d)(1) of rule X of the House of Representatives requires each standing Committee to develop an oversight plan for the two-year period of the Congress and to submit the plan to the Committee on Oversight and Reform and to the Committee on House Administration not later than March 1st of the first session of the Congress.

The Committee on Veterans' Affairs (Committee) adopted the following Authorization and Oversight Plan for the 118th Congress. The Committee will conduct rigorous oversight of the Department of Veterans Affairs to ensure the agency adequately delivers its promise to our nation's veterans through its comprehensive care and benefits.

The Committee will review all laws and programs within its jurisdiction to assess their application, administration, execution, and effectiveness while providing transparency and accountability. The Committee seeks to eliminate waste, fraud, abuse, and mismanagement through such examination.

Congress is responsible for keeping the Executive Branch accountable to the American people and ensuring agency decisions are open and transparent. The adopted Authorization and Oversight Plan identifies programs whose authorization soon expires throughout the five subcommittees: the Subcommittee on Disability Assistance and Memorial Affairs, the Subcommittee on Economic Opportunity, the Subcommittee on Health, the Subcommittee on Oversight and Investigations, and the Subcommittee on Technology Modernization. The Authorization and Oversight Plan also outlines the initial and primary focuses of the Committee, and additional oversight activities are expected to arise throughout the first and second sessions of the 118th Congress.

In accordance with clause 2(d)(2)(E) of rule X, the Committee will work to limit unintended consequences of the Cost of War Toxic Exposures Fund (Fund), section 805 of P.L. 117–168, the Honoring our PACT Act of 2022. According to the Congressional Budget Office, the Toxic Exposures Fund now encompasses programs or activities funded by the following accounts: Medical Community Care, Medical Support and Compliance, Medical Services, Medical and Prosthetic Research, Veterans Electronic Health Care Record, General Operating Expenses (VBA), General Administration, Information Technology, and Board of Veterans Appeals. Therefore, por-

tions of these accounts that had been entirely discretionary may now become partially mandatory. Any legislation creating or modifying programs or activities funded by these accounts will receive a mandatory score. The Committee will continue to oversee the VA's use of the Fund to ensure that it supports PACT Act implementation and the care of veterans exposed to toxic substances. The Committee will also continue to engage with the Budget and Appropriations Committees to assess the long-term impacts of the Fund and resolve any impediments to the Committee's ability to carry out its legislative responsibilities.

The Committee will consult, as appropriate, with other committees of the House that may share jurisdiction on any of the oversight activities the Committee may consider.

U.S. House of Representatives

Committee on Veterans' Affairs

118th Congress—Authorization and Oversight Plan

In accordance with clause 2 of rule X, the Committee on Veterans' Affairs submits its Authorization and Oversight Plan for the 118th Congress. The Committee conducts its oversight with the help of five Subcommittees: the Subcommittee on Disability Assistance and Memorial Affairs, the Subcommittee on Economic Opportunity, the Subcommittee on Health, the Subcommittee on Oversight and Investigations, and the Subcommittee on Technology Modernization. It is expected that oversight of the issues outlined below will be a shared responsibility of the full Committee and the appropriate subcommittees.

While the Department of Veterans Affairs (VA) carries out many of its functions and programs under the authority of broad, organic statutes pertaining to health care, benefits, or the organization of the Department, some programs operate under specific authorizations. These are indicated in the applicable subcommittee sections. Programs whose authorizations soon expire are emphasized. The Committee plans to devote particular attention to major VA information technology (IT) programs and projects, all of which have yet to be authorized. This Congress, the Committee will individually consider whether to authorize each such program or project.

SUBCOMMITTEE ON DISABILITY ASSISTANCE AND MEMORIAL AFFAIRS

- *Authorizations of Disability Assistance and Memorial Affairs Programs*—Each Congress, the Committee authorizes or reauthorizes VA programs in the jurisdiction of the Subcommittee on Disability Assistance and Memorial Affairs. The Committee will continue to authorize on a case-by-case basis for new legislation and will review and determine reauthorizations for existing programs. During the 117th Congress, Titles II, III, and IV of P.L. 117–168, *the Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022 (PACT Act)* authorized disability compensation and dependency indemnity compensation benefits for toxic-exposed veterans and their survivors and established a program to determine if additional veterans are suffering from conditions that may be linked to military toxic exposures.

This legislation also requires VA to report on the implementation of those provisions. The Committee will work with VA to ensure authorized programs are implemented as Congress intended and review older programs to ensure they are funded appropriately.

- *Toxic Exposures*—The Veterans Benefits Administration (VBA) is implementing provisions related to delivering compensation benefits for toxic-exposed veterans within *the PACT Act*. VBA began processing PACT Act-related claims on January 1st, 2023, including claims for 24 presumptive conditions. VBA did not have implementation regulations in place before it went live on January 1st. Instead, VBA published a training policy letter, which was provided to claims processors, on Regulations.gov on December 22nd, 2022. The Committee will conduct rigorous oversight of VBA's implementation of *the PACT Act* to ensure success. This will include evaluating the effectiveness of training and guidance, information technology updates, hiring procedures, outreach materials and methods, quality review, and overall veteran satisfaction.

- *VBA Quality Review*—VBA employs a variety of mechanisms to review the quality of initial claims decisions. The Compensation Service and the Office of Field Operations (OFO) are responsible for administering quality assurance of compensation claims. In 2020 and 2021, the Office of Inspector General (OIG) released four reports which found deficiencies in VBA's four quality review programs. OIG reviewed VBA's Site Visit program, Systematic Technical Accuracy Review (STAR) program, Quality Review Team program, and Consistency Study program. OIG also assessed the effectiveness of coordination between the Compensation Service and OFO and identified areas of improvement. The Committee will investigate the efficacy of VBA's quality assurance procedures and VBA's progress in addressing the gaps in the above programs. Additionally, the Committee will continue to explore how VBA has designed its quality review measures, and to what extent that design yields accurate results.

- *VBA Training*—A June 2021 Government Accountability Office (GAO) report found that VBA could improve its design, implementation, and evaluation of its training programs. VBA employees have also reported that VBA's Virtual and In-Person Progression (VIP) training program is of poor quality and does not adequately prepare examiners to process claims. Furthermore, the VBA manual is frequently updated, and employees are not always required to undergo new training that explains the changes. The Committee will conduct oversight into how VBA implements training and seek methods to improve training to ensure veterans receive the benefits to which they are entitled.

- *Reducing and Preventing Compensation and Pension Backlog by Modernizing VA Claims*—Veterans are experiencing longer wait times for a decision on their claim due to processing delays resulting from the pandemic. Further, the VA's inventory of pending claims has risen due to the extension of presumptive benefits to toxic-exposed veterans. As of February 4th, 2023, VA's compensation and pension inventory totaled 742,149 claims, including a backlog of 197,353 claims. The Committee will conduct oversight into how VBA reduces its claims backlog to its target of reaching a functional zero of 100,000 claims, prioritizes the oldest and most

emergent claims (such as those for homeless or critically ill veterans), and provides timely and accurate decisions. Additionally, the Committee will explore how VA can further utilize technology to assist with claims processing and reduce the pending claims inventory. For example, VA is piloting the use of automation in the claims process. The Committee will assess the accuracy and timeliness of claims developed using automation.

- *Fiduciary Reform*—The Committee will review the performance of the VBA Fiduciary Program. The program is designed to provide financial security to veterans and other beneficiaries who have been determined unable to manage their VA benefit payments. In FY 2022, VA fiduciaries managed over 108,000 VA beneficiaries' benefits. Fiduciaries are designated by VA and can be a family member, close friends, or professional fiduciary. The review will include oversight of how fiduciaries are appointed; the Department's compliance with provisions in the Brady Handgun Violence Prevention Act (P.L. 103–159), which can potentially prevent beneficiaries in the fiduciary program from purchasing firearms; and fraud associated with the program. Moreover, in July 2021, OIG continued to identify deficiencies in the Fiduciary Program, such as significant wait times for misuse and negligence determinations and the reimbursement of misused funds. The Committee will review how VBA can better protect and serve beneficiaries needing a fiduciary.

- *National Cemeteries*—The Committee will continue oversight of the National Cemetery Administration (NCA), Arlington National Cemetery (ANC), and the American Battle Monuments Commission (ABMC), to include each organization's mission, operations, and inquiries into matters of unclaimed remains, access, and the methodology for determining veteran satisfaction. Each of the above organizations provides a sacred, hallowed resting place for veterans. VA alone operates over 150 National Cemeteries to provide an honorable resting place for veterans and certain dependents. The Committee will examine several issues, including cemetery maintenance, access, construction, and overall management issues.

- *Medical Disability Exam Office (MDEO)*—Some veterans require a VA medical examination to adjudicate a claim for disability benefits. Unfortunately, there need to be more VA examiners to perform these evaluations on time, and some veterans experience lengthy delays before VA can schedule such examinations. It may be challenging for VA to timely schedule these examinations if the veteran needs to see a specialist, such as a cardiologist or orthopedic surgeon. Moreover, veterans living in rural areas may have to travel many miles to a VA facility to see a VA examiner for a disability examination. To provide veterans with more timely examinations, VA has the authority to contract with independent physicians to conduct disability examinations. The MDEO office within VBA oversees quality, timeliness, and veteran satisfaction with the program. The Committee will evaluate how MDEO plans to address underperforming contractors and ensure that contractors maintain or improve quality services for veterans.

- *Life Insurance*—On January 5th, 2021, President Trump signed P.L. 116–315, which required VA to establish a modernized Service-Disabled Veterans Insurance program by January 1st,

2023. VA refers to this program as VA Life Insurance (VALife). The Committee will conduct continuous oversight of the VA's implementation of VALife to ensure that veterans are timely enrolled into the new program and well served. Additionally, the Committee will continue to review whether all of the VA's active life insurance programs meet the needs of servicemembers, veterans, and their families.

- *VBA's Physical Infrastructure*—VBA is comprised of a system of 56 Regional Offices (ROs). These ROs have an unnecessarily large infrastructure footprint due to the amount of unused space in the current telework-heavy environment, which increases costs. Additionally, the pandemic accelerated the expansion of telework and remote work within VBA. The Committee will explore VBA's plans to reduce unnecessary space and associated costs due to its physical infrastructure.

- *Manila Regional Office*—The authorization for the Manila RO, the only overseas RO, expires on September 30th, 2024. Initially, the Manila RO was established to better provide VA services to World War II veterans who resided in the Philippines. Since then, the Manila RO's role in benefits delivery has changed as VBA has modernized the claims process. In 2016, VA deployed the National Work Queue (NWQ), which assigned claims to whichever RO has the capacity to handle it first, rather than the more traditional model of having the Regional Office nearest the veteran handle the claim. As a result, the Manila RO began processing claims for veterans who resided outside of the Philippines. The Committee will examine whether the Manila RO's caseload, output, and quality justify the need for an overseas RO.

SUBCOMMITTEE ON ECONOMIC OPPORTUNITY

- *Authorizations of Economic Opportunity Programs*—Each Congress, the Committee authorizes or reauthorizes VA programs in the jurisdiction of Economic Opportunity. The Committee will continue to authorize on a case-by-case basis for new legislation and will review and determine reauthorizations for previous programs. During the 117th Congress, Sec. 302 and Sec. 303 in the *Joseph Maxwell Cleland and Robert Joseph Dole Memorial Veterans Benefits and Health Care Improvement Act of 2022* authorized homeless veteran programs. Under the G.I. Bill, the Digital G.I. Bill Program will be completed by the end of fiscal year 2024. The Committee will work with VA to ensure authorized programs are implemented as Congress intended and review older programs to ensure they are funded appropriately.

- *Effectiveness of the Transition Assistance Program (TAP)*—The Committee continues to be concerned about the effectiveness of the TAP program, which is intended to prepare servicemembers for their return to civilian life following active duty. The Departments of Defense (DoD), Veterans Affairs, and Labor (DoL) jointly manage and provide content to the five-day course that focuses on skills needed to obtain gainful employment and provides an understanding of the benefits that are available to them from the VA and DoL. The Committee will conduct stakeholder roundtables and oversight hearings to discuss how TAP can be enhanced for transitioning servicemembers and their families. Further, the Com-

mittee plans to have personnel attend TAP classes to review the curriculum that TAP counselors are teaching at the local levels and ensure changes made to TAP in the *Fiscal Year 2019 National Defense Authorization Act* and the *Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act* are being implemented appropriately. Finally, the Committee will work with the Committees on Armed Services and Education and the Workforce to address cross-jurisdictional issues as we improve the TAP program.

- *Effectiveness and Outcomes of Education and Training Programs for Returning Veterans*—The Post-9/11 G.I. Bill has been veterans' most generous education program since the original WWII G.I. Bill. Based on the length of service, the program funds up to full tuition and fees at public institutions of higher learning and about \$26,381 per year at private institutions, as well as provides a monthly living stipend. This stipend is based on the housing allowance paid to servicemembers at the rank of E 5 (with dependents) and the ZIP Code of the institution where the student attends the majority of their classes. The Committee will continue oversight of the implementation of the *Harry W. Colmery Veterans Educational Assistance Act of 2017*, the *Johnny Isakson and David P. Roe, M.D. Veterans Health Care and Benefits Improvement Act*, and the *Ensuring the Best Schools for Veterans Act of 2022*.

Further, as avenues for learning and training continue to evolve and modernize, the Committee will examine these new programs and how they may fit into the construct and requirements of the Post-9/11 G.I. Bill program in a post-COVID-19 world. The Committee will also conduct oversight on Veteran Success on Campus programs, and on the national education call center to ensure G.I. students are receiving the best possible service. In addition, the Committee will examine outcome measures for users of the Post-9/11 G.I. Bill, including graduation rates and job placement data, to ensure the effectiveness of taxpayers' investment in our veterans' education benefits. Finally, the Committee will work with the State Approving Agencies to put in place policies that protect student veterans against predatory or deceitful recruiting practices of post-secondary institutions, such as providing misinformation about student outcomes or encouraging veterans to take out unnecessary private student loans.

- *Modernization of G.I. Bill Claims Processing*—Modernizing the processing of original and supplemental G.I. Bill claims is long overdue. For decades, VA has relied on a myriad of ancient legacy systems to process these claims because previous modernization efforts have failed. The Committee will continue to conduct oversight over the current modernization effort called the Digital G.I. Bill system. An outside contractor is tasked with creating and implementing of this system as a managed service, and VA plans to roll out the bulk of the system by late 2023. This system will automate the process and reduce the caseworker's workload. The Committee will closely watch the rollout of the contractor's new software and work to protect veterans' ability to have a G.I. Bill claim processed accurately and in a timely fashion. The Committee will also hold the contractor and VA accountable if the program experiences difficulties.

- *Veteran Readiness and Employment (VR&E) Program*—VA’s VR&E program provides education and training benefits for service-connected disabled veterans who face barriers to employment. The program funds all costs related to long and short-term education and training and immediate job placement services. VR&E also manages the Independent Living (IL) program, designed to enable the most severely injured veterans to live as independently as possible, in addition to the Veteran Success on Campus program, which currently stations VR&E staff at institutions of higher learning to assist students with benefits. The Committee continues to be concerned with counselor caseloads, rising job vacancies, and outcomes of VR&E programs, as well as the administration of the self-employment track of the VR&E program, which can often result in high costs. The Committee will also conduct oversight over management and overall effectiveness of the VR&E program, the “eVA” IT system, and VA’s failure to provide a case management system that has been delayed after two failed attempts that have effectively wasted \$26 million.

- *Loan Guaranty Service*—VA’s Loan Guaranty Service provides a loan guaranty benefit to eligible veterans and servicemembers, which enables them to purchase a home at a competitive interest rate, without private mortgage insurance, often without requiring a down payment. This benefit is highly beneficial to veterans, servicemembers, and their families. The Committee plans to conduct oversight of the home loan program with a focus on their appraisal process as well as a new focus, ensuring that the IT systems in place to process these loans are modernized. Finally, the Committee intends to evaluate the impact of high-interest rates and inflation on the veteran homeowner and prospective home buyers and will examine ways to make the product competitive. The Loan Guaranty Service also administers grants under the Specially Adapted Housing (SAH) and Special Housing Adaptation (SHA) programs. These grants, provided to eligible veterans with permanent and total service-connected disabilities, enable the veteran to adapt their current home or construct a new home that allows them to live in a home that is not obstructive to them due to their disabilities. The Committee will continue to conduct oversight of this program and enhancements that were made to this program by the *Ryan Kules and Paul Benne Specially Adaptive Housing Improvement Act*.

- *Adaptive Sports Program*—This is a program administered by VA, which provides grants to qualifying organizations that provide adaptive sports activities and opportunities at the local, regional, and national levels, including Paralympic activities, to disabled veterans and servicemembers. This program awarded \$16 million in 2022. The authorization for the Adaptive Sports Program expires on December 31st, 2024. The Committee will continue to examine how VA awards grants under this program and the organizations receiving funding, as well as how VA works with local communities and the Paralympic community to promote and enhance adaptive sports programs for disabled veterans and servicemembers.

- *Licensing and Credentialing Issues*—DoD spends billions of tax dollars to provide servicemembers with the skills needed to complete DoD’s mission. Many of those skills translate well to civilian

jobs. Unfortunately, not all states recognize and give credit for military training to qualify for state-licensed positions. Therefore, the training provided by DoD is essentially wasted. The Committee will review efforts by states and other entities to provide appropriate licenses and credentials to qualified veterans whose military training renders them eligible for such credentials or licenses, as well as the progress that states are making to make certain licenses and credentials transferrable across state lines.

- *Homeless Veteran Reintegration Program (HVRP)*—HVRP is a program administered by DoL's Veteran Employment and Training Service (VETS), which provides grants to state and local workforce investment boards, local public agencies and nonprofit organizations, and tribal governments, including faith-based and community organizations. The organizations that compete and receive these grants provide homeless veterans with occupational, classroom, and on-the-job training, as well as job search and placement assistance. The authorization for HVRP expires on September 30th, 2024. The Committee will conduct an oversight hearing to examine the organizations that are receiving these grants, how VETS is awarding these grants, and how the program can be enhanced at the federal and state levels to place more homeless veterans in careers. *The Committee's oversight is crucial as the Committee continues to work with VA and ensure the number of homeless veterans continues to decrease.*

- *Performance of the Jobs for Veterans State Grant Program*—The Jobs for Veterans State Grant program is administered by VETS and funds the employment of state employees called Disabled Veteran Outreach Program Specialists (DVOP) and Local Veteran Employment Representatives (LVER). This program is dedicated to placing veterans in good-paying jobs. Significant issues surround this program's inconsistent performance across the states, and the outcome measures used to determine performance continue to be inadequate. The Committee will continue to review this program and the performance outcomes of DVOPs and LVERs and conduct oversight of the National Veterans' Training Institute (NVTI), which trains DVOPs and LVERs on job placement and training skills for veterans.

- *Homeless Veterans*—The Committee will continue oversight of how COVID-19 has impacted the services and programs that VA grantees provide to homeless veterans and those veterans who are at risk for homelessness. The Committee will also review VA efforts to permanently house homeless veterans and ensure that those veterans are receiving the wrap-around services they need. The Committee will also ensure that if a veteran leaves permanent housing, VA will work with the veteran to address their needs and rehouse them as quickly as possible. In addition, the Committee will ensure that VA is accurately counting those veterans who have been housed and don't leave housing. The Committee will examine the Supportive Services for Veteran Families (SSVF), Housing and Urban Development-Veterans Affairs Supportive Housing (HUD-VASH) programs, and VA's progress toward reducing veteran homelessness. The Committee will also address the myriad of factors underlying veteran homelessness. The Committee will continue to oversee VA's integration efforts to support vulnerable vet-

erans by facilitating access to benefits, care, and services. Finally, the Committee will continue to evaluate the effectiveness of temporary measures passed in response to the pandemic to support employment and homelessness programs at the VA that are serving more individuals due to COVID-19.

SUBCOMMITTEE ON HEALTH

- *Authorizations of Medical Programs*—The Secretary vests in the Undersecretary for Health the authority and responsibility for medical services, community care, medical support and compliance, and facility maintenance and construction programs under the authority of 38 U.S. Code, chapters 17, 73, 74, 75, 76, 81 and 82. Except for major medical construction projects and certain leases, annual authorization by the Committee is not required. P.L. 117-168, the *Sergeant First Class Heath Robinson Honoring our Promise to Address Comprehensive Toxics Act of 2022*, Title VII, modified the congressional process by which major medical facility leases are authorized, granted VA authority to enter into agreements with academic affiliates and other entities to acquire space for the purpose of providing healthcare resources to veterans, modified the requirements for VA's enhanced-use lease authority, and provided permanent authority for joint leasing actions between DoD and VA. Additionally, Title 38 includes certain multiple-year authorizations for specific purposes. The Committee routinely examines the programs that have expiring authorities or sunset dates. As part of P.L. 117-180, the *Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023*, numerous health programs were reauthorized through FY 2024. In this same legislation, VA and DoD were authorized to continue the joint incentives program related to healthcare resources through FY 2026.

- *Community Care*—The Committee remains concerned about inconsistent VA referral practices and veterans' ability to utilize community care when in their best interest. Eligibility for care in the community is determined in part by designated access standards, as mandated by the VA *Maintaining Internal Systems and Strengthening Integrated Outside Networks (MISSION) Act of 2018*. The Committee will closely monitor any adjustments made to access standard definitions. The Committee will conduct oversight of the VA's reorganized Integrated Veteran Care (IVC) office established to supposedly create a seamless system for coordinating VA's direct and community care delivery systems. Even as the Community Care Networks have stabilized and matured, concerns still remain about network adequacy and continuity of care. The Committee will continue to monitor veterans' access to care and VA's processes for monitoring the performance of the third-party administrators to build networks of community providers and process payments to these providers. VA's administratively burdensome appointment scheduling process needs reform, and the Committee will continue to conduct oversight to ensure VA improves its administrative efficiency and network adequacy in the U.S. territories, with particular emphasis on the highly remote islands within the Pacific region. In addition, the Committee will monitor VA's efforts to provide veterans greater insight into both VA and community care appointment wait times and availability, so veterans

can make informed decisions about where best to seek care. Finally, the Committee will continue to monitor the baseline funding to the Medical Community Care account to ensure funds are being used most appropriately.

- *Market Assessments and Infrastructure Modernization*—The Committee will continue aggressive oversight of VA's major medical facility construction and leasing program and consider needed actions to address VA's vast and aging capital asset portfolio. The Committee is especially concerned about the continued maintenance requirements of underutilized facilities and the growing need for an expanded footprint in areas of the country experiencing significant veteran population growth. The *MISSION Act* required VA to conduct market assessments, first to inform recommendations for an Asset and Infrastructure Review Commission and subsequently on a continuing basis as a strategic review. As VA seeks to begin the process of updating market assessments for the strategic review, the Committee will conduct oversight of these assessments to ensure concerns about the underlying methodology are addressed and appropriate stakeholder involvement occurs. The Committee will explore mechanisms to best incorporate these assessments into and reform the VA Strategic Capital Investment Planning (SCIP) process to include better systemic metrics that would require realignment or modernization of certain facilities. Furthermore, given the changes made to leasing under the PACT Act, the Committee is eager for VA to leverage those modifications and see the impact they will have on veterans' access to care closer to home.

- *Mental Health, Substance Use, and Suicide Prevention*—The Committee will continue to closely monitor VA's mental health, substance use, and suicide prevention efforts, particularly its new programs and the effectiveness of existing programs. In 2020, two large veterans' mental health and suicide prevention legislative packages became law (the *Commander John Scott Hannon Veterans Mental Health Care Improvement Act* and the *Veterans Comprehensive Prevention, Access to Care, and Treatment (COMPACT Act)*), necessitating continued implementation oversight. This oversight effort will also include the expanded eligibility for and operational capacity of the Readjustment Counseling Service. The Committee will closely monitor and provide recommendations on VA's use of community providers and organizations to deliver mental health, substance use, and suicide prevention services to veterans, when VA cannot provide these services directly and when at-risk veterans are outside VA's reach. Given ongoing issues with timely veteran suicide data collection, analysis, and reporting from VA, the Committee also will work with VA and stakeholders to evaluate VA's use and dissemination of best practices in real-time veteran suicide surveillance. The Committee also will examine VA's substance use and addiction treatment capacity and programming, with a focus on access and complications of overlapping mental health issues.

- *Staffing, Recruitment, and Retention*—The Committee will closely examine VA's staffing, recruitment, and retention programs and take action to correct deficiencies within VA's overly bureaucratic and lengthy hiring processes that hinder VA's ability to effi-

ciently and effectively recruit and retain high-quality employees to treat veteran patients. VHA continues to suffer from limited human resources capacity and weak internal control practices, both of which have undermined VA's ability to improve the delivery of care to veteran patients. Recent HR modernization efforts that centralized hiring authority away from the facilities and into the Veterans Integrated Services Networks (VISNs) and Central Office has exacerbated an already burdensome process. The Committee will assess how VA identifies staffing needs at the local level, prioritizes recruitment and retention in high-need areas, and addresses existing staffing shortages. In addition, the Committee will examine if and how the significant increase in the total number of VA employees over the last several years has led to improvements in care and benefits for the veterans VA serves. Finally, as part of the *Honoring our PACT Act of 2022*, Congress provided significant authorities and resources to enhance human resources management. The Committee will closely monitor the implementation as well as the outcomes and impacts of these initiatives.

- *Pain and Medication Management, Complementary and Integrative Health*—The Committee will examine the extent to which VA is appropriately using prescription medications to treat veterans experiencing acute and chronic pain, and the extent to which veterans are offered and able to access complimentary and integrative therapies for pain management. The effective management of pain is a critical issue for the veteran population as data suggests that veterans are a particularly high-risk population for prescription misuse, substance use disorder, accidental overdose, accidents, and/or self-inflicted injury. The Committee will scrutinize VA's opioid safety initiative, substance use treatment programs, and access to alternative chronic and acute pain treatments. The Committee will also review VA's policies concerning veteran access to substance use inpatient treatment programs as well as assess the use and efficacy of complementary and integrative health treatments and techniques for veterans with pain or other conditions.

- *Long-Term Services and Supports*—The Committee will continue to assess VA's broad array of Long-Term Services and Supports (LTSS) to determine whether veterans have access to the methods of care delivery that best suit their needs. VA has historically relied primarily upon a network of institution-based services consisting of VA Community Living Centers (CLCs), State Veterans Homes (SVHs), and contracted community nursing homes; however, VA must do more to develop a robust network of home and community-based services (HCBS) to meet the growing demand, and preference, for non-institutional care among its aging veteran population. The Committee will monitor VA's progress in this area and continue supporting authorities in allowing greater access to HCBS. Given the growing numbers of women veterans utilizing VA services, the Committee will review the availability and adequacy of LTSS specific to this population. The Committee will also examine VA's role in monitoring the quality of care and patient safety at SVHs, and VA's role in supporting the cost of care for veteran residents, along with SVH construction, renovation, and maintenance.

- *Caregivers*—Following the expansion of the Program of Comprehensive Assistance for Family Caregivers (PCAFC) in October 2022 to all era veterans and their caregivers, the Committee will closely monitor VA’s implementation of the numerous changes made to the program through regulation, as VA attempts to standardize the program. The Committee is concerned about the management of “legacy” program participants and will continue to monitor the evolution of benefits provided to this cohort. The Committee is also concerned about the focus on this program and the lack of coordination in providing access to other, possibly more appropriate, long-term-care options. The Committee has been encouraged by reports of success with the Veteran-Directed Home and Community Based Services and will continue to examine the availability of geriatric home health programs that rely on and support critical aspects of family caregiver support.

- *Telehealth*—The Committee will continue to assess the effectiveness of VA’s telehealth programs. Telehealth is an increasingly important tool for improving access to care for veteran patients. The Committee is concerned about a potential overreliance on telehealth and potential impact on access metrics and veteran preference. The Committee will assess VA’s efforts to provide timely and accessible care to veterans in rural and hard-to-reach areas through tools like telehealth, community partnerships, and other means.

- *Quality Care*—OIG, GAO, and media reports continue to document patient harm incidents within VHA medical facilities. These have called into question whether VHA leadership is carrying out all their credentialing, privileging, and quality management responsibilities. Specifically, the Committee is concerned about whether VHA and its VISNs are doing enough to ensure that their medical facilities are appropriately screening clinicians prior to hire, monitoring providers’ clinical competence while they are employed, conducting timely investigations when concerns arise, and reporting serious concerns about provider performance to the National Practitioner Data Bank and state licensing boards, as required by VHA’s own policy. The Committee is encouraged by the embrace of High Reliability Organization principles by many VA Medical Centers and are heartened by employee engagement in identifying “near misses” and potential quality of care/patient safety concerns.

- *Eligibility for Care in the VA Healthcare System*—In 1996, Congress created the current VA enrollment priority group system. Veteran eligibility for VA care has been minimally changed since then, despite the fact that military service, the veteran population, the delivery of care, and the VA healthcare system have changed significantly. Many of the most pressing issues facing veterans today concern eligibility. The Committee will examine the appropriateness of the current eligibility system for today’s veteran population, particularly those with character of discharge concerns, to ensure that all veterans can receive the care that they need.

- *Continued Support for Women Veterans*—The over two-million women who have served in the U.S. military comprise the fastest-growing veteran subpopulation within VA. Over 600,000 women veterans are currently enrolled for VA healthcare, and utilization

of services continues to expand. In 2020, Congress passed the *Deborah Sampson Act*, a compilation of comprehensive legislation focusing on women veterans. The Committee must continue its close implementation oversight of this Act as well as new or enhanced services recently made available to women veterans. The Committee's examination of issues impacting women veterans will include, but is not limited to: ensuring a welcoming and inclusive VA, free from sexual harassment and assault; providing equitable access to VA healthcare, with well-resourced access to gender-specific care, such as mammography, gynecology, and obstetrics; research into the impacts of military service on women veterans' physical and mental health; and a greater focus on the special needs of aging women veterans, to include unique health conditions, long-term care, and caregiving.

- *VA Research*—The Committee will aggressively oversee the totality of VA's medical and prosthetic research program to identify and eliminate redundancies and ensure the dissemination of best practices and a veteran-centric research focus. VA's Office of Research and Development (ORD) conducts an extensive research program that is tasked with conducting research to advance the healthcare provided by VA and to the nation. VA's Health Services Research and Development Service also operates 19 Centers of Innovation (COIN), built off the work of prior Centers of Excellence, that conduct research on specific issues concerning veteran patients. The Committee will continue to oversee opportunities for innovation, cutting-edge technology, veteran participation in clinical trials, and greater use and support of the Million Veteran Program data for public health research. Use of this data will also require continued oversight to ensure that utilization of veterans' data is protected and secure.

- *Emergency Care*—In 1999, the *Veterans Millennium Health Care and Benefits Act* (commonly known as the "Mill Bill") established criteria to govern VA's reimbursement of costs related to emergency care provided to veterans in non-VA facilities for non-service-connected conditions. Those criteria are outdated and increasingly complicated for veterans, VA staff, and emergency care providers outside of the VA healthcare system to understand and administer, which has led to a backlog of emergency care claims and resulted in costly judicial proceedings. The Committee will work to simplify and modernize these criteria to ensure the appropriate provision of care to veterans in crisis and timely and appropriate reimbursements to emergency care providers in the community.

- *VA's Fourth Mission and Participation in the National Disaster Medical System*—VA's Fourth Mission, to assist federal and civilian partners in the event of an emergency, received relatively little attention before the pandemic. This role has proven critical as the American healthcare system endured the catastrophic impact of COVID-19, while at the same time, rural hospitals and clinics continued to close at an alarming rate. The current process for VA to pursue a "Fourth Mission" is overly bureaucratic, requiring the approval of multiple federal agencies. Congress must reconsider the current structure of the disaster response framework to reflect the sheer scale of VHA's potential. VA has shown to be a locally based

leader in medical support response in the event of natural disasters. The Committee is committed to ensuring this capability remains a VA core competency. Additionally, the Committee will review potential partnerships with the Indian Health Service and Public Health Service, as well as support the recruitment of deployable nursing personnel to staff the mobile medical units VHA already possesses.

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

- *Budget and Waste*—VA funding has doubled over the last decade, and staffing has increased by over 40 percent. The Committee will conduct oversight of waste, particularly in contracts, redundancies, and offices that produce no value, as part of a broader assessment of whether the VA's rate of growth has exceeded veteran demand, whether new initiatives merit investment, and how to implement a framework for reducing inefficiencies in underperforming areas.

- *VA Supply Chain*—During the early days of the COVID-19 pandemic, supply chains around the globe failed. Today, VA's medical supply chain is operational, but VA's efforts to create a more resilient supply chain have been unsuccessful. The Committee will conduct oversight of the Executive Branch's effort to bring medical supply inventory for crisis response under the Department of Health and Human Services and VA's role in that effort. The Committee will also ensure VA is following existing statutory requirements for medical supplies made in America.

- *Accountable Workforce*—Holding more than 400,000 staff accountable has proven difficult for VA. VA's Office of Accountability and Whistleblower Protection (OAWP) has failed to deliver robust discipline of senior executives and managers, and rulings by the courts and the Merit Systems Protection Board have limited the Secretary's authority to hold employees accountable for poor performance or misconduct under 38 U.S. Code § 714. The Committee will conduct oversight of OAWP, to make sure VA whistleblowers are protected from retaliation while holding their superiors accountable. The Committee will also determine where laws can be reinforced to manifest a responsible workforce dedicated to VA's mission.

- *Oversight of Contractors*—VA's annual contract spending has reached more than \$38 billion, and there are nearly as many VA support contractors as federal employees in many offices. Additionally, VA received billions in COVID-19 emergency appropriations. The Committee believes that a culture of overreliance on contractors, revolving door influence, and failed projects with big paydays has taken hold. The Committee, in concert with budget analysis and bureaucratic reforms, will aggressively investigate the reasons for the proliferation of contractors, the effectiveness of the massive contractor workforce, and whether the value gained matches the dollars spent.

- *Addressing Violent Crime*—From fiscal year 2018 to fiscal year 2021, violent crime rates on VA campuses increased significantly. The Committee will continue oversight of the VA Police Force and violent crime rate, to drive process improvements and protect the health and safety of veterans and VA employees.

- *Department of Defense-VA Agreements*—DoD (principally the Defense Logistics Agency) and VA have executed numerous agreements, partnerships, and funding arrangements. VA typically pays DoD to utilize its systems, services, or contracts. Our oversight will evaluate the effectiveness and return on investment of these arrangements.

- *Human Resources*—VA has centralized its human resources functions at the Central Office and VISNs. In an effort to create uniformity, VA has hamstrung local VA directors trying to fill vacancies, has slowed down the onboarding process significantly, and increased staff frustration with human resources. The Committee will examine this decision and analyze the impacts to local VA facilities and veterans.

SUBCOMMITTEE ON TECHNOLOGY MODERNIZATION

- *Enterprise Technology Modernization Programs*—The Committee will continue overseeing the effectiveness of VA's major programs and projects to modernize technology and business operations.

- *Electronic Health Record Modernization*—The Oracle Cerner electronic health record system is now live at five sites, significantly impairing their operations. The 2021 strategic review substantiated the technical flaws but failed to address most of them directly, and VA has again paused additional implementations through June 2023. An independent cost estimate forecasts implementation costs at nearly \$39 billion over 13 years, up from \$16 billion over 10 years. We oppose further implementations until the system is significantly improved and the five sites currently using it have normalized, and we have begun engaging with VA and Oracle Cerner on the status of individual technical improvements.

- *Digital G.I. Bill*—The Digital G.I. Bill's initial results are encouraging, and we are closely monitoring how much automation can ultimately be accomplished and how key legacy systems will be phased out.

- *VBA Systems and Disability Compensation Automation*—VBA has initiated automation pilots at a handful of Regional Offices, targeting a handful of categories of claims. Most are limited to assistive tools or job aids. Our oversight will focus on advancing automation to eliminate repetitive tasks and enhance employees' effectiveness, while always preserving human decision-making. Relatedly, the Veterans Benefits Management System and other key VBA systems must be modernized in a way that completely eliminates siloed, legacy systems and is compatible with the automation strategy.

- *Financial Management Business Transformation*—VA has been implementing its new financial system for more than four years and has completed NCA and several components of VBA. The system's cost estimate is rising and its viability remains unproven until VHA medical centers adopt it. Several hurdles and long overdue decisions threaten the program's success, particularly which inventory management system to interface with and how to create that interface. The Committee believes the Financial Management Business Transformation program

is worthwhile and can succeed, though this is not assured, and our oversight focuses on clearing these roadblocks.

- **Human Capital Modernization**—VA is preparing to replace its human resources management software, which its publisher will no longer support, and add new capabilities. This project's scope is uncertain, and its cost and schedule are unknown. The Committee's oversight aims to clarify these key questions before the VA proceeds and determine whether and how this system's design will align with the human resources organizational centralization.

- **Supply Chain Management Modernization**—VA will soon purchase a new supply chain management system after abandoning an effort to implement the Department of Defense's Defense Medical Logistics Standards Support (DMLSS) system. This project's scope appears to be excessively large and ambitious, increasing risk. The Committee's oversight focuses on determining whether VA adequately understands its own requirements and has clearly expressed and prioritized them. This project's cost and schedule also remain unknown.

- **Authorizations of Enterprise Technology Modernization Programs**—Within memory, Congress has not authorized any of VA's enterprise technology modernization programs, or any other specific IT programs. The Secretary vests in the Assistant Secretary for Information and Technology (Chief Information Officer) with the responsibility for "information management functions" under the authority of 38 U.S. Code 308(b)(5). Additionally, the Chief Information Officer is designated under 38 U.S. Code 310. Both sections reference 44 U.S. Code 3506, which lays out the general Chief Information Officer responsibilities that are common across agencies. VA presumably carries out its IT programs under these organic authorities. The Committee will individually consider authorizing each new or proposed enterprise technology modernization program. During the 117th Congress, Committee members introduced H.R. 2420, the *Overseeing the GI Bill Act of 2021* to authorize the Digital G.I. Bill program and H.R. 9091, the *VA Supply Chain Management System Authorization Act* to authorize the forthcoming Supply Chain Management Modernization program. Neither bill was enacted. However, last Congress, the *Department of Veterans Affairs Information Technology Reform Act of 2022* (Section 403 of the *Joseph Maxwell Cleland and Robert Joseph Dole Memorial Veterans Benefits and Health Care Improvement Act of 2022*) was enacted. This legislation requires VA to report the estimated costs, schedules, and performance objectives of each major IT project (defined as having life cycle costs exceeding \$1 billion) before commencing them. The Committee intends to use this mechanism to vet each such new project for authorization. Specifically, the Committee will either authorize or reject the Supply Chain Modernization and Human Capital Modernization projects.

- **Appointment Scheduling Technology**—The Committee will be closely monitoring VA's progress in modernizing systems used by appointment schedulers and will ensure VA is providing veterans greater ability to directly self-schedule appointments, as well as view expected wait times for in-house vs. community care appointments.

- *Information Technology and Office of Information & Technology*—Sixteen years after VA IT activities were centralized in the Office of Information & Technology (OIT), the office still struggles to meet the Department's rapidly growing IT needs. After conducting a deep dive into OIT's budget last Congress, the Committee concluded that it is not structured in a way that accurately represents OIT's activities or needs. Successive reorganizations have not resolved unclear or overlapping lines of responsibility, persistent customer complaints, and inconsistent management practices. Nonetheless, OIT has made some progress introducing reusable technology platforms, migrating applications to the cloud, and making available low-code/no-code development tools to its customers. The Committee's oversight of OIT will focus on aligning its structure, budget, and processes to support VA's needs better.

- *Cybersecurity*—VA struggles to clear multiple repeat findings in the annual Federal Information Security Modernization Act audit, the annual financial statement audit, and OIG inspections. OIT's cybersecurity approach appears to focus on continuous monitoring and detection, but vulnerabilities abound due to inconsistent management and policy implementation. The Committee's oversight focuses on making cybersecurity practices more consistent across VA, identifying new vulnerabilities caused by digitizing formerly manually processes, integration with other agencies, and keeping unapproved IT and medical devices off VA networks. The Committee will also continue to probe VA's inability to identify what is on their networks at facilities and push to ensure that shadow IT is identified, and if possible, mitigated with enterprise solutions.

- *Data Management and Privacy*—Veterans' data must be protected from loss, theft, and monetization. The Committee's oversight will examine the agreements and safeguards VA has in place with its technology vendors and partners, those vendors and partners' practices, and VA's track record of monitoring their activities and enforcing the safeguards. The Committee will also oversee errors by VA employees that expose veterans' protected data to loss, theft, or monetization.

MANDATORY SPENDING

- In accordance with clause 2(d)(2)(E) of Rule X, the Committee will work to limit unintended consequences of the Cost of War Toxic Exposures Fund, section 805 of P.L. 117–168, the *Honoring our PACT Act of 2022*. According to the Congressional Budget Office, the Toxic Exposures Fund now encompasses programs or activities funded by the following accounts: Medical Community Care, Medical Support and Compliance, Medical Services, Medical and Prosthetic Research, Veterans Electronic Health Care Record, General Operating Expenses (VBA), General Administration, Information Technology, and Board of Veterans Appeals. Therefore, portions of these accounts which had been entirely discretionary may now become partially mandatory, and any legislation creating or modifying programs or activities funded by these accounts will receive a mandatory score. The Committee will continue to oversee the use of the Fund by VA to ensure that it supports PACT Act implementation and the care of veterans exposed to toxic sub-

stances. The Committee will also continue to engage with the Budget and Appropriations Committees to assess the long-term impacts of the Fund and resolve any impediments to the Committee's ability to carry out its legislative responsibilities.

Congress of the United States

U.S. House of Representatives

COMMITTEE ON WAYS AND MEANS
1139 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-3625

Washington, D.C. 20515-0348

<http://waysandmeans.house.gov>

March 8, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Comer,

Pursuant to House Rule X, I am transmitting the Oversight and Authorization Plan for the 118th Congress of the Committee on Ways and Means.

Sincerely,



Jason Smith
Chairman
Committee on Ways and Means

Cc: The Honorable Richard Neal, Ranking Member
Committee on Ways and Means
The Honorable Jamie Raskin, Ranking Member
Committee on Oversight and Accountability

Enclosure

COMMITTEE ON WAYS AND MEANS
OVERSIGHT AND AUTHORIZATION PLAN
LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, DC, February 28, 2023.

Hon. JAMES COMER,
Chairman, Committee on Oversight & Government Reform,
Washington, DC.

Hon. BRYAN STEIL,
Chairman, Committee on House Administration,
Washington, DC.

DEAR CHAIRMAN COMER AND CHAIRMAN STEIL: In accordance with the requirements of clause 2 of rule X of the Rules of the House of Representatives, the following is a list of oversight hearings and oversight-related activities that the Committee on Ways and Means and its Subcommittees plan to conduct during the 118th Congress.

Matters under the Committee's Federal Budget Jurisdiction

- **Economic and Budget Outlook.** Oversight hearings and other activities with various Administration officials to discuss the President's budget proposals, current economic and budget conditions, including the long-term outlook, the state of the economy for workers, families, farmers, and small businesses, prospects for short and long-term growth, our economic competitiveness, small business job creation, and limits on the public debt.

Matters under the Committee's Tax Policy Jurisdiction

- **Tax Relief.** Hearings and other activities related to discussing and considering appropriate tax relief for families, individuals, farmers, and small businesses. Additionally, hearings to discuss and consider restricting the Internal Revenue Service (IRS) with a service-first focus to better align the tax administrator with a simpler, pro- growth tax code.

- **Priorities of the Department of the Treasury.** Hearings and other activities with the Treasury Secretary and other Administration officials to receive information regarding the Administration's tax-related priorities for the 118th Congress. Specifically, hearings to discuss and consider legislative and administrative proposals contained in the President's fiscal year 2024 and 2025 budgets to ensure that the department is prioritizing taxpayers over politics.

- **Tax Provisions in Public Laws Enacted During the 116th and 117th Congresses.** Hearings and other activities regarding implementation of and provisions in the following public laws: *Families First Coronavirus Response Act, Public Law 116-127*; *Coronavirus Aid, Relief, and Economic Security (CARES) Act, Public Law 116-136*; *Paycheck Protection Program and Health Care Enhancement Act, Public Law 116-139*; *Consolidated Appropriations Act, 2021, Public Law 116-260*; *American Rescue Plan Act of 2021, Public Law 117-2*; and *Inflation Reduction Act, Public Law 117-169*.

- **IRS Operations/Administration of Tax Laws.** Oversight of the major IRS programs, including enforcement, collection, taxpayer services, returns processing, and information systems. Continue oversight over major operating areas of the agency to ensure the nation's tax laws are being administered in a fair and impartial manner, particularly given the recent infusion of \$80 billion in additional mandatory funding on top of the agency's annual budget. Consider analyses and reports provided to the Congress by the IRS National Taxpayer Advocate, Treasury Inspector General for Tax Administration, and the U.S. Government Accountability Office (GAO). Oversight of IRS funding and staffing levels needed to provide taxpayer assistance and enforce the tax law effectively and efficiently and modernize IRS information technology systems. Evaluate tax return filing seasons, including electronic filing, and improper payments levels and fraud prevention efforts. Examine proposed funding and staffing levels for the IRS, and legislative proposals and administrative proposals contained in the President's fiscal year 2024 and 2025 budgets. Examine the IRS plan to develop a new IRS-administered free tax return e-filing system, including their selection of a third party or parties to prepare a report on such plan.

- **IRS Audit Selection Procedures.** Oversight of the processes the IRS uses to select individuals, businesses, and other organizations for audit. Continue coordination with GAO regarding ongoing audit work assessing IRS audit selection procedures and safeguards across all IRS business units. Evaluate the impact of IRS audit selection procedures on taxpayers making \$400,000 or less, particularly in connection with the recent infusion of \$80 billion in additional mandatory funding for the agency.

- **Tax-Exempt Organizations.** Oversight of federal tax laws, regulations, and filing requirements that affect tax-exempt organizations, particularly charities, foundations, and political groups operating as social welfare organizations. Evaluate overall IRS efforts to monitor tax-exempt organizations, identify areas of non-compliance, prevent abuse, and ensure timely disclosure to the public about tax-exempt organization activities and finances. Review IRS tax-exempt application process and agency oversight of new exempt organizations.

- **Tax Code and Tax Form Simplification.** Oversight of tax code and tax form complexity, particularly for individuals, families, farmers, and small businesses, with the goal of simplification. Review areas where taxpayers and professional return preparers have difficulty, including areas where they make the most errors, and consider solutions. This includes evaluation of the \$600 threshold

for 1099-K reporting imposed in the *American Rescue Plan Act of 2021, Public Law 117-2*, Evaluate simplification of information returns to assist taxpayers in determining taxable income.

- **Tax Scams and Improper Payments.** Oversight of the latest tax scams, tax shelters, and tax fraud activities with a goal of protecting taxpayers and preventing identity theft. Examine IRS initiatives and efforts to identify, curb, and remedy tax fraud and the abuse of tax credits, specifically improper payments in the administration of tax credits. Review IRS processes designed to identify and remedy identity theft.

- **Federal Excise Taxes and Related Trust Funds.** Oversight review of federal excise taxes, credits, and refunds, including the trust funds financed by these taxes.

- **Pensions and Retirement Security.** Oversight review of the financial condition, operations, and governance of the Pension Benefit Guaranty Corporation (PBGC), including financial exposure of the PBGC.

- **International Tax Negotiations.** Oversight of the Administration's multilateral tax negotiations, including the Organization for Economic Co-Operation and Development/G20 Inclusive Framework on Base Erosion and Profit Shifting.

- **Security of Taxpayer Information.** Oversight of the IRS and other federal agencies and their contractors that have access to confidential taxpayer information protected under Section 6103 of the Internal Revenue Code. Examine leaks of confidential taxpayer information in recent years to determine how these egregious leaks occurred and evaluate whether congressional action is needed to make sure such leaks do not happen again.

Matters under the Committee's Health Jurisdiction

- **Health Provisions Contained in the COVID-19 Response.** Hearings and other activities related to the implementation of the national response to the COVID-19 pandemic. Oversight of federal agencies' response to the COVID-19 public health emergency, including but not limited to the implementation of policies in the *CARES Act, Public Law 116-136*; *American Rescue Plan Act of 2021, Public Law 117-2*; and administrative actions taken using pandemic waivers.

- **Priorities of the Department of Health and Human Services.** Oversight hearing with the Health and Human Services Secretary to discuss priorities for the 118th Congress and concerns related to the delivery of health services and reimbursement under Medicare. Specifically, discuss and consider legislative and administrative proposals contained in the President's fiscal year 2024 and 2025 budgets to ensure that the department is prioritizing patients over politics.

- **Medicare Part A and Part B (Fee-for-Service Providers).** Oversight of the major Medicare programs to ensure efficient use of resources, quality of care, and access to providers for Medicare beneficiaries. Specific topics include adequacy and appropriateness of provider reimbursements, including incentive payments and physician payment systems; program benefits; patient out-of-pocket costs; workforce supply; maintaining the doctor-patient relation-

ship; quality improvement efforts; and program integrity to address waste, fraud, and abuse.

- **Medicare Advantage.** Oversight of the Medicare Advantage program including enrollment; quality; health plan participants; reimbursements; benefit packages; beneficiary choice; plan payment accuracy; and statutory and regulatory changes affecting Medicare health plans and their enrollees.

- **Medicare Part D (Prescription Drug Plans).** Oversight of the Medicare prescription drug program, including drug pricing; benefits; beneficiary premiums and cost-sharing; beneficiary choice; impacts of recently enacted legislation and regulations on the Part D WASTam; and access to retiree prescription drug coverage. Medicare Entitlement. Oversight of program changes on the Medicare Trust Funds; premium and copay levels; provider payments; benefit design; and improving the program's long-term sustainability.

- **CMS Administration.** Oversight of the Centers for Medicare and Medicaid Services (CMS), including issuance of regulations and their impact on Medicare beneficiaries and providers; the beneficiary impact of Medicare coverage policies for drugs and devices; the adequacy and use of CMS' budget and staff; contracting activities; communications with beneficiaries; adherence to the Administrative Procedures Act (APA); and general agency accountability.

- **Private Health Insurance Coverage.** Oversight and review of private health coverage, including: affordability; robust access for individuals and employers; use of federal subsidies to purchase insurance; innovative benefit design and coverage options; the Consolidated Omnibus Budget Reconciliation Act (COBRA); the Health Coverage Tax Credit (HCTC); health savings accounts, flexible spending arrangements, and health reimbursement arrangements; options to reduce the cost of health insurance coverage and address the increasing rate of health care costs; the impact of federal legislation and regulation on those with private insurance, the uninsured, employers, the economy, and state budgets; and adherence to the APA.

- **Surprise Medical Billing.** Oversight of the surprise medical billing ban that was included in the Consolidated Appropriations Act, 2021, Public Law 116–260. Specifically, to ensure patients are protected from paying more than their insurer's network rates for specific charges, patients have access to the full suite of health care transparency protections guaranteed in the law, and to ensure that the arbitration process is implemented in line with the law and Congressional intent.

- **Prescription Drugs.** Oversight of the implementation of prescription drug provisions in the Inflation Reduction Act, Public Law 117–169, including the impact on patient access to—and affordability of—new cures. Oversight of the federal policies or regulatory barriers that can be either strengthened or removed to promote innovation in payment and benefit design for curative therapies.

- **Skilled Nursing Facilities.** Oversight of the quality of care delivered to nursing home patients; infection control; patient safety; interaction of state and federal policies; and cost transparency.

- **Rural Health.** Oversight of the Department of Health and Human Services payment systems targeted at improving rural health outcomes and access disparities.

- **Health Care Workforce.** (Oversight of the graduate medical education (GME) policies put in place in the Consolidated Appropriations Act, 2021, Public Law 116–260 and the Consolidated Appropriations Act, 2023, Public Law 117–164, including oversight of the GME slot formula and impact on rural communities.

- **Health Care Price Transparency.** Oversight of existing and proposed health care price transparency requirements from the Department of Health and Human Services, including its implementation and the department’s enforcement of compliance with the rule.

- **Opioids/Substance Use Disorder.** Oversight of the implementation of any changes to Medicare payment policy in the SUPPORT for Patients and Communities Act, Public Law 115–271, and continued support for patients affected by substance use disorder.

Matters under the Committee’s Work and Welfare Jurisdiction

- **Welfare Reform.** Review proposals designed to better assist low-income families in increasing their work and earnings so they can escape poverty, including by developing innovative efforts to improve accountability and performance of the Temporary Assistance for Needy Families (TANF) program, child care, social services, and multiple other benefit programs to help individuals enter the workforce, retain employment, and move up the economic ladder. As part of this process, ensure that programs are rigorously evaluated and held accountable for achieving measurable performance goals, including improving work and earnings outcomes for adult recipients. Also review opportunities to prevent duplication, overlap, and fragmentation, to improve the overall effectiveness of efforts to serve low-income individuals. Examine associated barriers to increasing self-sufficiency among low-income families with children, and how changes may better address the needs of adult beneficiaries who face barriers to employment.

- **Unemployment Compensation.** Provide oversight of the nation’s unemployment compensation benefits, including temporary programs enacted during the pandemic, to improve program integrity, identify and recover misspent funds, and prevent fraud in the future. Examine ways to modernize state unemployment insurance systems to enhance capacity for verification of identity, employment and earnings history of individuals applying for benefits, strengthen cybersecurity, prevent inappropriate benefit payments, improve overpayment recovery, and accelerate returns to work.

- **Child Welfare.** Provide oversight of the nation’s child welfare programs, including foster care, adoption assistance, and child and family service programs under Titles IV–B and IV–E of the Social Security Act. Review State efforts to promote adoption, strengthen family connections, support grandparents, relatives, and other kinship providers, provide prevention services, decrease the inappropriate use of congregate care settings, and successfully address the health and educational needs of foster children. Examine opportunities to improve economic opportunity for youth transitioning out of foster care into adulthood, including through mentorship and strengthening connections to work through multiple career pathways.

Matters under the Committee's Social Security Jurisdiction

- **Securing the Future of Social Security.** Examine the role of Social Security benefits for retired and disabled workers and their dependents. Explore the financing challenges facing Social Security, options to strengthen Social Security, and the cost of delay for today's and tomorrow's workers and beneficiaries.

- **Ability of the Social Security Administration (SSA) to Serve the Public and Effectively Administer Benefits.** Examine the SSA's ability to serve the public, including the ongoing effects of the COVID-19 pandemic on SSA services and the impact of backlogs and service delays on the public.

- **Strengthening the Disability Insurance (DI) Program.** Examine the effectiveness of the DI program in meeting the needs of individuals with disabilities and the process for claims adjudication and appeal, along with options to strengthen the program and improve work incentives. Additionally, examine the interactions between the DI program and the Supplemental Security Income and Medicare programs.

- **Stewardship of Social Security programs.** Provide oversight of the SSA's management performance, and long-range strategic planning related to the Social Security programs.

- **Deployment of Resources.** Oversight of the SSA's deployment of resources to serve the public and taxpayers, including evolving service delivery approaches, policy administration and program implementation impacts, and the SSA's role in supporting other federal programs through interagency and data sharing agreements. Identify and reduce instances of waste, fraud, and abuse.

- **Implementation of Recent Legislation.** Oversee the SSA's implementation of recent legislation, including reforms in the collection and distribution of death data and reforms in the representative payee program.

- **Information Technology, Cybersecurity, Identity Theft, and Telephone Scams.** Oversee the SSA's investments in information technology, including modernization efforts, cybersecurity at the SSA, and the prevention of identity theft involving and misuse of Social Security numbers. Monitor robocalls and imposter scams involving the SSA.

Matters under the Committee's Trade Jurisdiction

- **Trade Negotiations.** Fully exercise Congress' constitutional role and oversight responsibilities regarding existing and new trade negotiations. Ensure the Administration's compliance with statutory Congressional notification, consultation, and transparency requirements for all trade negotiations, with particular focus on: addressing long-standing structural and competitively consequential challenges with China; the European Union; Asia-Pacific; and other relevant or topical issues. Oversight of the Administration's trade initiatives, including the Indo-Pacific Economic Framework for Prosperity (IPEF), the Americas Partnership for Economic Prosperity, the U.S.-Taiwan Initiative on 21st Century Trade, and the U.S.-Kenya Strategic Trade and Investment Partnership. Oversight of executive overreach in trade negotiations and possible consideration of legislation to reiterate the need for specific Congressional

authorization or approval for the United States to enter into binding trade agreements. Possible consideration of other legislation to reassert Congressional prerogatives on trade policy.

- **Enforcement.** Oversight of enforcement of trade agreements, including the United States-Mexico-Canada Agreement (USMCA), other bilateral and regional free trade agreements, and the World Trade Organization (WTO) Agreements, to hold U.S. trading partners accountable and render commitments secured from trading partners meaningful. Particular oversight of enforcement of USMCA commitments on agriculture, energy, and digital trade. Oversight of the implementation of the Trade Facilitation and Trade Enforcement Act of 2015 to ensure that the enforcement tools in the bill are being fully utilized, particularly with respect to evasion of trade remedies, forced labor, intellectual property rights violations, currency policy, and violations of trade agreements. Particular oversight of enforcement activities related to China's WTO commitments, as well as continuing barriers imposed by other countries and economies, including digital services taxes. Oversight of the administration of U.S. trade remedy laws, as well as enforcement related to U.S. intellectual property rights, import safety, and illegal transshipment.

- **China.** Oversight of systemic problems in U.S.-China trade, including issues related to China's consistent lack of protection and enforcement of U.S. intellectual property rights; excess production capacity for steel, aluminum, and many other commodities; indigenous innovation requirements; use of industrial subsidies; export restraints on key products; high level of government intervention including through state-owned enterprises; and currency policies. Oversight of enforcement issues including ensuring that U.S. trade remedy laws appropriately account for China's state intervention in its economy. Oversight of administrative and legislative efforts to address China's use of forced labor. Oversight of the implementation of the Synthetic Trafficking and Overdose Prevention Act of 2018 to ensure that enforcement tools for stopping the flow of illegal opioids/fentanyl from entering the U.S. through the international mail are being fully executed. Oversight of China's compliance with the January 2020 Phase One trade agreement and the Administration's enforcement of that agreement. Oversight of U.S. tariff treatment of imports from China, including Section 301 tariffs and Permanent Normal Trade Relations. Oversight of China's track record with respect to its 2001 agreement to accede to the WTO.

- **Tariff policy.** Given the constitutional authority of Congress over tariffs, oversight over the use of tariffs, particularly those imposed under Section 232 of the *Trade Expansion Act of 1962* and Section 301 of the *Trade Act of 1974*. Analysis of the goals and effectiveness of such tariffs, including the impact of tariffs and retaliation by other countries on U.S. manufacturers and consumers as well as U.S. allies engaged in fair trade. Oversight over product exclusion and country exemption processes.

- **Implemented Trade Agreements.** Oversight of implemented agreements with Colombia; Panama; Peru; Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua (i.e., CAFTA-DR); Oman; Bahrain; Singapore; Chile; Australia; Morocco;

Jordan; Canada and Mexico (USMCA); and Israel. Continued analysis of the impact of these trade agreements for American workers, manufacturers, small businesses, farmers, and ranchers. Identify provisions of such trade agreements that should be updated to increase and improve the benefits, including by drawing on work from previous trade negotiations.

- **Miscellaneous Tariff Bill.** Oversight and possible consideration of policies to adjust the procedures set forth in the *American Manufacturing Competitiveness Act of 2016* to reduce or suspend tariffs for U.S. manufacturers on certain products not made in the U.S.

- **Trade Remedies.** Oversight and promotion of the enforcement of the trade remedy laws, in compliance with the legal and evidentiary requirements established by Congress. Oversight of implementation of the *Enforce and Protect Act of 2015* by Customs and Border Protection (CBP) to address trade remedy evasion and ensure CBP's compliance with the law as written.

- **Preference Programs.** Oversight reform and updating of major U.S. trade preference programs, including the Generalized System of Preferences, the *African Growth and Opportunity Act*, the *Caribbean Basin Trade Partnership Act*, and the *Haitian Hemispheric Opportunity through Partnership Encouragement Act*.

- **Agriculture.** Oversight and promotion of Administration efforts to increase enforcement and remove tariff and non-tariff barriers to markets for U.S. agriculture, including non-science based sanitary and phytosanitary measures and barriers to agriculture biotechnology. Continued analysis and assessment of the broad and crucial benefits of agriculture exports to U.S. farmers, ranchers, small businesses, workers, and rural communities, and the need to increase U.S. agriculture exports.

- **Manufacturing.** Oversight and promotion of Administration efforts to increase enforcement and remove tariff and non-tariff barriers to markets for U.S. manufacturing. Continued analysis and assessment of the broad and crucial benefits of manufacturing exports to U.S. manufacturers and their employees.

- **Services.** Oversight and promotion of Administration efforts to increase enforcement to remove barriers to the U.S. services sector. Analysis and assessment of the broad and crucial benefits of services to all sectors of the U.S. economy.

- **Digital Trade and E-commerce.** Oversight regarding trade barriers faced by U.S. manufacturers, service providers, and the agriculture sector in digital trade and e-commerce, particularly with respect to data issues (localization measures and data flows). Oversight regarding how to address these issues through enforcement and trade negotiations.

- **WTO Oversight.** Oversight of U.S. goals in the WTO, including reform proposals, negotiations, the functioning and reform of the dispute settlement system, and WTO accessions (including consideration of legislation granting Permanent Normal Trade Relations status and graduation from the Jackson-Vanik amendment's requirements). Analysis and assessment of efficacy of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Waiver for COVID-19 vaccines and oversight of the Administration's efforts to negotiate a TRIPS waiver for COVID-19 therapeutics and

diagnostics. Analysis of the impact of WTO membership for the U.S., including the U.S. experience and record in WTO dispute settlement, the role of a rules-based system for U.S. producers, workers, farmers, small businesses, and consumers, and the cost of non-compliance or lack of compliance by other WTO members with WTO rules.

- **Trade Sanctions.** Oversight concerning import sanctions with, among others, China, Iran, Russia, Belarus, North Korea, Syria, and Cuba. Possible consideration of additional trade sanctions legislation.

- **Trade Adjustment Assistance.** Continued oversight concerning the Trade Adjustment Assistance program for workers to monitor the effectiveness of the program in providing training and new jobs for displaced workers in a simple and cost-effective manner.

- **Priorities of the Office of the United States Trade Representative (USTR).** Oversight over USTR to evaluate priorities for the 118th Congress and the trade agenda, and to assure its statutory role with respect to trade policy. Oversight over trade advisory committees.

- **Priorities of U.S. Customs and Border Protection (CBP).** Oversight over CBP and implementation of Customs revenue functions. Oversight of the implementation of the *Trade Facilitation and Enforcement Act of 2015* to ensure that the enforcement tools provided in the bill are being fully utilized by CBP, including provisions relating to evasion of trade remedy laws and forced labor. Oversight of the implementation of the *Uyghur Forced Labor Prevention Act*. Possible consideration of legislation to update CBP's authorization.

- **Priorities of the U.S. Department of Commerce.** Oversight of the Department of Commerce concerning priorities and operations related to international trade, including trade enforcement (particularly antidumping, countervailing duty, and Section 232 tools) and trade negotiations (particularly IPEF).

- **Priorities of the United States International Trade Commission.** Oversight over the Commission concerning overall priorities and operations.

Authorization of Programs Within the Jurisdiction of the Committee on Ways and Means

The Committee's review of authorizations within its jurisdiction will include, but not be limited to, the following programs:

- Work incentives planning and assistance program, \$23 million.
- State grants for work incentives assistance, \$10 million.
- Trade adjustment assistance for workers, \$540 million.
- Title IV-B of SSA, Stephanie Tubbs Jones Child Welfare Services (discretionary): authorized at \$325 million.
- Title IV-B of SSA, Promoting Safe and Stable Families (discretionary): authorized at \$200 million.
- Title IV-B of SSA, Promoting Safe and Stable Families (mandatory): authorized at \$345 million.
- Title IV-A of SSA, Temporary Assistance for Needy Families (mandatory): authorized at \$16.4 billion.

- Title IV–E of SSA, Adoption Incentive and Legal Guardianship Payment to States (discretionary): authorized at \$43 million.

This list is not intended to be exclusive. The Committee anticipates that additional oversight hearings and activities will be scheduled as issues arise and as time permits. Also, the Committee's oversight priorities and particular concerns may change as the 118th Congress progresses over the coming two years.

Sincerely,

JASON SMITH,
Chairman, Committee on Ways and Means.

