

**Union Calendar No. 694**

114th Congress, 2d Session — — — — — House Report 114–884

REPORT OF ACTIVITIES  
OF THE  
COMMITTEE ON SCIENCE, SPACE, AND  
TECHNOLOGY  
U.S. HOUSE OF REPRESENTATIVES  
together with  
MINORITY VIEWS  
FOR THE  
ONE HUNDRED FOURTEENTH CONGRESS



DECEMBER 21, 2016.—Committed to the Committee of the Whole House  
on the State of the Union and ordered to be printed

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WASHINGTON : 2016

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## LETTER OF TRANSMITTAL

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COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,  
*Washington, DC, December 21, 2016.*

Hon. PAUL D. RYAN,  
*Speaker, House of Representatives,*  
*Washington, DC.*

DEAR MR. SPEAKER: In accordance with rule XI(1)(d)(1) of the Rules of the House of Representatives, I respectfully submit the Committee on Science, Space, and Technology's activities report for the 114th Congress.

Sincerely,

LAMAR SMITH,  
*Chairman.*

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## Union Calendar No. 694

114TH CONGRESS } 2d Session }	HOUSE OF REPRESENTATIVES {	REPORT 114-884
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### REPORT OF ACTIVITIES OF THE COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

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Mr. SMITH, from the Committee on Science, Space, and Technology,  
submitted the following

### R E P O R T

together with

### MINORITY VIEWS

### I. LEGISLATIVE ACTIVITIES

#### BILLS ENACTED INTO LAW

H.R. 23, National Windstorm Impact Reduction Act Reauthorization of 2015. Introduced by Rep. Randy Neugebauer on January 6, 2015; passed by the House on January 7, 2015 (under suspension by a vote of 381–39); report filed in the Senate on June 11, 2015 (S. Rept. 114–62); passed by the Senate on July 23, 2015 (unanimous consent); passed the House after resolving differences on September 16, 2015 (under suspension by voice vote); and became Public Law 114–52 on September 30, 2015.

H.R. 1020, STEM Education Act of 2015. Introduced by Rep. Lamar Smith on February 20, 2015; passed by the House on February 25, 2015 (under suspension by a vote of 412–8); report filed in the Senate on August 4, 2015 (S. Rept. 114–115); passed by the Senate on September 24, 2015 (voice vote); passed by the House after resolving differences on October 1, 2015 (agreed without objection); and became Public Law 114–59 on October 7, 2015.

H.R. 2262, U.S. Commercial Space Launch Competitiveness Act. Introduced by Rep. Kevin McCarthy on May 12, 2015; report filed by the Committee on May 18, 2015 (H. Rept. 114–119); passed by the House on May 21, 2015 (by a vote of 284–133); passed by the Senate on November 10, 2015 (unanimous consent); passed the

House after resolving differences on November 16, 2015 (under suspension by voice vote); and became Public Law 114–90 on November 25, 2015.

H.R. 3033, READ Act. Introduced by Rep. Lamar Smith on July 13, 2015; passed by the House on October 26, 2015 (under suspension by voice vote); passed by the Senate on February 3, 2016 (unanimous consent); passed the House after resolving differences on February 4, 2016 (agreed to without objection); and became Public Law 114–124 on February 18, 2016.

#### BILLS PASSED THE HOUSE

H.R. 34, Tsunami Warning, Education, and Research Act of 2015. Introduced by Rep. Suzanne Bonamici on January 6, 2015; passed by the House on January 7, 2015 (under suspension by voice vote); report filed in the Senate on September 22, 2015 (S. Rept. 114–146); and passed by the Senate on October 6, 2015 (unanimous consent).

H.R. 35, Low-Dose Radiation Research Act of 2015. Introduced by Rep. Randy Hultgren on January 6, 2015; and passed by the House on January 7, 2015 (under suspension by voice vote).

H.R. 810, National Aeronautics and Space Administration Authorization Act of 2015. Introduced by Rep. Steven Palazzo on February 9, 2015; and passed by the House on February 10, 2015 (under suspension by voice vote).

H.R. 874, American Super Computing Leadership Act. Introduced by Rep. Randy Hultgren on February 11, 2015; report filed by the Committee on May 19, 2015 (H. Rept. 114–122); and passed by the House on May 19, 2015 (under suspension by voice vote).

H.R. 1029, EPA Science Advisory Board Reform Act of 2015. Introduced by Rep. Frank Lucas on February 24, 2015; report filed by the Committee on March 2, 2015 (H. Rept. 114–33); and passed by the House on March 17, 2015 (by a vote of 236–181).

H.R. 1030, Secret Science Reform Act of 2015. Introduced by Rep. Lamar Smith on February 24, 2015; report filed by the Committee on March 2, 2015 (H. Rept. 114–34); and passed by the House on March 18, 2015 (by a vote of 241–175).

H.R. 1119, Research and Development Efficiency Act. Introduced by Rep. Barbara Comstock on February 26, 2015; report filed by the Committee on May 19, 2015 (H. Rept. 114–121); and passed by the House on May 19, 2015 (under suspension by voice vote).

H.R. 1156, International Science and Technology Cooperation Act of 2015. Introduced by Rep. Daniel Lipinski on February 27, 2015; report filed by the Committee on May 19, 2015 (H. Rept. 114–123); and passed by the House on May 19, 2015 (under suspension by voice vote).

H.R. 1158, Department of Energy Laboratory Modernization and Technology Transfer Act of 2015. Introduced by Rep. Randy Hultgren on February 27, 2015; report filed by the Committee on May 19, 2015 (H. Rept. 114–124); and passed by the House on May 19, 2015 (under suspension by voice vote).

H.R. 1162, Science Prize Competitions Act. Introduced by Rep. Don Beyer on February 27, 2015; report filed by the Committee on May 19, 2015 (H. Rept. 114–125); and passed by the House on May 19, 2015 (under suspension by voice vote).

H.R. 1561, Weather Research and Forecasting Innovation Act of 2015. Introduced by Rep. Frank Lucas on March 24, 2015; report filed by the Committee on May 19, 2015 (H. Rept. 114–126); and passed by the House on May 19, 2015 (under suspension by voice vote).

H.R. 1806, America COMPETES Reauthorization Act of 2015. Introduced by Rep. Lamar Smith on April 15, 2015; report filed by the Committee on May 8, 2015 (H. Rept. 114–107, Part I); supplemental report filed by the Committee on May 14, 2015 (H. Rept. 114–107, Part II); and passed by the House on May 20, 2015 (by a vote of 217–205).

H.R. 3293, Scientific Research in the National Interest Act. Introduced by Rep. Lamar Smith on July 29, 2015; report filed by the Committee on February 2, 2016 (H. Rept. 114–412); and passed by the House on February 10, 2016 (by a vote of 236–178).

H.R. 4084, Nuclear Energy Innovation Capabilities Act. Introduced by Rep. Randy Weber on November 19, 2015; report filed by the Committee on February 29, 2016 (H. Rept. 114–438); and passed by the House on February 29, 2016 (under suspension by voice vote).

H.R. 4742, Promoting Women in Entrepreneurship Act. Introduced by Rep. Elizabeth Esty on March 15, 2016; and passed by the House on March 22, 2016 (under suspension by a vote of 383–4).

H.R. 4755, Inspiring the Next Space Pioneers, Innovators, Researchers, and Explorers (INSPIRE) Women Act. Introduced by Rep. Barbara Comstock on March 16, 2016; and passed by the House on March 22, 2016 (under suspension by a vote of 380–3).

H.R. 5049, NSF Major Research Facility Reform Act of 2016. Introduced by Rep. Barry Loudermilk on April 26, 2016; report filed by the Committee on June 13, 2016 (H. Rept. 114–619); and passed by the House on June 14, 2016 (under suspension by a vote of 412–9).

H.R. 5312, Networking and Information Technology Research and Development Modernization Act of 2016. Introduced by Rep. Daren LaHood on May 24, 2016; report filed by the Committee on June 13, 2016 (H. Rept. 114–620); and passed by the House on June 13, 2016 (under suspension by a vote of 385–7).

H.R. 5636, National Institute of Standards and Technology Campus Security Act. Introduced by Rep. Barry Loudermilk on July 6, 2016; report filed by the Committee on July 11, 2016 (H. Rept. 114–679); and passed by the House on July 11, 2016 (under suspension by voice vote).

H.R. 5638, Solar Fuels Innovation Act. Introduced by Rep. Stephen Knight on July 6, 2016; report filed by the Committee on July 11, 2016 (H. Rept. 114–680); and passed by the House on July 11, 2016 (under suspension by voice vote).

H.R. 5639, National Institute of Standards and Technology Improvement Act of 2016. Introduced by Rep. John Moolenaar on July 6, 2016; and passed by the House on July 11, 2016 (under suspension by voice vote).

H.R. 5640, Electricity Storage Innovation Act. Introduced by Rep. Lamar Smith on July 6, 2016; report filed by the Committee on July 11, 2016 (H. Rept. 114–681); and passed by the House on July 11, 2016 (under suspension by voice vote).

H.R. 6076, To Research, Evaluate, Assess, and Treat Astronauts Act. Introduced by Rep. Brian Babin on September 20, 2016; and passed by the House on December 7, 2016 (under suspension by a vote of 413–0).

#### BILLS ORDERED REPORTED BY THE COMMITTEE

H.R. 1508, Space Resource Exploration and Utilization Act of 2015. Introduced by Rep. Bill Posey on March 19, 2015; and report filed by the Committee on June 15, 2015 (H. Rept. 114–153).

H.R. 2039, National Aeronautics and Space Administration Authorization Act for 2016 and 2017. Introduced by Rep. Steven Palazzo on April 28, 2015; and reported by the Committee on April 30, 2015 (by a vote of 19–15).

H.R. 2261, Commercial Remote Sensing Act of 2015. Introduced by Rep. Jim Bridenstine on May 12, 2015; and report filed by the Committee on September 28, 2016 (H. Rept. 114–796).

H.R. 2263, Office of Space Commerce Act. Introduced by Rep. Dana Rohrabacher on May 12, 2015; and report filed by the Committee on September 28, 2016 (H. Rept. 114–797).

H.R. 4489, FAA Leadership in Groundbreaking High-Tech Research and Development Act. Introduced by Rep. Stephen Knight on February 8, 2016; and reported by the Committee on February 11, 2016 (by voice vote).

H.R. 5829, ADVISE Now Act. Introduced by Rep. Rodney Davis on July 14, 2016; and reported by the Committee on September 21, 2016 (by voice vote).

H.R. 6066, Cybersecurity Responsibility and Accountability Act of 2016. Introduced by Rep. Ralph Lee Abraham on September 19, 2016; and reported by the Committee on September 21, 2016 (by voice vote).

#### BUSINESS MEETINGS

##### *January 27, 2015*

Full Committee markup: Committee Rules for the 114th Congress, approved by recorded vote 17–10; and Oversight Plan for the 114th Congress, approved by voice vote.

##### *February 25, 2015*

Full Committee markup: H.R. 1030, the Secret Science Reform Act of 2015, ordered reported by recorded vote 16–11. H.R. 1029, the EPA Science Advisory Board Reform Act of 2015, ordered reported by recorded vote 17–12.

##### *March 4, 2015*

Full Committee markup: H.R. 1119, the Research and Development Efficiency Act, ordered reported, as amended, by voice vote; H.R. 1156, the International Science and Technology Cooperation Act of 2015, ordered reported by voice vote; H.R. 1162, the Science Prize Competitions Act, ordered reported, as amended, by voice vote; H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015, ordered reported, as amended, by voice vote; and H.R. 874, the American Super Computing Leadership Act, ordered reported by voice vote.



*March 25, 2015*

Full Committee markup: H.R. 1561, the Weather Research and Forecast Innovation Act of 2015, ordered reported, as amended, by voice vote.

*April 22, 2015*

Full Committee Markup: H.R. 1806, the America COMPETES Reauthorization Act of 2015, ordered reported, as amended, by recorded vote 19–16.

*April 30, 2015*

Full Committee Markup: H.R. 2039, the National Aeronautics and Space Administration Authorization Act for 2016 and 2017, ordered reported by recorded vote 19–15.

*May 13, 2015*

Full Committee markup: H.R. 2262, the Spurring Private Aerospace Competitiveness and Entrepreneurship Act of 2015, ordered reported, as amended, by recorded vote 18–13; H.R. 1508, the Space Resource Exploration and Utilization Act of 2015 ordered reported, as amended, by recorded vote 18–15; H.R. 2261, the Commercial Remote Sensing Act of 2015, ordered reported, as amended, by voice vote; and H.R. 2263, the Office of Space Commerce Act, ordered reported by voice vote.

*September 10, 2015*

Research and Technology Subcommittee markup: Committee Print of the Surface Transportation Research and Development Act of 2015, approved, as amended, by voice vote; and H.R. 2866, the Future Transportation Research and Innovation for Prosperity Act, ordered reported, as amended, by voice vote.

*October 8, 2015*

Full Committee markup: H.R. 3033, the Research Excellence and Advancements for Dyslexia (READ) Act, ordered reported, as amended, by voice vote; and H.R. 3293, the Scientific Research in the National Interest Act, ordered reported, by voice vote.

*January 12, 2016*

Full Committee Markup: H.R. 4084, the Nuclear Energy Innovation Capabilities Act, ordered reported, as amended, by voice vote.

*February 11, 2016*

Full Committee markup: H.R. 4489, the FAA Leadership in Groundbreaking High-Tech Research and Development Act, ordered reported, as amended, by voice vote.

*April 27, 2016*

Full Committee markup: H.R. 5049, the NSF Major Research Facility Reform Act of 2016, ordered reported, as amended, by voice vote.

*May 24, 2016*

Full Committee markup: Committee print of the Networking and Information Technology Research and Development Modernization Act of 2016, approved, as amended, by voice vote.

*May 25, 2016*

Full Committee markup: H.R. 5312, the Networking and Information Technology Research and Development Modernization Act of 2016, ordered reported by unanimous consent.

*July 7, 2016*

Full Committee markup: H.R. 5638, the Solar Fuels Innovation Act, ordered reported, as amended, by voice vote; H.R. 5640, the Electricity Storage Innovation Act, ordered reported, as amended, by voice vote; and H.R. 5636, the National Institute of Standards and Technology Campus Security Act, ordered reported by voice vote.

*September 21, 2016*

Full Committee markup: H.R. 6076, the To Research, Evaluate, Assess, and Treat (TREAT) Astronauts Act, ordered reported, as amended, by voice vote; H.R. 6066, the Cybersecurity Responsibility and Accountability Act of 2016, ordered reported by voice vote; and H.R. 5829, the ADVISE Now Act, ordered reported by voice vote.

## II. OVERSIGHT ACTIVITIES

### HEARINGS

*January 21, 2015*

Full Committee hearing: Unmanned Aircraft Systems Research and Development.

Witnesses: Dr. Ed Waggoner, Director, Integrated Systems Research Program, Aeronautics Research Mission Directorate, NASA; Mr. James Williams, Manager, UAS Integration Office, Aviation Safety Organization, FAA; Dr. John Lauber, Co-Chair, Committee on Autonomy Research for Civil Aviation, National Research Council; Mr. Brian Wynne, CEO and President, Association for Unmanned Vehicle Systems International (AUVSI); Mr. Colin Guinn, Chief Revenue Officer, 3D Robotics, Small UAV Coalition Member; Dr. John R. Hansman, T. Wilson Professor of Aeronautics and Astronautics, Massachusetts Institute of Technology (MIT).

*January 27, 2015*

Research and Technology Subcommittee hearing: The Expanding Cyber Threat.

Witnesses: Ms. Cheri McGuire, Vice President, Global Government Affairs & Cybersecurity Policy, Symantec Corporation; Dr. James Kurose, Assistant Director, Computer and Information Science and Engineering (CISE) Directorate, National Science Foundation; Dr. Charles H. Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology; Dr. Eric A. Fischer, Senior Specialist in Science and Technology,

Congressional Research Service; Mr. Dean Garfield, President and CEO, Information Technology Industry Council.

*January 28, 2015*

Energy Subcommittee hearing: Supercomputing and American Technology Leadership.

Witnesses: Mr. Norman Augustine, Board Member, Bipartisan Policy Center; Dr. Roscoe Giles, Chairman, DOE Advanced Scientific Computing Advisory Committee; Mr. Dave Turek, Vice President, Technical Computing, IBM; and Dr. James Crowley, Executive Director, Society for Industrial and Applied Mathematics.

*February 3, 2015*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: NSF's Oversight of the NEON Project and Other Major Research Facilities Developed Under Cooperative Agreements.

Witnesses: Dr. Richard Buckius, Chief Operating Officer of the National Science Foundation; Dr. James P. Collins, Chairman of the National Ecological Observatory Network; and Ms. Kate Manuel, Legislative Attorney for the Congressional Research Service.

*February 12, 2015*

Research and Technology Subcommittee and Oversight Subcommittee hearing: Can Americans Trust the Privacy and Security of their Information on HealthCare.gov?

Witnesses: Ms. Michelle De Mooy, Deputy Director, Consumer Privacy, Center for Democracy and Technology; and Mr. Morgan Wright, Principal, Morgan Wright, LLC.

*February 12, 2015*

Environment Subcommittee and Oversight Subcommittee joint hearing: Bridging the Gap: America's Weather Satellites and Weather Forecasting.

Witnesses: Mr. David Powner, Director, Information Technology Management Issues, Government Accountability Office; Dr. Stephen Volz, Assistant Administrator, National Environmental Satellite, Data, and Information Services, National Oceanic and Atmospheric Administration; and Mr. Steven Clarke, Director, Joint Agency Satellite Division, National Aeronautics and Space Administration; Dr. Alexander MacDonald, President, American Meteorological Society; Director, Earth System Research Laboratory, National Oceanic and Atmospheric Administration, and Chief Science Advisor, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration; and Mr. John Murphy, Director, Office of Science and Technology, National Weather Service, National Oceanic and Atmospheric Administration.

*February 26, 2015*

Research and Technology Subcommittee hearing: An Overview of the Budget Proposals for the National Science Foundation and National Institute of Standards and Technology for Fiscal Year 2016.

Witnesses: The Honorable France Córdova, Director, National Science Foundation; The Honorable Dan Arvizu, Chairman, Na-

tional Science Board; and Dr. Willie E. May, Acting Director, National Institute of Standards and Technology.

*February 27, 2015*

Space Subcommittee hearing: The Commercial Crew Program: Challenges and Opportunities.

Witnesses: Mr. Bill Gerstenmaier, Associate Administrator, Human Exploration and Operations Mission Directorate, National Aeronautics and Space Administration (NASA); Vice Admiral Joseph Dyer, USN (Ret.), Chairman, Aerospace Safety Advisory Panel, National Aeronautics and Space Administration (NASA); Mr. John Mulholland, Vice President and Program Manager, Commercial Programs, The Boeing Company; and Dr. Garret Reisman, Director, Crew Operations, Space Exploration Technologies Corporation.

*February 25, 2015*

Full Committee hearing: An Overview of the Department of Energy's Budget Proposal for Fiscal Year 2016.

Witness: The Honorable Ernest Moniz, Secretary of Energy, U.S. Department of Energy.

*March 17, 2015*

Full Committee hearing: Reality Check: The Impact and Achievability of EPA's Proposed Ozone Standards.

Witnesses: Mr. Harry C. Alford, President and CEO, National Black Chamber of Commerce; Mr. Raymond Keating, Chief Economist, Small Business & Entrepreneurship Council; Dr. Mary B. Rice, Massachusetts General Hospital Pulmonary and Critical Care; Dr. Allen S. Lefohn, President, A.S.L. & Associates; and Mr. Eldon Heaston, Executive Director, Mojave Desert AQMD, Antelope Valley AQMD.

*March 24, 2015*

Space Subcommittee hearing: Searching for the Origins of the Universe: An Update on the Progress of the James Webb Space Telescope.

Witnesses: Dr. John Grunsfeld, Associate Administrator, Science Mission Directorate, NASA; Ms. Cristina Chaplain, Director of Acquisition and Sourcing Management, U.S. Government Accountability Office (GAO); Mr. Jeffrey Grant, Vice-President & General Manager, Space Systems, Northrop Grumman Corporation; Dr. John Mather, Senior Project Scientist, James Webb Space Telescope, Goddard Space Flight Center, NASA.

*March 24, 2015*

Energy Subcommittee hearing: Department of Energy Oversight: Office of Energy Efficiency and Renewable Energy.

Witnesses: The Honorable David Danielson, Assistant Secretary, Energy Efficiency and Renewable Energy, U.S. Department of Energy; Mr. Nick Loris, Herbert and Joyce Morgan Fellow, Heritage Foundation; Ms. Ruth McCormick, Director of Federal and State Affairs, Business Council for Sustainable Energy (BCSE); and Dr. Veronique de Rugy, Senior Research Fellow, Mercatus Center, George Mason University.

*March 26, 2015*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: Destruction of Records at EPA—When Records Must Be Kept.

Witnesses: Mr. Paul M. Wester, Jr., Chief Records Officer, National Archives and Records Administration; Mr. Kevin Christensen, Assistant Inspector General for Audit, Office of Inspector General, Environmental Protection Agency; and Dr. David Schnare, Former Senior Attorney, EPA Office of Enforcement and Compliance Assurance; Director, Free-Market Environmental Law Clinic; Director, Center for Environmental Stewardship, Thomas Jefferson Institute for Public Policy; and General Counsel, Energy & Environment Legal Institute.

*April 15, 2015*

Full Committee hearing: The President's UN Climate Pledge: Scientifically Justified or a New Tax on Americans?

Witnesses: Dr. Judith Curry, Professor, School of Earth and Atmospheric Sciences, Georgia Institute of Technology; The Honorable Karen Harbert, President and CEO, Institute for 21st Century Energy U.S. Chamber of Commerce (former Assistant Secretary for Policy and International Affairs, U.S. Department of Energy); Mr. Jake Schmidt, Director, International Program, Natural Resources Defense Council; and Dr. Margo Thorning, Senior Vice President and Chief Economist, American Council for Capital Formation.

*April 16, 2015*

Space Subcommittee hearing: An Overview of the Budget Proposal for the National Aeronautics and Space Administration for Fiscal Year 2016.

Witness: The Honorable Charles F. Bolden, Jr., Administrator, National Aeronautics and Space Administration (NASA).

*April 23, 2015*

Full Committee hearing: Hydraulic Fracturing: Banning Proven Technologies on Possibilities Instead of Probabilities.

Witnesses: Ms. Christi Craddick, Chairman, Railroad Commission of Texas; Dr. Donald Siegel, Jessie Page Heroy Professor & Department Chair, The Department of Earth Sciences, Syracuse University; Mr. Simon Lomax, Western Director, Energy in Depth; and Mr. Elgie Holstein, Senior Director for Strategic Planning, Environmental Defense Fund.

*April 29, 2015*

Environment Subcommittee hearing: Reality Check Part II: The Impact of EPA's Proposed Ozone Standards on Rural America.

Witnesses: The Honorable Jim Reese, Secretary and Commissioner of Agriculture, Oklahoma State Board of Agriculture; Ms. Cara Keslar, Monitoring Section Supervisor, Wyoming DEQ—Air Quality Division; Dr. Paul J. Miller, Deputy Director and Chief Scientist, Northeast States for Coordinated Air Use Management; Mr. Kevin Abernathy, Director of Regulatory Affairs, Milk Producers Council; Vice Chair, Dairy CARES; and The Honorable Todd Hiatt, Commissioner, Oklahoma Corporation Commission.

*May 1, 2015*

Energy Subcommittee hearing: Innovations in Battery Storage for Renewable Energy.

Witnesses: Dr. Imre Gyuk, Energy Storage Program Manager, Office of Electricity Delivery and Energy Reliability, Department of Energy; Dr. Jud Virden, Jr., Associate Laboratory Director for Energy and Environment Directorate, Pacific Northwest National Laboratory; Mr. Phil Giudice, Chief Executive Officer, Ambri; and Dr. Jay Whitacre, Chief Technology Officer, Aquion Energy.

*May 13, 2015*

Energy Subcommittee hearing: Nuclear Energy Innovation and the National Labs.

Witnesses: Dr. Mark Peters, Associate Laboratory Director, Energy and Global Security, Argonne National Laboratory; Mr. Frank Batten, Jr., President, The Landmark Foundation; Mr. Nathan Gilliland, CEO, General Fusion; and Dr. John Parmentola, Senior Vice President, Energy and Advanced Concepts, General Atomics.

*May 20, 2015*

Environment Subcommittee hearing: Advancing Commercial Weather Data: Collaborative Efforts to Improve Forecasts.

Witnesses: Dr. Scott Pace, Director, Space Policy Institute, George Washington University; Mr. Scott Sternberg, President, Vaisala Inc.; Ms. Nicole Robinson, Chair, Hosted Payload Alliance; Dr. Bill Gail, Chief Technology Officer, Global Weather Corporation; and Dr. Thomas Bogdan, President, University Corporation for Atmospheric Research.

*June 4, 2015*

Full Committee hearing: EPA Regulatory Overreach: Impacts on American Competitiveness.

Witnesses: Mr. Bob Kerr, President, Kerr Environmental Services Corp.; Mr. Bill Kovacs, Senior Vice President, Environment, Technology and Regulatory Affairs, U.S. Chamber of Commerce; Dr. Jerome Paulson, FAAP, Chair, Council on Environmental Health Executive Committee, American Academy of Pediatrics; and Mr. Ross Eisenberg, Vice President, Energy and Resources Policy, National Association of Manufacturers.

*June 11, 2015*

Space Subcommittee hearing: Transforming America's Air Travel.

Witnesses: Dr. Jaiwon Shin, Associate Administrator, Aeronautics Research Mission Directorate, NASA, Member, FAA Research and Development Advisory Committee; Mr. Dennis Filler, Director, William J. Hughes Technical Center, FAA; Mr. William Leber, Co-Chair, Committee to Review the Federal Aviation Administration Research Plan on Certification of New Technologies into the National Airspace System; Vice-President, Air Traffic Innovations, PASSUR Aerospace; Dr. R. John Hansman, T. Wilson Professor of Aeronautics & Astronautics, Massachusetts Institute of Technology; Director, MIT International Center for Air Transportation, Massachusetts Institute of Technology, Chair, FAA Research and Development Advisory Committee; Dr. Greg Hyslop,

Senior Member, American Institute for Aeronautics and Astronautics; Vice President and General Manager, Boeing Research & Technology, the Boeing Company, Chief Engineer, Engineering, Operations and Technology.

*June 12, 2015*

Research & Technology Subcommittee: U.S. Surface Transportation: Technology Driving the Future.

Witnesses: The Honorable Gregory D. Winfree, Assistant Secretary for Research and Technology, United States Department of Transportation; Dr. Michael Meyer, Chair, Research and Technology Coordinating Committee (FHWA), National Academies' Transportation Research Board; Dr. Brian Smith, Director, Center for Transportation Studies, University of Virginia; Mr. Jeffrey J. Owens, Chief Technology Officer and Executive Vice President, Delphi Automotive.

*June 16, 2015*

Research and Technology Subcommittee hearing: The Science and Ethics of Genetically Engineered Human DNA.

Witnesses: Dr. Victor Dzau, President, Institute of Medicine; Dr. Jennifer Doudna, Professor of Biochemistry and Molecular Biology, University of California, Berkeley; Dr. Elizabeth McNally, Director, Center for Genetic Medicine, Northwestern University; Dr. Jeffrey Kahn, Professor of Bioethics and Public Policy and Deputy Director for Policy and Administration of the Berman Institute of Bioethics, Johns Hopkins University.

*June 17, 2015*

Environment Subcommittee and Energy Subcommittee joint hearing: Department of Energy Oversight: Energy Innovation Hubs.

Witnesses: Dr. Harry A. Atwater, Director, Joint Center for Artificial Photosynthesis (JCAP); Dr. Jess Gehin, Director, Consortium for Advanced Simulation of Light Water Reactors (CASL); Dr. George Crabtree, Director, Joint Center for Energy Storage Research (JCESR); and Dr. Alex King, Director, Critical Materials Institute (CMI).

*June 24, 2015*

Environment Subcommittee and Energy Subcommittee joint hearing: U.S. Energy Information Administration Report: Analysis of the Impacts of the EPA's Clean Power Plan.

Witnesses: Howard Gruenspecht, Deputy Administrator, U.S. Energy Information Administration (EIA); Mr. Stephen Eule, Vice President for Climate and Technology, U.S. Chamber of Commerce; Dr. Susan Tierney, Senior Advisor, Analysis Group, Inc.; and Dr. Kevin Dayaratna, Senior Statistician and Research Programmer, The Heritage Foundation.

*June 25, 2015*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: Is NSF Properly Managing Its Rotating Staff?

Witnesses: Ms. Allison Lerner, Inspector General, National Science Foundation; and Dr. Richard Buckius, Chief Operating Officer, National Science Foundation.

*July 8, 2015*

Research and Technology Subcommittee and Oversight Subcommittees joint hearing: Is the OPM Data Breach the Tip of the Iceberg?

Witnesses: Mr. Michael R. Esser, Assistant Inspector General for Audits, Office of Personnel Management; Mr. David Snell, Director, Federal Benefits Service Department, National Active and Retired Federal Employees Association; Dr. Charles Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology; Mr. Gregory Wilshusen, Director, Information Security Issues, U.S. Government Accountability Office.

*July 9, 2015*

Full Committee hearing: Examining EPA's Regulatory Overreach.

Witness: The Honorable Gina McCarthy, Administrator, Environmental Protection Agency.

*July 10, 2015*

Space Subcommittee hearing: The International Space Station: Addressing Operational Challenges.

Witnesses: Mr. Bill Gerstenmaier, Associate Administrator, Human Exploration and Operations Mission Directorate, NASA; Mr. John Elbon, Vice President and General Manager, Space Exploration, The Boeing Company; The Honorable Paul K. Martin, Inspector General, NASA; Ms. Shelby Oakley, Acting Director, Acquisition and Sourcing Management, Government Accountability Office; and Dr. James A. Pawelczyk, Associate Professor of Physiology and Kinesiology, The Pennsylvania State University.

*July 14, 2015*

Environment Subcommittee hearing: Advancing Commercial Weather Data: Collaborative Efforts to Improve Forecasts Part II.

Witness: The Honorable Manson Brown, Deputy Administrator, National Oceanic and Atmospheric Administration.

*July 15, 2015*

Full Committee hearing: Investigating Contract Misconduct at the National Weather Service.

Witnesses: Mr. Mark Greenblatt, Deputy Assistant General for Compliance & Ethics, Office of Inspector General, Department of Commerce; Mr. Robert Byrd, Former Chief Financial Officer, National Weather Service; and Mr. Peter Jiron, Former Deputy Chief Financial Officer, National Weather Service. [Mr. Byrd and Mr. Jiron declined to answer questions from the Committee and asserted their Fifth Amendment rights.]

*July 23, 2015*

Energy Subcommittee and Oversight Subcommittee joint hearing: The EPA Renewable Fuel Standard Mandate.



Witnesses: Mr. Matt Smorch, Vice President for Strategy and Supply, CountryMark; Dr. Jason Hill, Associate Professor of Bio-products and Biosystems Engineering, University of Minnesota; Mr. Chuck Red, Vice President of Fuels Development for Applied Research Associates, Inc.; and Mr. Tim Reid, Director of Engine Design, Mercury Marine.

*July 29, 2015*

Energy Subcommittee hearing: A Review of the Nuclear Regulatory Commission's Licensing Process.

Witness: The Honorable Stephen G. Burns, Chairman, U.S. Nuclear Regulatory Commission.

*July 28, 2015*

Full Committee hearing: Exploration of the Solar System: From Mercury to Pluto and Beyond.

Witnesses: Dr. John Grunsfeld, Associate Administrator, Science Mission Directorate, NASA; Dr. Alan Stern, Principal Investigator, New Horizons Mission, Southwest Research Institute; Dr. Christopher Russell, Principal Investigator, Dawn Mission, and Professor of Geophysics and Planetary Physics, University of California Los Angeles; Dr. Robert Pappalardo, Study Scientist, Europa Mission Concept, Jet Propulsion Laboratory, NASA; and Dr. Robert Braun, David and Andrew Lewis Professor of Space Technology, Georgia Institute of Technology.

*September 9, 2015*

Full Committee hearing: Holding EPA Accountable for Polluting Western Waters.

Witnesses: The Honorable Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Mr. Dennis Greaney, President, Environmental Restoration LLC; The Honorable Donald Benn, Executive Director, Navajo National Environmental Protection Agency; The Honorable Dean Bookie, Mayor, Durango, Colorado; and, Dr. Mark Williamson, Geochemist, Geochemical Solutions LLC.

*September 10, 2015*

Energy Subcommittee and Oversight Subcommittee joint hearing: Examining Vulnerabilities of America's Power Supply.

Witnesses: Mr. Richard Lordan, Senior Technical Executive, Power Delivery & Utilization Sector, Electric Power Research Institute; Ms. Nadya Bartol, Vice President of Industry Affairs and Cybersecurity Strategist, Utilities Telecom Council; Dr. Daniel Baker, Distinguished Professor of Planetary & Space Physics; Moog-BRE Endowed Chair of Space Sciences; Director, Laboratory for Atmospheric and Space Physics, University of Colorado Boulder; Dr. M. Granger Morgan, Hamerschlag University Professor, Departments of Engineering and Public Policy and of Electrical and Computer Engineering, Carnegie Mellon University.

*September 11, 2015*

Environment Subcommittee hearing: How EPA's Power Plan Will Shut Down Power Plants. The purpose of the hearing was to exam-

ine the U.S. Environmental Protection Agency's carbon emissions regulations and the impact of this rule on states.

Witnesses: Mr. Craig Butler, Director, Ohio Environmental Protection Agency; Dr. Bryan Shaw, Chairman, Texas Commission on Environmental Quality; and Mr. Jason Eisdorfer, Utility Program Director, Oregon Public Utility Commission.

*September 18, 2015*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: NEON Warning Signs: Examining the Management of the National Ecological Observatory Network.

Witnesses: Dr. James L. Olds, Assistant Director, Directorate for Biological Sciences, National Science Foundation; Dr. James P. Collins, Chairman of the Board, National Ecological Observatory Network, Inc.

*September 29, 2015*

Full Committee hearing: Astrobiology and the Search for Life Beyond Earth in the Next Decade.

Witnesses: Dr. Ellen Stofan, Chief Scientist, NASA; Dr. Jonathan Lunine, David D. Duncan Professor in the Physical Sciences, and Director, Center for Radiophysics and Space Research, Cornell University; Dr. Jacob Bean, Assistant Professor, Departments of Astronomy and Astrophysics, Geophysics, University of Chicago; Dr. Andrew Siemion, Director, SETI Research Center, University of California, Berkeley.

*September 30, 2015*

Full Committee hearing: Dyslexia and the Need to READ: H.R. 3033, the Research Excellence and Advancements for Dyslexia Act.

Witnesses: Ms. Barbara Wilson, Co-Founder and President, Wilson Language Training; Dr. Paula Tallal, Senior Research Scientist, Center for Human Development, University of California, San Diego, Adjunct Professor, Salk Institute for Biological Studies, Founder and Director, Scientific Learning Corporation; and Dr. Rachel Robillard, Assistant Director, 504 Services and Response to Intervention, Austin Independent School District.

*October 9, 2015*

Space Subcommittee hearing: Deep Space Exploration: Examining the Impact of the President's Budget.

Witnesses: Mr. Doug Cooke—Owner, Cooke Concepts and Solutions and former NASA Associate Administrator for Exploration Systems; Mr. Dan Dumbacher, Professor of Practice, Purdue University and former NASA Deputy Associate Administrator, Human Exploration and Operations Mission Directorate.

*October 21, 2015*

Energy Subcommittee and Research and Technology Subcommittee joint hearing: Cybersecurity for Power Systems.

Witnesses: Mr. Brent Stacey, Associate Lab Director for National & Homeland Science and Technology, Idaho National Lab; Mr. Bennett Gaines, Senior Vice President, Corporate Services and Chief Information Officer, FirstEnergy Service Company; Ms. Anabelle Lee, Senior Technical Executive in the Power Delivery and

Utilization Sector, Electric Power Research Institute; and Mr. Greg Wilshusen, Director of Information Security Issues, Government Accountability Office.

*October 22, 2015*

Full Committee hearing: EPA's 2015 Ozone Standard: Concerns Over Science and Implementation.

Witnesses: The Honorable Jeffrey Holmstead, Partner, Bracewell & Giuliani LLP; Mr. Seyed Sadredin, Executive Director and Air Pollution Control Officer, San Joaquin Valley Air Pollution Control District; Dr. Elena Craft, Senior Health Scientist, Environmental Defense Fund; and Dr. Michael Honeycutt, Director, Texas Commission on Environmental Quality, Toxicology Division.

*October 27, 2015*

Full Committee Hearing: A Review of Progress by the Department of Homeland Security (DHS), Science and Technology Directorate.

Witness: The Honorable Reginald Brothers, Under Secretary for Science and Technology, Department of Homeland Security.

*October 28, 2015*

Research and Technology Subcommittee Hearing—A Review of the Networking and Information Technology Research and Development (NITRD) Program.

Witnesses: Dr. Keith Marzullo, Director, National Coordination Office, The Networking and Information Technology Research and Development Program; Dr. Gregory D. Hager, Mandell Bellmore Professor, Department of Computer Science, Johns Hopkins University, Co-Chair, NITRD Working Group, The President's Council of Advisors on Science and Technology; Dr. Edward Seidel, Director, National Center for Supercomputing Applications, University of Illinois at Urbana-Champaign.

*November 3, 2015*

Energy Subcommittee and Oversight Subcommittee joint hearing: The Renewable Fuel Standard: A Ten Year Review of Costs and Benefits.

Witnesses: Dr. Terry Dinan, Senior Advisor, Congressional Budget Office; Mr. Ed Anderson, CEO and President of WEN-GAP, LLC; Dr. John DeCicco, Research Professor, University of Michigan Energy Institute; Mr. Brooke Coleman, Executive Director, Advanced Biofuels Business Council; and Mr. Charles Drevna, Distinguished Senior Fellow, Institute for Energy Research.

*November 5, 2015*

Full Committee hearing: Examining EPA's Predetermined Efforts to Block the Pebble Mine.

Witnesses: The Honorable William S. Cohen, Chairman and Chief Executive Officer, The Cohen Group; Mr. Charles Scheeler, Senior Counsel, DLA Piper; Mr. Tom Collier, Chief Executive Officer, Pebble Limited Partnership; and the Honorable Rick Halford, Former Alaska Senate President.

*November 17, 2015*

Environment Subcommittee and Space Subcommittee joint hearing: Exploring Commercial Opportunities to Maximize Earth Science Investments.

Witnesses: Dr. Scott Pace, Director of the Space Policy Institute, George Washington University; Dr. Walter Scott, Founder and Chief Technical Officer, DigitalGlobe; Mr. Robbie Schingler, Co-Founder and President, PlanetLabs; Dr. Samuel Goward, Emeritus Professor of Geography, University of Maryland at College Park; Dr. Antonio Busalacchi, Professor and Director of the Earth System Science Interdisciplinary Center, University of Maryland.

*November 18, 2015*

Full Committee hearing: The Administration's Empty Promises for the International Climate Treaty.

Witnesses: Dr. Anne Smith, Senior Vice President, NERA Economic Consulting; Mr. Bill Magness, Senior Vice President, Governance, Risk and Compliance, Electric Reliability Council of Texas; Ms. Katie Dykes, Deputy Commissioner, Connecticut Department of Energy and Environmental Protection and Chair, Regional Greenhouse Gas Initiative, Inc.; and Mr. Chip Knappenberger, Assistant Director, Center for the Study of Science, Cato Institute.

*November 18, 2015*

Energy Subcommittee hearing: Recommendations of the Commission to Review the Effectiveness of the National Energy Laboratories.

Witnesses: Mr. TJ Glauthier, Co-Chair, Commission to Review the Effectiveness of the National Energy Laboratories; Dr. Jared Cohon, Co-Chair, Commission to Review the Effectiveness of the National Energy Laboratories; and Dr. Peter Littlewood, Director, Argonne National Laboratory.

*December 1, 2015*

Full Committee hearing: Pitfalls of Unilateral Negotiations at the Paris Climate Change Conference.

Witnesses: Mr. Oren Cass, Senior Fellow, Manhattan Institute for Policy Research; Mr. Andrew Grossman, Associate, Baker & Hostetler LLP; Dr. Andrew Steer, President and CEO, World Resources Institute; and Dr. Bjørn Lomborg, President, Copenhagen Consensus Center.

*December 3, 2015*

Energy Subcommittee hearing: H.R. 4084, the Nuclear Energy Innovation Capabilities Act.

Witnesses: Mr. John Kotek, Acting Assistant Secretary, Office of Nuclear Energy, U.S. Department of Energy; Dr. Dale Klein, Associate Vice Chancellor for Research, University of Texas; and Mr. Ray Rothrock, Partner Emeritus, Venrock.

*December 8, 2015*

Research and Technology Subcommittee hearing: The Future of Biotechnology: Solutions for Energy, Agriculture and Manufacturing.

Witnesses: Dr. Mary Maxon, Biosciences Principal Deputy, Lawrence Berkeley National Laboratory; Dr. Steve Evans, Fellow, Advanced Technology Development, Dow AgroSciences; Dr. Reshma Shetty, Co-Founder, Ginkgo Bioworks; Dr. Martin Dickman, Distinguished Professor and Director, Institute for Plant Genomics and Biotechnology, Texas A&M University; and Dr. Zach Serber, Co-Founder and Vice President of Development, Zymergen.

*December 10, 2015*

Environment Subcommittee and Oversight Subcommittee joint hearing: An Overview of the Nation's Weather Satellite Programs and Policies.

Witnesses: Dr. Stephen Volz, Assistant Administrator, National Environmental Satellite, Data, and Information Services, National Oceanic and Atmospheric Administration; and Mr. David Powner, Director, Information Technology Management Issues, Government Accountability Office.

*January 8, 2016*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: Cybersecurity: What the Federal Government Can Learn from the Private Sector.

Witnesses: Mr. John B. Wood, Chief Executive Officer and Chairman, Telos Corporation; Dr. Martin Casado, Senior Vice President and General Manager, Networking and Security Business Unit, VMWare; Mr. Ken Schneider, Vice President of Technology Strategy, Symantec Corporation; and, Mr. Larry Clinton, President and Chief Executive Officer, Internet Security Alliance.

*February 2, 2016*

Full Committee hearing: Paris Climate Promise: A Bad Deal for America.

Witnesses: Mr. Steve Eule, Vice President for Climate and Technology, U.S. Chamber of Commerce; Dr. John Christy, Professor of Atmospheric Science and Director of the Earth System Science Center, University of Alabama in Huntsville; Dr. Andrew Steer, President and CEO, World Resources Institute; and Mr. Steven Groves, The Bernard and Barbara Lomas Senior Research Fellow, Margaret Thatcher Center for Freedom, The Heritage Foundation.

*February 4, 2016*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: A Review of Recommendations for NSF Project Management Reform.

Witnesses: Ms. Cynthia Heckmann, Project Director, National Academy of Public Administration; Dr. Richard Buckius, Chief Operating Officer, National Science Foundation; and, Ms. Allison Lerner, Inspector General, National Science Foundation.

*February 3, 2016*

Space Subcommittee hearing: Charting a Course: Expert Perspectives on NASA's Human Exploration Proposals.

Witnesses: Mr. Tom Young, Former Director, Goddard Space Flight Center, NASA; Former President and Chief Operating Officer, Martin Marietta Corporation; Dr. John C. Sommerer, Chair,

Technical Panel, Pathways to Exploration Report, National Academy of Sciences; and, Dr. Paul Spudis, Senior Scientist, Lunar and Planetary Institute.

*February 10, 2016*

Full Committee hearing: Midnight Regulations: Examining Executive Branch Overreach.

Witnesses: Ms. Karen Kerrigan, President and CEO, Small Business & Entrepreneurship Council; Mr. Jerry Bosworth, President, Bosworth Air Conditioning; Ms. Kateri Callahan, President, Alliance to Save Energy; and Mr. Sam Batkins, Director of Regulatory Policy, American Action Forum.

*February 24, 2016*

Full Committee hearing: Unlocking the Secrets of the Universe: Gravitational Waves.

Witnesses: Dr. Fleming Crim, Assistant Director, Directorate of Mathematical and Physical Sciences, National Science Foundation; Dr. David Reitze, Executive Director of LIGO, California Institute of Technology; Dr. Gabriela Gonzalez, Professor of Physics and Astronomy, Louisiana State University; and, Dr. David Shoemaker, Director, LIGO Laboratory, Massachusetts Institute of Technology.

*February 25, 2016*

Full Committee hearing: The Space Leadership Preservation Act and the Need for Stability at NASA.

Witnesses: The Honorable John Culberson, chairman of the Commerce, Justice, Science Subcommittee of the House Appropriations Committee; Dr. Michael Griffin, Former Administrator, NASA; Colonel Eileen Collins, USAF (Ret.); Commander, STS-93 and 114; and Pilot, STS-63 and 94; and former Chair, Subcommittee on Space Operations, NASA Advisory Council; Ms. Cristina Chaplain, Director, Acquisitions and Sourcing Management, Government Accountability Office (GAO).

*March 2, 2016*

Research & Technology Subcommittee hearing: Smart Health: Empowering the Future of Mobile Apps.

Witnesses: Mr. Morgan Reed, Executive Director, The App Association; Dr. Bryan F. Shaw, Assistant Professor, Department of Chemistry and Biochemistry, Baylor University; Mr. Howard Look, President, CEO and Founder, Tidepool; Dr. Gregory Krauss, Professor of Neurology, The Johns Hopkins Hospital; and, Mr. Jordan Epstein, CEO & Founder, Stroll Health.

*March 3, 2016*

Energy Subcommittee and Oversight Subcommittee joint hearing: Department of Energy Oversight: DOE Loan Programs.

Witnesses: Mr. Mark McCall, Executive Director, Loan Program Office, U.S. Department of Energy; Dr. Frank Rusco, Director, Natural Resources and Environment, Government Accountability Office; Gregory Kats, President, Capital E; and Mr. Nick Loris, Herbert and Joyce Morgan Fellow, Thomas A. Roe Institute for Economic Policy Studies, Heritage Foundation.

*March 15, 2016*

Oversight Subcommittee hearing: Racing to Regulate: EPA's Latest Overreach on Amateur Drivers.

Witnesses: The Honorable Patrick McHenry, Member, U.S. House of Representatives; Mr. Christopher Kersting, President and CEO, Specialty Equipment Marketing Association; Mr. Ralph Sheheen, Managing Partner and President, National Speed Sports News; and Mr. Brent Yacobucci, Section Research Manager, Energy and Minerals Section, Congressional Research Service.

*March 16, 2016*

Research and Technology Subcommittee hearing: An Overview of the Budget Proposal for the National Institute of Standards and Technology for Fiscal Year 2017.

Witness: Dr. Willie E. May, Under Secretary of Commerce for Standards and Technology and Director, National Institute of Standards and Technology.

*March 16, 2016*

Environment Subcommittee hearing: An Overview of the Budget Proposal for the National Oceanic and Atmospheric Administration for Fiscal Year 2017.

Witness: The Honorable Kathryn Sullivan, Undersecretary for Oceans and Atmosphere, U.S. Department of Commerce, and Administrator, National Oceanic and Atmospheric Administration.

*March 17, 2016*

Space Subcommittee hearing: An Overview of the Budget Proposal for the National Aeronautics and Space Administration for Fiscal Year 2017.

Witness: The Honorable Charles F. Bolden, Jr., Administrator, National Aeronautics and Space Administration.

*March 22, 2016*

Research and Technology Subcommittee hearing: An Overview of the Budget Proposal for the National Science Foundation for Fiscal Year 2017.

Witnesses: The Honorable France Córdova, Director, National Science Foundation; Dr. Dan E. Arvizu, Chairman, National Science Board.

*March 22, 2016*

Full Committee hearing: An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017.

Witness: The Honorable Ernest Moniz, Secretary of Energy, U.S. Department of Energy.

*March 23, 2016*

Environment Subcommittee hearing: Examining EPA's Regional Haze Program: Regulations Without Visible Benefits.

Witnesses: Mr. William Yeatman, Senior Fellow, Competitive Enterprise Institute; Mr. Thomas P. Schroedter, Executive Director and General Counsel, Oklahoma Industrial Energy Consumers; Mr. Bruce Polkowsky, Environmental Policy Consultant; and Mr. Aaron M. Flynn, Partner, Hunton & Williams.

*April 14, 2016*

Research and Technology Subcommittee hearing: Can the IRS Protect Taxpayers' Personal Information?

Witnesses: The Honorable John Koskinen, Commissioner, Internal Revenue Service, the Honorable J. Russell George, Inspector General, Treasury Inspector General for Tax Administration; and, Mr. Gregory Wilshusen, Director, Information Security Issues, U.S. Government Accountability Office.

*April 19, 2016*

Space Subcommittee hearing: The Commercial Space Launch Industry: Small Satellite Opportunities and Challenges.

Witnesses: Mr. Elliot Pulham, Chief Executive Officer, Space Foundation and Mr. Eric Stallmer, President, Commercial Spaceflight Federation (CSF).

*April 20, 2016*

Energy Subcommittee hearing: An Overview of Fusion Energy Science.

Witnesses: Dr. Bernard Bigot, Director General, ITER Organization; Dr. Stewart Prager, Director, Princeton Plasma Physics Laboratory; and Dr. Scott Hsu, Scientist, Physics Division, Los Alamos National Laboratory.

*April 28, 2016*

Full Committee hearing: Examining EPA's Predetermined Efforts to Block the Pebble Mine Part II.

Witness: The Honorable Dennis McLerran, Administrator, U.S. Environmental Protection Agency, Region 10.

*May 11, 2016*

Energy Subcommittee hearing: Department of Energy Oversight: Office of Fossil Energy.

Witness: The Honorable Chris Smith, Assistant Secretary, Office of Fossil Energy, U.S. Department of Energy.

*May 12, 2016*

Oversight Subcommittee hearing: FDIC Data Breaches: Can Americans Trust that Their Private Banking Information Is Secure?

Witnesses: Mr. Fred W. Gibson, Acting Inspector General, FDIC and Mr. Lawrence Gross, Jr., Chief Information Officer and Chief Privacy Officer, FDIC.

*May 18, 2016*

Space Subcommittee hearing: Next Steps to Mars: Deep Space Habitats.

Witnesses: Mr. Jason Crusan, Director, Advanced Exploration Systems (AES), Human Exploration and Operations Mission Directorate, NASA; Mr. John Elbon, Vice President and General Manager, Space Exploration, Boeing Defense, Space, and Security, The Boeing Company; Ms. Wanda Sigur, Lockheed Martin Corporation; Mr. Frank Culbertson, President, Space Systems, Orbital-ATK; and, Mr. Andy Weir, Author, The Martian.



*May 25, 2016*

Full Committee hearing: Science of Zika: The DNA of an Epidemic.

Witnesses: Dr. Kacey Ernst, Associate Professor, Department of Epidemiology and Biostatistics, University of Arizona; Dr. Daniel Neafsey, Associate Director, Genomic Center for Infectious Disease, Broad Institute of MIT and Harvard; Dr. Steven Presley, Professor, Department of Environmental Toxicology, Texas Tech University; and, Mr. Hadyn Parry, Chief Executive Officer, Oxitec.

*May 26, 2016*

Environment Subcommittee hearing: Impact of EPA's Clean Power Plan on States.

Witnesses: The Honorable E. Scott Pruitt, Attorney General, State of Oklahoma; Ms. Brianne Gorod, Chief Counsel, Constitutional Accountability Center; and The Honorable Charles McConnell, Executive Director, Energy and Environment Initiative, Rice University.

*June 8, 2016*

Environment Subcommittee hearing: Private Sector Weather Forecasting: Assessing Products and Technologies.

Witnesses: Mr. Barry Myers, CEO, AccuWeather; Mr. Jim Block, Chief Meteorological Officer, Schneider Electric; Dr. Neil Jacobs, Chief Scientist, Panasonic Weather Solutions, Panasonic; Dr. Antonio Busalacchi, Director, Earth System Interdisciplinary Center, University of Maryland; and Dr. Sandy MacDonald, Director, Numerical Weather Prediction, Spire Global.

*June 15, 2016*

Space Subcommittee hearing: Human Spaceflight Ethics and Obligations: Options for Monitoring, Diagnosing, and Treating Former Astronauts.

Witnesses: Dr. Richard Williams, Chief Health and Medical Officer, NASA; Captain Chris Cassidy, United States Navy (USN); Chief, Astronaut Office, NASA; Captain Scott Kelly (USN, Ret.), Former Astronaut, NASA; Captain Michael Lopez-Alegria (USN, Ret.), President, Association of Space Explorers-USA; Former Astronaut, NASA; and, Dr. Jeffrey Kahn, Professor of Bioethics and Public Policy, Johns Hopkins Berman Institute of Bioethics; Chairman, Committee on the Ethics, Principles and Guidelines for Health Standards for Long Duration and Exploration Spaceflights, Board on Health Sciences Policy, National Academies of Sciences.

*June 15, 2016*

Energy Subcommittee hearing: Innovation in Solar Fuels, Electricity Storage, and Advanced Materials.

Witnesses: Dr. Nate Lewis, Professor, California Institute of Technology; Dr. Daniel Scherson, Professor, Case Western Reserve University; Dr. Collin Broholm, Professor, Johns Hopkins University; and Dr. Daniel Hallinan Jr., Assistant Professor, Florida A&M University—Florida State University College of Engineering.

*June 16, 2016*

Research and Technology Subcommittee hearing: SBIR/STTR Reauthorization: A Review of Technology Transfer.

Witnesses: Dr. Pramod Khargonekar, Assistant Director, National Science Foundation; Dr. Michael Lauer, Deputy Director, National Institutes of Health; Dr. Patricia Dehmer, Deputy Director for Science Programs, Office of Science, Department of Energy; and, Dr. Jilda D. Garton, Vice President for Research and General Manager, Georgia Tech Research Corporation.

*June 22, 2016*

Full Committee hearing: Ensuring Sound Science at EPA.

Witness: The Honorable Gina McCarthy, Administrator, U.S. Environmental Protection Agency.

*July 7, 2016*

Environment Subcommittee hearing: Examining the Nation's Current and Next Generation Weather Satellite Programs.

Witnesses: Dr. Stephen Volz, Assistant Administrator, National Environmental Satellite, Data, and Information Services, National Oceanic and Atmospheric Administration; Mr. David Powner, Director, Information Technology Management Issues, Government Accountability Office; Mr. Ralph Stoffler, Director of Weather, Deputy Chief of Staff for Operations, U.S. Air Force; and Ms. Cristina Chaplain, Director, Acquisition and Sourcing Management, Government Accountability Office.

*July 12, 2016*

Research and Technology Subcommittee and Space Subcommittee hearing: Astronomy, Astrophysics, and Astrobiology.

Witnesses: Dr. Paul Hertz, Director, Astrophysics Division, NASA; Dr. Jim Ulvestad, Director, Division of Astronomical Sciences, NSF; Dr. Angela Olinto, Chair, Astronomy and Astrophysics Advisory Committee (AAAC), and Homer J. Livingston Professor, Department of Astronomy and Astrophysics, Enrico Fermi Institute, University of Chicago; Dr. Shelley Wright, Assistant Professor, University of California, San Diego, Center for Astrophysics and Space Sciences, Breakthrough Listen Advisory Committee; and Dr. Christine Jones, Senior Astrophysicist, Smithsonian Astrophysical Observatory, President, American Astronomical Society.

*July 14, 2016*

Full Committee hearing: Evaluating FDIC's Response to Major Data Breaches: Is the FDIC Safeguarding Consumers' Banking Information?

Witnesses: Mr. Martin J. Gruenberg, Chairman, FDIC and Mr. Fred W. Gibson, Acting Inspector General, FDIC.

*September 7, 2016*

Space Subcommittee hearing: Commercial Remote Sensing: Facilitating Innovation and Leadership.

Witnesses: Mr. Kevin O'Connell, President and CEO, Innovative Analytics and Training LLC; Former Chair, Federal Advisory Committee on Commercial Remote Sensing (ACCRES); Mr. Kevin Pomfret, Executive Director, Centre for Spatial Law and Policy;

Ms. Michele R. Weslander Quaid, President, Sunesis Nexus LLC; Mr. Michael Dodge, Assistant Professor, Department of Space Studies, University of North Dakota; and, Ms. Joanne Gabrynowicz, Professor Emerita, University of Mississippi School of Law.

*September 8, 2016*

Energy Subcommittee and Middle East and North Africa Subcommittee (Foreign Affairs Committee) joint hearing: Eastern Mediterranean Energy: Challenges and Opportunities for U.S. Regional Priorities.

Witnesses: Mr. Amos J. Hochstein, Special Envoy, Bureau of Energy Resources, U.S. Department of State; and The Honorable Jonathan Elkind, Assistant Secretary, Office of International Affairs, U.S. Department of Energy.

*September 13, 2016*

Full Committee hearing: Protecting the 2016 Elections from Cyber and Voting Machine Attacks.

Witnesses: Dr. Charles H. Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology; the Honorable Tom Schedler, Secretary of State, State of Louisiana; Mr. David Becker, Executive Director, The Center for Election Innovation & Research; and, Dr. Dan S. Wallach, Professor, Department of Computer Science and Rice Scholar, Baker Institute for Public Policy, Rice University.

*September 14, 2016*

Full Committee hearing: Affirming Congress' Constitutional Oversight Responsibilities: Subpoena Authority and Recourse for Failure to Comply with Lawfully Issued Subpoenas.

Witnesses: Mr. Jonathan Turley, J.B. & Maurice C. Shapiro Professor of Public Interest Law at The George Washington University Law School; Mr. Ronald D. Rotunda, Doy and Dee Henley Chair and Distinguished Professor of Jurisprudence at Chapman University Dale E. Fowler School of Law; Ms. Elizabeth Price Foley, Professor of Law at Florida International University College of Law; and Mr. Charles Tiefer, Professor of Law at University of Baltimore; Former Acting General Counsel, U.S. House of Representatives.

*September 21, 2016*

Energy Subcommittee and Oversight Subcommittee joint hearing: Examining Misconduct and Intimidation of Scientists by Senior DOE Officials.

Witnesses: Dr. Sharlene Weatherwax, Associate Director, Biological and Environmental Research, U.S. Department of Energy; and Dr. Noelle Metting, Radiation Biologist, U.S. Department of Energy.

*September 27, 2016*

Space Subcommittee hearing: Are We Losing the Space Race to China?

Witnesses: The Honorable Dennis C. Shea, Chairman, U.S.-China Economic and Security Review Commission; Mr. Mark

Stokes, Executive Director, Project 2049 Institute; Mr. Dean Cheng, Senior Research Fellow, Asian Studies Center, Heritage Foundation; and Dr. James Lewis, Senior Vice President and Director, Strategic Technologies Program, Center for Strategic & International Studies.

*September 29, 2016*

Research and Technology Subcommittee hearing: Academic Research Regulatory Relief: A Review of New Recommendations.

Witnesses: Dr. Larry R. Faulkner, President Emeritus, The University of Texas at Austin; Mr. John Neumann, Director, Natural Resources and Environment Team, Government Accountability Office; Mr. Jim Luther, Associate Vice President for Finance & Compliance Officer, Duke University; and, Dr. Angel Cabrera, President, George Mason University.

#### SUMMARY OF OVERSIGHT PLAN

House Rule X sets the Committee's legislative jurisdiction while also assigning broad oversight responsibilities. Rule X also assigns the Committee special oversight responsibility for "reviewing and studying, on a continuing basis, all laws, programs, and Government activities dealing with or involving non-military research and development." The Committee appreciates the special function entrusted to it and will continue to tackle troubled programs and search for waste, fraud, abuse, and mismanagement in non-military research and development programs regardless of where they may be found.

Much of the oversight work of the Committee is carried out by and through the Oversight Subcommittee. However, oversight is conducted by every Subcommittee and the full Committee. All components of the Committee take their oversight charge seriously and work cooperatively to meet the Committee's oversight responsibilities.

The Committee also routinely works with the U.S. Government Accountability Office (GAO) and the Inspectors General (IG) of the agencies under its jurisdiction to maintain detailed awareness of the work of those offices. The Committee currently has numerous outstanding requests with the GAO. These include bipartisan requests as well as those signed by multiple Committee Chairmen with shared interests.

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

Oversight is commonly driven by emerging events. While the Committee continues to address new issues and topics as they transpire, the following is a summary of the Committee's Oversight Plan approved in February, 2015.

## **Energy**

### *Department of Energy (DOE) Office of Science*

The Committee will conduct oversight of Office of Science programs to review prioritization across, and management within, its major program areas. Special attention will also be given to the cost, operation, and maintenance of DOE's existing and planned major facilities.

### *Energy Efficiency and Renewable Energy (EERE) R&D*

The Committee will undertake efforts to improve focus, prioritization, and transparency of EERE programs, and provide close oversight to ensure that programs are managed efficiently, duplication is limited, and funding is allocated appropriately and effectively.

### *Nuclear Energy R&D*

The Committee will provide oversight of the nation's nuclear R&D activities. DOE, the Nuclear Regulatory Commission and industry stakeholders are working to advance reactor construction of new nuclear reactors. The Committee will examine how DOE R&D can best contribute to this goal through the advancement of various nuclear energy technologies.

### *Fossil Energy R&D*

In the 114th Congress, the Committee will continue to ensure that fossil fuel R&D programs are appropriately focused and managed efficiently. Expected areas of oversight include coal R&D prioritization and program management and oil and gas R&D efforts.

### *Advanced Research Projects Agency—Energy (ARPA-E)*

The Committee will undertake oversight of ARPA-E program funding and management in the 114th Congress, examining the appropriate role for and focus of ARPA-E in the context of DOE's numerous other clean energy-focused programs and activities.

### *DOE Loan Guarantees*

Program management problems associated with past DOE loan guarantees in recent years call for greater attention by the Committee. Ensuring the program minimizes risk to taxpayers and addresses previously identified problems will be a priority in the 114th Congress.

### *DOE Contract Management*

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

## **Environment**

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

The Committee will continue to conduct oversight of EPA's management of science and its use of science in the decision making

process, including lab management, regulatory science, transparency, and risk assessment. In particular, the Committee will examine how to better integrate science into the Administration's regulatory decision-making process. This includes how EPA uses and manages scientific data to reach its regulatory conclusions.

#### *Risk Assessment*

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

#### *Climate Research Activities*

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

#### *National Oceanic and Atmospheric Administration (NOAA) Weather Forecasting*

The Committee will examine funding prioritization and program management challenges related to the NOAA's mission to understand and predict changes in weather, particularly as they relate to severe weather events that threaten life and property.

#### *NASA Earth Science*

The Committee will monitor NASA's efforts to prioritize, plan, and implement Earth science missions within cost and schedule. Particular attention will be paid to programs that exceed cost estimates to ensure they do not adversely impact the development and launch of other NASA priorities.

#### *NOAA Satellite Modernization*

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

### **Research and Technology**

#### *National Science Foundation (NSF)*

The Committee will continue to oversee the NSF, looking for ways to trim duplicative and unused programs in an effort to maximize available resources. The innovative work of the National Science Foundation is important to the economic prosperity and competitiveness of the United States. However, there are various activities within the Foundation that may go beyond the mission of the agency and require more scrutiny and potential cuts in order to ensure that federal investments in basic science remain primarily focused on research that actually benefits the Nation.

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

Members of the Committee have expressed interests in improving STEM education activities from pre-K through graduate and continuing education in order to cultivate a top-notch future scientific and technical workforce, including well-qualified teachers in STEM fields. Determining the appropriate forms of federal support for these outcomes is important to the Committee. While STEM education is critical to maintaining the scientific and technical workforce essential to our competitiveness, many duplicative, wasteful, or simply unused programs exist across a number of federal agencies and must be more closely examined and, where warranted, cut.

*U.S. Antarctic and Arctic Programs*

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

*NSF Major Research Equipment and Facilities Construction (MREFC) Program*

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

*Cybersecurity*

The Committee has continuously stressed the protection of the nation's cyber-infrastructure, which underpins much private and public activity. The Committee will continue to provide critical oversight of how NIST, DHS and NSF address this important topic and will be particularly interested in how federal agencies balance security mandates with the ability to allow technological development through innovation. The Committee will also continue to conduct oversight of agency efforts to protect information technology systems. Threats and intrusions increase as GAO and IG recommendations go unaddressed. The Committee will ensure that agencies comply with existing statutes and address outside recommendations in a timely manner.

*National Institute of Standards and Technology (NIST)*

The Committee will conduct program oversight for NIST, and other programs in the Department of Commerce, paying special attention to the evaluation of their alignment with and impact on industry. In another area of NIST, the Committee is aware that America's competitive position can be dramatically improved, or weakened, depending on how standards for different products and processes are developed. NIST is the only federal agency with long-term expertise in this arena, and the Committee is concerned that

the cooperation on standards development across agencies is less than optimal.

#### *Advanced Technologies*

The Committee will examine R&D programs to ensure that they are focused in areas that support the most promising new areas of technology, including technology in the bio, nano, energy and health sectors. The Committee will also examine NIST's role in the development of the smart grid, the management of cross-agency information technology (NITRD) and nanotechnology (NNI) research programs, and measurement science underpinning the biotechnology industry.

#### *Department of Transportation (DOT) R&D Programs*

The Committee will conduct oversight with regard to implementation of MAP-21 and related surface transportation R&D programs within the federal government, with a particular focus on strategic planning, performance metrics, effectiveness and redundancy elimination.

#### *Economic Competitiveness and Job Creation*

The Committee will conduct oversight of policies enacted by the Small Business Innovation Research Program (SBIR), and ensure that it is focused on the most promising innovations.

#### *Natural Hazards*

The Committee has supported interagency research programs to mitigate the damage caused by natural disasters such as earthquakes, windstorms, and fires by developing early warning systems and improved building and infrastructure design. The Committee will continue to evaluate programs to protect Americans from these and other hazards.

#### *Department of Homeland Security (DHS) Science and Technology*

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

### **Space**

#### *National Aeronautics and Space Administration (NASA) Human Space Flight Program*

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

#### *Federal Aviation Administration (FAA) Commercial Space Transportation*

FAA's Office of Commercial Space Transportation (AST) licenses commercial launch vehicles. An area of increasing interest is the emergence of a number of fledgling commercial human suborbital space flight ventures. In addition to its oversight of the FAA's AST,



the Committee will examine the progress of the emerging personal space flight industry, as well as the challenges it faces.

#### *NASA Space Science*

The Committee will monitor NASA's efforts to prioritize, plan, launch, and operate space science missions within cost and schedule. Particular attention will be paid to programs that exceed cost estimates to ensure they do not adversely impact the development and launch of other missions.

#### *FAA Research and Development (R&D) Activities*

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

#### *Commercial Orbital Transportation Services (COTS)*

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

#### *International Space Station (ISS) Utilization and Operation*

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

#### *Aeronautics Research*

The Committee plans to examine NASA's ability to support the interagency effort to modernize the nation's air traffic management system, the development of unmanned aviation systems (UAS), as well as its ability to undertake important long-term R&D on aircraft safety, emissions, noise, and energy consumption—R&D that will have a significant impact on the quality of life and U.S. competitiveness in aviation.

#### *NASA Contract and Financial Management*

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

#### *Near Earth Objects*

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

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

**Energy**

*Department of Energy (DOE) Office of Science*

The Committee conducted extensive oversight of Office of Science programs, focusing specifically on the Obama administration's efforts to cut basic science in furtherance of the President's Climate Action Plan. Hearings addressing the Office of Science include "An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2016" (02/25/2015); "Innovations in Battery Storage for Renewable Energy" (05/01/2015); "Department of Energy Oversight: Energy Innovation Hubs" (06/17/2015); "An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017" (03/22/2016); "An Overview of Fusion Energy Science" (04/20/2016); "SBIR / STTR Reauthorization: A Review of Technology Transfer" (06/16/2016); and "Innovation in Solar Fuels, Electricity Storage, and Advanced Materials" (06/15/2016).

The Committee also conducted bipartisan oversight of the ITER project, an international collaboration to construct a first-of-a-kind nuclear fusion reactor authorized by Congress. This collaboration includes the European Union, Russian Federation, China, Republic of Korea, Japan, and India. The Committee addressed the challenge of ITER in a hearing entitled "An Overview of Fusion Energy Science" (04/20/2016).

To address the misplaced priorities and resources within the Office of Science, the Committee advanced legislation to address key Committee priorities, including bipartisan legislation authorizing the DOE to upgrade its super computers (H.R. 874, the American Supercomputing Act); bipartisan legislation authorizing basic and applied R&D to support innovation of solar fuels (H.R. 5638, the Solar Fuels Innovation Act) and battery technology (H.R. 5640, the Battery Storage Innovation Act); and bipartisan legislation authorizing research on low dose radiation research (H.R. 35, the Low Dose Radiation Research Act), the subject of the Committee's investigation on DOE management intimidating and retaliating against scientists.

*Energy Efficiency and Renewable Energy (EERE) R&D*

The Committee held a series of hearings conducting oversight of EERE programs, including "An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2016" (02/25/2015); "Department of Energy Oversight: Office of Energy Efficiency and Renewable Energy" (03/24/2015); "Innovations in Battery Storage for Renewable Energy" (05/01/2015); "Department of Energy Oversight: Energy Innovation Hubs" (06/17/2015); "An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017" (03/22/2016); "Innovation in Solar Fuels, Electricity Storage, and Advanced Materials" (06/15/2016); and "Eastern Mediterranean Energy: Challenges and Opportunities for U.S. Regional Priorities" (09/08/2016).

Legislation to address the focus, prioritization, and transparency of EERE programs was included H.R. 1806, The America COMPETES Reauthorization Act, which passed the House on 05/20/

2015. H.R. 1806 reauthorized EERE research, development, demonstration, and commercial application of renewable energy and energy efficiency technology. This legislation repealed outdated programs and included specific direction to streamline the EERE portfolio, reduce duplication and identify activities that could be better undertaken by states, institutions of higher education, or the private sector, and areas of sub-par performance.

The Committee also sent oversight letters to the Department of Energy regarding EERE programs, including addressing the Home Energy Auditing Standards in letters to Secretary Moniz on 01/12/2016 and 02/11/2016.

#### *Nuclear Energy R&D*

The Committee conducted oversight of the Department's current spending and related activities in research, development, demonstration, and commercial application of nuclear energy technologies through a series of hearings in the 114th Congress, including "An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2016" (02/25/2015); "Nuclear Energy Innovation and the National Labs" (05/13/2015); "Subcommittee on Energy Hearing—Department of Energy Oversight: Energy Innovation Hubs" (06/17/2015); "A Review of the Nuclear Regulatory Commission's Licensing Process" (07/29/2015); "H.R. 4084, the Nuclear Energy Innovation Capabilities Act" (12/03/2015); and "An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017" (03/22/2016).

The Committee also conducted oversight of the Nuclear Regulatory Commission's capabilities to license advanced reactor technologies and effectively collaborate with the DOE on related R&D activities through extensive meetings with industry stakeholders, DOE, and NRC staff, and the Committee's first hearing with the NRC Commissioner in July 2015, "A Review of the Nuclear Regulatory Commission's Licensing Process" (07/29/2015).

Legislation to address the focus, prioritization, and transparency of the Department's Nuclear Energy R&D programs was included in H.R. 1806, which reauthorized nuclear energy research, development, demonstration, and commercial application of renewable energy and energy efficiency technology.

The Committee also drafted bipartisan legislation (H.R. 4084) authorizing nuclear energy research, development, and demonstration activities. This legislation focuses federal spending on enabling research, development, and demonstration activities that the private sector is not able to undertake. This legislation was taken up by the Senate as a bipartisan companion bill (Crapo-Whitehouse-Risch-Booker-Hatch).

The Committee also conducted oversight of the Department's role for implementation and related research and development activities for the Iran nuclear deal (the Joint Comprehensive Plan of Action). The Committee sent letters to the DOE and FBI related to this work as part of an ongoing investigation on 06/21/2016 and 10/18/2016.

#### *Fossil Energy R&D*

The Committee held a series of hearings conducting oversight of fossil energy programs, including "An Overview of the Budget Pro-

posal for the Department of Energy for Fiscal Year 2016” (02/25/2015); “An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017” (03/22/2016); “Department of Energy Oversight: Office of Fossil Energy” (05/11/2016); and “Eastern Mediterranean Energy: Challenges and Opportunities for U.S. Regional Priorities” (09/08/2016).

Legislation to address the focus, prioritization, and transparency of fossil energy programs, by reauthorizing research, development, demonstration, and commercial application of fossil energy technology was included in H.R. 1806. This legislation included specific direction to streamline the fossil energy portfolio, reduce duplication and identify activities that could be better undertaken by states, institutions of higher education, or the private sector, and areas of sub-par performance.

#### *Advanced Research Projects Agency—Energy (ARPA-E)*

The Committee conducted oversight of ARPA-E programs through reviews of the DOE budget request, including in two hearings, “An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2016” (02/25/2015); and “An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017” (03/22/2016). In order to address the funding and management of ARPA-E programs, the Committee reauthorized ARPA-E, but significantly reduced funding for the controversial program, and included direction to require program applicants to prove they could not receive funding from a private entity in H.R. 1806.

#### *DOE Loan Guarantees*

The Committee conducted oversight of the DOE loan programs through several hearings, including “An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2016” (02/25/2015); “Department of Energy Oversight: The DOE Loan Guarantee Program” (03/03/2016); and “An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017” (03/22/2016).

The Committee also conducted a year-long investigation into the management of the DOE loan guarantee program, focusing on the Department’s decision to expand loan guarantee program eligibility to distributed energy and state funded energy projects, the bankruptcy of companies associated with the loan guarantee program, and Congressional access to documents outlining the financial stability of the existing loan guarantee portfolio.

The Committee sent letters to Secretary Moniz regarding the DOE loan program on 09/08/2015, 12/09/2015, and 06/01/2016, and conducted numerous staff briefings and document reviews with DOE loan program office staff.

#### *DOE Management*

The Committee conducted oversight of DOE laboratory management and contract competition to select management for the DOE national laboratories, conducting several hearings examining the labs in the 114th Congress. These hearings include “An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2016” (02/25/2015); “Recommendations of the Commission to Review the Effectiveness of the National Energy Laboratories” (11/

18/2015); and “An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017” (03/22/2016).

The Committee worked extensively with the Commission to Review the Effectiveness of the National Energy Laboratories (CRENEL) to understand contract and management challenges in the current lab system, and to address opportunities for reform to improve the efficiency of lab operations.

The Committee also commissioned a GAO study comparing the overhead costs, effectiveness, and achievements of the DOE research programs, including the Office of Science and applied research programs in energy efficiency and renewable energy (EERE) and nuclear energy. This study required extensive data collection and is expected to be finalized by January 2017.

To address the management challenges within the DOE national labs, the Committee drafted H.R. 1158, the Department of Energy Laboratory Modernization and Technology Transfer Act of 2015. This bipartisan legislation reforms the DOE’s laboratory management practice and emphasizes the need to make laboratories more accessible to the private sector.

#### *Scientific Integrity*

The Committee conducted oversight, wrote letters to Secretary Moniz (02/03/2016, 02/26/2016, 04/28/2016, and 06/09/2016), held transcribed interviews, and held a hearing entitled “Examining Misconduct and Intimidation of Scientists by Senior DOE Officials” (09/21/2016) pursuant to the Committee’s investigation on DOE management intimidating and retaliating against scientists.

### **Environment**

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

The Committee has held multiple oversight hearings on EPA’s regulatory actions, including: ozone NAAQS, Clean Power Plan, methane, regional haze, 404c permitting (Pebble Mine) and energy efficiency. These hearings examined the lack of science used to justify agency regulations, as well as examining the role that politics rather than science influences policy. The Committee has also written numerous letters to EPA, USDA, NPS, and DOT requesting documents and communications relating to regulations initiated or overseen by these Agencies.

The Committee also conducted oversight of current and former EPA employees for potential violations of the anti-Lobbying Act. The House passed H.R. 1029 (Science Advisory Board Reform Act of 2015) and H.R. 1030 (Secret Science Reform Act of 2015)—these two bills would bring greater transparency and accountability to both the scientific and the regulatory process within all federal regulations.

#### *Climate Research Activities*

The Committee requested a GAO report on federal climate change policies to review instances of duplication and waste. The Committee has monitored the climate change activities of the Administration, including the examination of the Climate Action Plan.

*National Oceanic and Atmospheric Administration (NOAA) Weather Forecasting*

The Committee held multiple hearings on the state of weather forecasting in prediction, including the role of government agencies as well as the growing private sector weather services. The House passed H.R. 1561, the Weather Research and Forecasting Innovation Act, which will increase our weather forecasting skill by targeted funding for new weather technologies and research.

*NOAA Satellite Modernization*

The Committee held multiple hearings on the current state of NOAA satellites. The Committee has been very critical of the continued high costs, delays, and mismanagement of the programs, and has called for NOAA to implement other strategies to strengthen our Nation's weather satellite constellation, including implementation commercial weather data. The Committee included commercial weather language in H.R. 1561, the Weather Research and Forecasting Innovation Act, which will increase our ability to accurately predict weather when faced with government delays or even failures.

*NASA Earth Science*

The Committee has continued to monitor NASA's earth science portfolio, including the potential for duplicative activities related to climate change research.

*Risk Assessment*

The House passed H.R. 1029 (Science Advisory Board Reform Act of 2015) which would ensure that risk assessments are conducted in an open and transparent way, while eliminating conflicts of interest. The Committee has also conducted oversight on EPA's handling of its evaluation of glyphosate, in addition to several other chemicals. From this oversight activity, the Committee continues to monitor and evaluate the manner that federal agencies use risk assessments to make regulatory and policy decisions.

**Research and Technology**

*National Science Foundation (NSF)*

The Committee reviewed more than 50,000 NSF research grants made during the past half-dozen years. This was the first systematic review of NSF grant-making by Congress. The result of this huge undertaking was identifying and cataloging several thousand questionable NSF awards. Examples of such questionable expenditures of taxpayer money include \$700,000 to underwrite a climate change musical, \$250,000 for trips to Norway to compile information about local tourism, and \$700,000 to support a study of ancient fishing practices on Lake Victoria (Africa).

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

The Committee elicited hearing testimony about the proliferation of categorical, often overlapping federally-funded STEM programs. Although witnesses provided anecdotal information about the effectiveness/ineffectiveness of these programs, the overarching concern

was that there was no objective information about STEM program outcomes, i.e., no basis for measuring success and judging the return-on-investment for taxpayers. In contrast, leaders of several privately funded STEM initiatives described detailed, longitudinal results that depicted significant increases in STEM interest, STEM studies, and STEM careers.

Another important result of STEM oversight hearings was highlighting that computer science was not a core STEM discipline. The Committee reported, the House approved, and the President signed into law the STEM Education Act of 2015, which added computer science to the definition of STEM and bolstered informal, privately-sponsored STEM education initiatives.

As part of broader legislation which included reauthorizing STEM programs under the Committee's jurisdiction, the Committee also required that outcomes data be collected systematically and used to assess the effectiveness and worth of publicly-funded STEM programs.

#### *U.S. Antarctic and Arctic Programs*

A 2015 Committee CODEL to the Antarctic provided ten Members with a first-hand look at the physical infrastructure that supports U.S. scientific activity, including the insufficiency of U.S. resources to meet ice-breaking requirements and the problems that accompany U.S. reliance on other nations' ice-breaking resources. (This was the first Congressional oversight trip to the Antarctic and the U.S. multi-billion dollar investment there in several years.)

#### *NSF Major Research Equipment and Facilities Construction (MREFC) Program*

Reports by the NSF Inspector General and information from a whistleblower/federal auditor stimulated Committee information gathering and a series of oversight hearings that revealed massive mismanagement of a \$440 million NSF research facility construction project and improper and possibly illegal expenditures of millions of taxpayer dollars on lobbying, lavish parties and foreign travel by the non-profit developer hired by NSF. Committee oversight forced NSF to: acknowledge a \$110 million total cost overrun, fire the non-profit and make major changes in NSF internal and external policies and procedures in order to protect taxpayer funds from waste and abuse.

#### *Government-wide R&D Initiatives in Emerging Fields*

The Committee held a series of oversight hearings that brought forward information about scientific breakthroughs and taxpayer investments in emerging technologies. These included: NSF-funded research which yielded the ground-breaking discovery of gravitational waves; the creation of new gene-editing tools (e.g., CRISPR) with virtually limitless possibilities for benefiting mankind and a considerable potential for misuse; development of autonomous vehicle technology and associated cyber/safety issues; and inter-agency collaboration in network information and technology research aimed at advances in emerging fields like cyber-physical systems, quantum computing and more.

### *Cybersecurity*

The Committee's jurisdiction includes the Federal Information Security Modernization Act of 2014 (FISMA) and the National Institute for Standards and Technology, which conducts research that informs its cyber security standards for federal agencies and cyber security guidelines for the private sector. Conspicuous cyber-security incidents and heightened concerns about private and public organizations' vulnerabilities to foreign-sponsored cyber-attacks dominated Committee oversight in this area. Oversight hearings focused on both public and private cyber-attacks, including a series of hearings about the risks of health insurance enrollment at [healthcare.gov](http://healthcare.gov), the massive breach of sensitive data at the Office of Personnel Management, and poor or non-existent communications between private sector cyber researchers and practitioners and federal agencies. Of overarching concern was the consistent non-compliance of federal agencies with NIST standards, as required by FISMA.

#### *National Institute of Standards and Technology (NIST)*

The Committee conducted a series of hearings about two serious lapses in physical security at NIST campuses: an explosion and fire caused by an illegal meth "factory" operated in a NIST laboratory by a NIST security officer and the unauthorized entry into a secure NIST laboratory which contained hazardous materials.

As part of its focus on cyber security problems, the Committee elicited information from NIST and others about the sufficiency and completeness of NIST cyber security standards for federal agencies, the evolving threats of foreign cyber-attacks on federal agencies, and NIST responsiveness to federal agency requests for information and advice.

#### *Advanced Technologies*

Committee oversight in this area included two hearings about cross-agency networking and information technology collaborations under the NITRD Act, the development of international standards for nanotechnology, and the efficiency and physical condition of NIST laboratories.

#### *Department of Transportation (DOT) R&D Programs*

Committee hearings featured U.S. DOT and private industry experts and focused on development of technologies to support autonomous vehicles. Knowledge gleaned from these hearings informed Committee contributions to subsequent surface transportation legislation.

#### *Economic Competitiveness and Job Creation*

In preparation for 2017 reauthorization of SBIR/STTR, the Committee conducted one oversight hearing and prepared for a subsequent one that will feature a GAO report on waste, fraud and abuse.

#### *United States Fire Administration (USFA)*

The Committee's professional staff met with federal agency and first-responder representatives to monitor the affected programs.



### *Natural Hazards*

The Committee held hearings about interagency research programs for windstorms and fires and also organized meetings on these subjects and earthquake hazards. In particular, the Committee meetings with the several affected federal agencies focused on the need to do a better job of coordinating among agencies and tracking the dollar amount of federal activities.

### *Department of Homeland Security (DHS) Science and Technology*

The Committee conducted several hearings and meetings with DHS senior officials about the Science and Technology Directorate's direction and performance, including the efficiency and effectiveness of the processes through which the Directorate considers and vets emerging new technologies for homeland security requirements.

## **Space**

### *National Aeronautics and Space Administration (NASA) Human Space Flight Program*

The Committee held five hearings that pertain to NASA's human spaceflight program. They covered topics including international competitiveness in human exploration, deep space habitation, the need for stability in NASA's human exploration program, and general exploration goals within the solar system. The Committee also held one hearing on the ethics and obligations of healthcare for NASA. This was followed up by a markup to review H.R. 6076, To Research, Evaluate, Assess, and Treat Astronauts Act, which is the response to that hearing. In October, 2016, Chairman Smith sent a letter to Charles Bolden, NASA administrator, requesting the un-redacted decision memoranda for the Space Launch System and Orion crew vehicle programs, which had completed Key Decision Point C. Committee staff has also toured facilities related to those programs at Kennedy Space Center and Stennis Space Center.

### *Federal Aviation Administration (FAA) Commercial Space Transportation*

The Subcommittee on space convened to discuss challenges and opportunities facing the small satellite community. Chairman Smith and Chairman Babin sent a letter to the Federal Aviation Administration requesting an un-redacted report on the October 28, 2014 failure of an Orbital ATK Antares rocket. Orbital ATK had provided the report to FAA. The Committee is actively participating in conversations related to mission authorization, space situational awareness, and space traffic management.

### *NASA Space Science*

The Committee held a hearing to monitor the status of the James Webb Space Telescope and continues to receive progress reports on the project. The Committee also held hearings to better understand the status of research in astronomy, astrophysics, and astrobiology. The Space Subcommittee held a joint hearing with the Subcommittee on Environment to discuss ways to maximize earth science investments through commercial opportunities. Chairman Smith sent a letter to NASA requesting copies of NASA's Sustain-

able Land Imaging Architecture Study, Sustainable Land Imaging Reduced Instrument Envelope Study, and the Sustainable Land Imaging Business Model Study.

The Committee is also monitoring the development of spacecraft to conduct space science. Chairman Smith and Chairman Babin sent a letter to the Government Accountability Office requesting information on the status of the US reserve of plutonium-238. This element can be used as a power source for space probes and its quantity and production influences space science missions. Committee staff also visited the NASA's Jet Propulsion Laboratory to conduct oversight on the work that is being done there on spacecraft.

#### *FAA Research and Development (R&D) Activities*

The Committee held a hearing on unmanned aircraft systems (UAS). The hearing informed the Committee on advancements in UAS research and development, UAS research and development policy, and UAS integration in to the National Airspace System. Each of these issues will be of particular use to the Committee for FAA and NASA reauthorizations. The Committee ordered reported H.R. 4489, the FAA Leadership In Groundbreaking High-Tech Research and Development Act which reauthorizes Federal Aviation Administration (FAA) research and development (R&D) programs for FY2016–FY2019. The Committee requested a GAO report on FAA's R&D activities, which included the overall efficiency of its efforts and coordination between other government and private R&D efforts. Committee staff traveled to FAA's William Hughes Technical Center to meet with FAA staff, receive briefings on key FAA R&D activities, and engage in general oversight activities.

#### *Commercial Orbital Transportation Services (COTS)*

The Committee held a hearing to review NASA's efforts to develop and acquire safe, reliable, and affordable crew transfer services to the International Space Station (ISS). The hearing examined the progress of NASA's Commercial Crew Program, its acquisition model, and future challenges for the program as the contractors move towards certification. The Committee reported H.R. 2262, U.S. Commercial Space Launch Competitiveness Act, which was signed into law and reported H.R. 1508, the Space Resource Exploration and Utilization Act of 2015, which promotes the development of a United States commercial space resource exploration and utilization industry and to increase the exploration and utilization of resources in outer space. The Committee conducted oversight into NASA's investigation of launch accidents involved with COTS and Cargo Resupply Services programs.

#### *International Space Station (ISS) Utilization and Operation*

The Committee held a hearing on NASA's plans for ISS. The hearing examined the current status of ISS, evaluated NASA's plans for dealing with operational and maintenance challenges, the status of the ISS partnership, how NASA is utilizing the ISS to enable future deep space exploration, and the Administration's request to extend ISS operations to 2024. The Committee also hosted an ISS Downlink for Committee Members. Staff attended the Space Commerce Conference and Exhibition in Houston to keep abreast

of developments in the space industry and engage with governmental and non-governmental policy-makers off the Hill and engage in general oversight activities.

#### *Aeronautics Research*

The Committee held a hearing on civil aeronautics research to inform the Committee's reauthorization of the Federal Aviation Administration's research, engineering, and development programs. Staff traveled to NASA Armstrong Flight Research Center to meet with NASA staff, received briefings on key NASA Armstrong aeronautics activities, and engaged in general oversight activities. The Committee hosted a forum on American aeronautics.

#### *NASA Contract and Financial Management*

The Committee held multiple hearings on NASA's budget proposal and the President's budget. These hearings reviewed and provided oversight for budget requests. The House passed H.R. 2039, the National Aeronautics and Space Administration Authorization Act for 2016 and 2017, that authorized the programs of NASA. The Committee also conducted oversight requesting information from NASA regarding the reasoning behind certain decisions regarding the balance of funds within programs.

#### *Near Earth Objects*

The Committee held a hearing to examine the options for intermediate missions as well as research, technology, and systems needed before NASA can safely and effectively carry out a human mission to Mars, while maintaining a constancy of purpose and steady technical progress through the next Presidential Administration and beyond.

#### *National Oceanic and Atmospheric Administration (NOAA) Commercial Remote Sensing Regulatory Affairs Office*

The Committee held a hearing to examine the current state of the space-based remote sensing industry. The hearing covered the scientific and technical advances in the fields of space-to-earth and space-to-space remote sensing and also assessed existing United States law and regulation governing private remote sensing space systems, including whether there is a need to reform existing law and regulation. The Committee reported H.R. 2261, the Commercial Remote Sensing Act of 2015 to the House, which facilitates the continued development of the commercial remote sensing industry and protect national security and H.R. 2263, the Office of Space Commerce Act, which renames the Office of Space Commerce. The Committee has also conducted oversight regarding updates from NOAA to discuss any statutory updates necessary to licensing private remote sensing space system.

### SUMMARY OF ADDITIONAL OVERSIGHT ACTIVITIES

#### *Oversight of the National Oceanic and Atmospheric Administration's (NOAA) National Weather Service (NWS)*

In July 2015, the Committee held a hearing entitled *Investigating Contract Misconduct at the National Weather Service*. The hearing examined findings by the Department of Commerce Inspec-

tor General (OIG) regarding contract misconduct at the NWS. Additionally, the hearing addressed allegations regarding exertion of influence by a senior official to obtain employment for an immediate family member at the NWS.

The primary source of information discussed at the hearing is contained in the OIG report *Investigation into Alleged Contracting Misconduct and Exertion of Improper Influence Involving a Senior National Weather Service Official* issued June 2015. In 2009, then-Deputy Chief Financial Officer Peter Jiron intended to retire from the NWS. Mr. Jiron's supervisor, then-Chief Financial Officer Robert Byrd, suggested Mr. Jiron return to the NWS post-retirement as a consultant. One month before officially retiring from the NWS, Mr. Jiron negotiated the terms of his consultancy, drafted and edited the associated Statement of Work, drafted terms and conditions of his contract with NWS as a consultant, and eventually signed the consulting agreement with NWS in April 2010. In total, Mr. Jiron's consulting contract lasted 21 months, costing tax payers \$471,875 including \$50,000 in post-retirement housing. All of Mr. Jiron's alleged actions relating to post-retirement contracts were approved by his supervisor, Mr. Byrd.

In addition, the OIG found evidence that Mr. Jiron may have attempted to influence NWS officials when seeking to find employment for an immediate family member in a NWS office. According to an Administrative Official, Mr. Jiron "offered to exert influence to have the Administrative Official promoted from the GS-13 position he held at the time to a higher-paid GS-14 position if he assisted" in getting Mr. Jiron's family member hired. Ultimately, the Administrative Official alerted his supervisor, and Mr. Jiron's family member was not hired.

The OIG indicated that Mr. Jiron's alleged improprieties may have violated numerous federal laws and regulations, including criminal statutes. Specifically, the criminal conflict-of-interest statute prohibits federal employees from acting in their official capacity in matters that will affect their financial interests. Additionally, federal regulations prohibit Executive Branch employees from using a government position to benefit themselves. According to the OIG, Mr. Jiron's creation of his consulting position while employed at NWS and arranging for the future payment of his housing expenses was a conflict of interest that benefited himself. Furthermore, Mr. Jiron allegedly violated 18 U.S.C. § 201, which criminalizes bribing government officials, when he attempted to influence NWS employees to hire his immediate family member.

Further, the OIG found the "lack of understanding about applicable laws and regulations on the part of multiple" agency officials so concerning that the OIG is "taking steps to ascertain whether this matter is indicative of a more systemic revolving door' contracting problem within [NOAA]." <sup>1</sup> According to Mr. Byrd, this type of behavior is "just the way business is done" at the agency. <sup>2</sup> Several people interviewed by the OIG expressed a similar belief that these practices are commonplace. <sup>3</sup> For instance, "one of the

<sup>1</sup>U.S. Dep't of Commerce, Office of Inspector General, *Investigation into Alleged Contracting Misconduct and Exertion of Improper Influence Involving a Senior National Weather Service Official* (June 2015). Found at: <http://www.oig.doc.gov/OIGPublications/OIG-12-0447-1.pdf>.

<sup>2</sup>*Id.*

<sup>3</sup>*Id.*

highest-ranking NWS leadership officials wondered aloud during her OIG interview ‘why we have all these people that retire and then we go and hire them to come back.’”<sup>4</sup> Moreover, the Acquisition and Grants Office (AGO) Representative that facilitated Mr. Jiron’s contract told investigators that NOAA employees returning post-retirement “happens all the time.”<sup>5</sup>

The findings from this report prompted the OIG to conclude that some of Senior Official’s conduct may have been criminal in nature, and as such referred the matter to both the Office of Government Ethics and to the Department of Justice for prosecution, but the relevant prosecutors declined to pursue charges. The Committee held a hearing and conducted oversight to highlight the issue and deter similar activity in the future from occurring at NOAA and NWS.

*Oversight of Physical Security at National Institute of Standards (NIST)*

On Saturday July 19, 2015, an explosion at a National Institute of Standards and Technology (NIST) facility in Gaithersburg, Maryland was caused by the manufacturing of the illegal drug methamphetamine. A NIST Police Officer resigned July 19, the day after he was injured during an explosion. As a result of this incident, the Committee began asking questions related to NIST security. On July 22, 2015, the Chairman sent Secretary Penny Pritzker a request for documents and information related to the incident at NIST.

Over the course of the investigation, it became clear that there was a pattern of misconduct and mismanagement at NIST Police Services. On September 30, 2015, Chairman Smith requested additional documents and information related to building access and personnel matters as well as documents related to alleged abuse of personnel standards such as misuse of overtime pay at NIST Police Services or misuse of government equipment. Between September and December 2015, the Committee continued to receive documents from NIST and Committee staff toured NIST facilities on October 6, 2015. On December 4, 2015, the Chairman sent yet another letter to Director Mays at NIST requesting additional documents after Committee staff learned that NIST was not being candid and forthcoming. On January 7, 2016, the NIST security officer responsible for the laboratory explosion was sentenced to 41 months in jail.

The Science Committee, the authorizing and oversight committee for NIST, has a legitimate interest in the safety of NIST employees and ensuring that agency property is not used to produce illegal drugs. The employee who was injured while manufacturing methamphetamine on the NIST campus was not a low level employee, but the former acting Chief of Police in charge of NIST security. Documents reviewed by the Committee indicate that time and attendance fraud occurs regularly at NIST Police Services. In one instance, the officer in question allegedly worked 84 hours of overtime during a two-week period while also covering his full-time shifts. It also appears that police equipment worth thousands of dollars is unaccounted for or missing from the police force. These

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<sup>4</sup>*Id.*

<sup>5</sup>*Id.*

allegations raise serious questions about the lack of internal agency controls at NIST. During April and May 2016, Committee staff conducted transcribed interviews of two NIST employees hoping to better understand the management challenges at the agency.

Information obtained by the Committee shows a culture of waste, fraud, abuse, and misconduct at NIST Police Services. Agency officials were apparently aware of officer's conduct but failed to take appropriate disciplinary actions and even selected him as interim chief of police despite his misconduct. It is clear Congress must better monitor those with access to our nation's high-tech research facilities. Researchers at our nation's high-tech labs deserve to be safe from this sort of criminal activity. The American people expect the federal government to exercise responsible stewardship of their tax dollars.

#### *Oversight of Agency Information Technology Security*

FDIC's Cybersecurity Posture—Pursuant to the Committee's legislative jurisdiction over portions of the Federal Information Security Modernization Act of 2014 (FISMA), the Committee receives an annual FISMA report from each department and agency subject to the statute. As part of routine reviews of FISMA reports, Committee staff noted an anomaly in the FDIC's report. Additionally, on March 18, 2016, the Committee received written notice, as required by FISMA, of a major information technology (IT) security breach. In an effort to better understand the circumstances of this breach, on April 8, 2016, Chairman Smith sent a letter to FDIC Chairman Gruenberg requesting documents, information, and a briefing from the agency.

The breach reported to Congress on March 18, 2016, involved an employee who obtained sensitive data for 44,000 individuals prior to separating from employment at the agency on February 26, 2016. The FDIC represented to that the separating employee inadvertently downloaded the information to a portable storage device referred to as a thumb drive and removed it from the premises. Upon learning of the incident three days later, FDIC personnel worked to recover the device. The device was ultimately recovered on March 1, 2016.

The FDIC Acting Inspector General (OIG) contacted the Committee relaying information about ongoing audits of the agency's cybersecurity posture as well as raising concerns about other major breaches that the agency failed to report to Congress. The Committee also received credible whistleblower allegations stating that the agency was purposefully withholding information from Congress related to other major IT security breaches. On April 20, 2016, Chairman Smith wrote the FDIC requesting information related to other unreported breaches that took place in the latter part of 2015.

Alarmingly, the IG and several whistleblowers told the Committee that the agency appeared to be withholding documents from the Committee even after twice certifying verbally that they had produced all responsive documents. Allegations of withholding documents led Chairman Smith to send a May 10, 2016, letter to the IG requesting all documents not produced by the agency. On May 12, 2016, the Oversight Subcommittee held a hearing on this matter. Witnesses were the Chief Information Officer Lawrence Gross

and the IG. At the hearing Members noted numerous inconsistencies in Gross' testimony. These inconsistencies were outlined in a May 19, 2016, letter to the FDIC from Chairman Smith and Subcommittee Chairman Loudermilk. The Committee subsequently learned of multiple other breaches involving sensitive financial information and held a follow-up hearing with Chairman Greenberg on July 14, 2016. During this hearing, the Committee learned about an advanced persistent threat which infected the FDIC's system for approximately three years beginning in 2010.

In conjunction with the July 2016 hearing, the Committee released an interim staff report finding the following: (1) the FDIC Chief Information Officer has created a toxic work environment, misled Congress, and retaliated against whistleblowers, (2) the FDIC deliberately evaded Congressional oversight, and (3) the FDIC has historically experienced deficiencies related to its cybersecurity posture and those deficiencies continue to the present. The interim was based on numerous interviews with whistleblowers and extensive document review. To date, Committee staff has conducted seven transcribed interviews and reviewed thousands of documents. The Committee will continue its investigation in conjunction with the Inspector General's Office, which has a number of related and ongoing reviews underway.

#### *Oversight of the "Green 20" and others*

The 114th Congress Science Committee oversight plan states that the Committee will review "Academic/Industry Partnerships." As part of this effort in May 2016, the Committee began conducting oversight of the effects of investigations launched by certain attorneys general, the self-proclaimed "Green 20," to use various legal channels to advance their views on climate change.

In support of this effort, the Attorney General of New York, the Attorney General of Massachusetts, and the U.S. Virgin Islands Attorney General<sup>6</sup> issued broad subpoenas for documents. The subpoenas demand documents, information, and the research of numerous scientists (at Exxon, nonprofit groups, universities, and other organizations) seemingly for the purpose of passing judgment on the quality and conclusions.

On May 18, 2016, thirteen Members of the Committee sent letters to 17 state attorneys general and eight activist environmental organizations. These letters requested documents and information related to their coordinated efforts to deprive companies, nonprofit organizations, scientists and scholars of their First Amendment rights.

Between May 31 and June 3, 2016, the Green 20 and the activist environmental groups responded to the Science Committee. They raised various legal objections to the Committee's investigation. All their arguments are flawed. After the Chairman's voluntary requests were met with unyielding objections, he was left with no option other than to issue July 13, 2016, subpoenas to the refusing parties—the New York and Massachusetts Attorneys General as well as several environmental activist groups.

<sup>6</sup>In the latter part of May 2016, the Attorney General of the U.S. Virgin Islands rescinded his subpoena.

The Committee is on strong legal and jurisdictional grounds with regard to the requests in our letters. In particular, this Committee has a duty to protect scientists & their research from the potential chilling effect of these legal actions. Additionally, the Committee is concerned that legal actions such as those undertaken by the “Green 20” could negatively affect research and development funding in both the public and private sectors as well as partnerships between the two sectors.

The Committee has a responsibility to ensure that taxpayer dollars authorized and appropriated by Congress are not being misspent. The Committee has had a longstanding interest in grants funded by NSF, including those awarded to universities and private companies. Given the Committee’s jurisdiction over NSF, the Committee also has an interest in the research funded by NSF grants. As you may know, most research is funded by a combination of private and government sources.<sup>7</sup> Like many other large energy companies, researchers employed by Exxon have received grant awards from federal sources. Additionally, NSF and Exxon jointly fund projects and programs such as Research Experiences in Solid Earth Science for Students, and the American Mathematical Society Task Force on Excellence. Further, Exxon partners with universities, themselves recipients of millions of dollars in federal funds, to conduct research. If, as a result of your investigation, the private sector feels pressure to make research funding decisions based in part on a desire to avoid burdensome state investigations and political or ideological coercion rather than on the basis of pure scientific merit, it is this Committee’s responsibility to identify that imbalance and correct it by directing funding elsewhere. The documents and information being sought by the Committee subpoena will help inform whether any such imbalance or chilling has occurred.

The NSF’s *Science & Engineering Indicators 2016* delineates total U.S. R&D expenditures by source of funds: Business: 65.2%; Federal government: 26.7%; Universities and colleges: 3.3%; Non-federal government 0.9%; Other nonprofit organizations: 3.9%. Any disincentive to industry maintaining its position as the dominant source of funding for R&D will have a detrimental impact on the nation’s scientific enterprise. If businesses believe that the research they fund can be mischaracterized for political or ideological reasons and used to build cases of fraud against the company, they will have a powerful incentive to cease funding that research and instead to direct their funds elsewhere. Similarly, if scientists believe that their industry-sponsored research, or discussions with industry about research funded by other sources, will be subpoenaed if it is in disagreement with the beliefs and preferences of state officials or advocacy groups, they will have a powerful incentive to cease conducting that research or disseminating the results of their research to all interested parties. This Committee has an interest in informing itself of these trends and effects and potentially offsetting any trends or effects that would skew research in one direction or another on the basis of non-scientific considerations like these.

<sup>7</sup> Science & Engineering Indicators 2016 Report, Chapter 4, <https://nsf.gov/statistics/2016/nsb20161/#/report/front-matter> (last visited Aug. 16, 2016).



Either of these scenarios could result in dramatic cuts to or misdirection of research funding by non-federal sources. If that occurs, the Committee may be forced to take a host of legislative actions, including authorizing increases in federal funding for scientific research to make up for the reduction in or misdirection of funding from other sources. The documents and information demanded in the July 13 subpoena will help inform the Committee if such actions are warranted and necessary. The Committee continues the tedious process of negotiating towards compliance with its subpoenas.

*Oversight of former Secretary Hillary Clinton's Email Server*

The Committee continued its oversight of cybersecurity in January 2016, by sending letters to information technology (IT) companies involved in setting up and maintaining former Secretary Clinton's private email server located at her home. Questions about the security of the server were raised during a Science Committee hearing on January 8, 2016, entitled *Cyber Security: What the Federal Government Can Learn from the Private Sector*. The Chairman asked a question related to Secretary Clinton's private server and the one of the witnesses raised concerns about cybersecurity vulnerabilities. Specifically, he articulated concerns about the private network because it exposed sensitive or classified information "in the open." He also called the arrangement "illegal."

On July 12, Chairman Smith and Sen. Ron Johnson, Chairman of the Senate Homeland Security and Government Affairs Committee sent letters again to the three of the four companies responsible for setting up and maintain former Secretary Clinton's private server. The companies refused to voluntarily produce documents due and the Chairman authorized staff to serve subpoenas *duces tecum* on three IT companies managing former Secretary Clinton's server. Two of the three companies responded by producing documents in rolling productions. The third company continues to refuse to produce requested documents claiming that the Committee is not authorized to conduct this investigation. This is false.

The Committee has undertaken its investigation into the cybersecurity posture of former Secretary Clinton's private email server pursuant to the authority delegated to it under the House Rules. Specifically, as noted above, the Committee is charged with oversight of NIST.<sup>8</sup> NIST is the government agency responsible for promulgating guidelines under FISMA. Pursuant to FISMA, NIST developed the "Framework for Improving Critical Infrastructure Cybersecurity" ("Framework"), which aims to ensure "the national and economic security of the United States" by managing cybersecurity risk through a series of standards and best practices.<sup>9</sup> The Committee has conducted rigorous oversight utilizing this important jurisdiction. For example, during the 114th Congress, the Committee conducted robust oversight of the Federal Deposit Insurance Corporation's cybersecurity posture, holding hearings on

<sup>8</sup>House Rule X(p)(7).

<sup>9</sup>Nat'l Inst. of Standards & Tech., *Framework for Improving Critical Infrastructure Cybersecurity* (Feb. 12, 2015), available at <https://www.nist.gov/sites/default/files/documents/cyberframework/cybersecurity-framework-021214.pdf>.

the topic on May 12, 2016, and July 14, 2016.<sup>10</sup> Additionally, as part of the Committee's legislative authority over portions of FISMA, on September 21, 2016, the Committee marked up and ordered reported to the House H.R. 6066, the Cybersecurity Responsibility and Accountability Act of 2016. Depending upon the findings of this current investigation related to former Secretary Clinton's server and network additional legislation may be necessary.

In a September 28, 2016, letter to Platte River Networks' counsel, Chairman Smith provided the company with a final opportunity to comply with the Committee's subpoenas and placed the company on notice that the Committee would pursue contempt if it failed to comply.<sup>11</sup> After requesting an extension to answer Chairman Smith's letter,<sup>12</sup> the Committee received a two sentence letter from Mr. Eichner on October 11, 2016, stating: "Neither I nor any personnel at Platte River Networks have anything further to add . . ."<sup>13</sup>

#### HEARINGS HELD PURSUANT TO CLAUSES 2(n), (o), OR (p) OF RULE XI

##### **Clause 2(n)**

*February 3, 2015*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: NSF's Oversight of the NEON Project and Other Major Research Facilities Developed Under Cooperative Agreements.

Witnesses: Dr. Richard Buckius, Chief Operating Officer of the National Science Foundation; Dr. James P. Collins, Chairman of the National Ecological Observatory Network; and Ms. Kate Manuel, Legislative Attorney for the Congressional Research Service.

*June 25, 2015*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: Is NSF Properly Managing Its Rotating Staff?

Witnesses: Ms. Allison Lerner, Inspector General, National Science Foundation; and Dr. Richard Buckius, Chief Operating Officer, National Science Foundation.

*July 8, 2015*

Research and Technology Subcommittee and Oversight Subcommittees joint hearing: Is the OPM Data Breach the Tip of the Iceberg?

Witnesses: Mr. Michael R. Esser, Assistant Inspector General for Audits, Office of Personnel Management; Mr. David Snell, Director, Federal Benefits Service Department, National Active and Retired

<sup>10</sup> H. Comm. on Science, Space, & Tech., *Hearing on FDIC Data Breaches: Can Americans Trust that Their Private Banking Information Is Secure?*, 114th Cong. (May 12, 2016); H. Comm. on Science, Space, & Tech., *Hearing on Evaluating FDIC's Response to Major Data Breaches: Is the FDIC Safeguarding Consumers' Banking Information?*, 114th Cong. (Jul. 14, 2016).

<sup>11</sup> Sept. 28, 2016 Letter, *supra* note 7.

<sup>12</sup> E-mail from Ken Eichner, Principal, Eichner Law, to Committee Staff (Oct. 3, 2016, 1:19 p.m.).

<sup>13</sup> Letter from Ken Eichner, Principal, Eichner Law Firm, to Hon. Lamar Smith, Chairman, H. Comm. on Science, Space, & Tech. (Oct. 11, 2016).

Federal Employees Association; Dr. Charles Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology; Mr. Gregory Wilshusen, Director, Information Security Issues, U.S. Government Accountability Office.

*July 15, 2015*

Full Committee hearing: Investigating Contract Misconduct at the National Weather Service.

Witnesses: Mr. Mark Greenblatt, Deputy Assistant General for Compliance & Ethics, Office of Inspector General, Department of Commerce; Mr. Robert Byrd, Former Chief Financial Officer, National Weather Service; and Mr. Peter Jiron, Former Deputy Chief Financial Officer, National Weather Service. [Mr. Byrd and Mr. Jiron declined to answer questions from the Committee and asserted their Fifth Amendment rights.]

*September 9, 2015*

Full Committee hearing: Holding EPA Accountable for Polluting Western Waters.

Witnesses: The Honorable Mathy Stanislaus, Assistant Administrator, Office of Solid Waste and Emergency Response, Environmental Protection Agency; Mr. Dennis Greaney, President, Environmental Restoration LLC; The Honorable Donald Benn, Executive Director, Navajo National Environmental Protection Agency; The Honorable Dean Bookie, Mayor, Durango, Colorado; and, Dr. Mark Williamson, Geochemist, Geochemical Solutions LLC.

*September 18, 2015*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: NEON Warning Signs: Examining the Management of the National Ecological Observatory Network.

Witnesses: Dr. James L. Olds, Assistant Director, Directorate for Biological Sciences, National Science Foundation; Dr. James P. Collins, Chairman of the Board, National Ecological Observatory Network, Inc.

*February 4, 2016*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: A Review of Recommendations for NSF Project Management Reform.

Witnesses: Ms. Cynthia Heckmann, Project Director, National Academy of Public Administration; Dr. Richard Buckius, Chief Operating Officer, National Science Foundation; and, Ms. Allison Lerner, Inspector General, National Science Foundation.

*September 21, 2016*

Energy Subcommittee and Oversight Subcommittee joint hearing: Examining Misconduct and Intimidation of Scientists by Senior DOE Officials.

Witnesses: Dr. Sharlene Weatherwax, Associate Director, Biological and Environmental Research, U.S. Department of Energy; and Dr. Noelle Metting, Radiation Biologist, U.S. Department of Energy.

**Clause 2(o)***February 26, 2015*

Research and Technology Subcommittee hearing: An Overview of the Budget Proposals for the National Science Foundation and National Institute of Standards and Technology for Fiscal Year 2016.

Witnesses: The Honorable France Córdova, Director, National Science Foundation; The Honorable Dan Arvizu, Chairman, National Science Board; and Dr. Willie E. May, Acting Director, National Institute of Standards and Technology.

*February 25, 2015*

Full Committee hearing: An Overview of the Department of Energy's Budget Proposal for Fiscal Year 2016.

Witness: The Honorable Ernest Moniz, Secretary of Energy, U.S. Department of Energy.

*April 16, 2015*

Space Subcommittee hearing: An Overview of the Budget Proposal for the National Aeronautics and Space Administration for Fiscal Year 2016.

Witness: The Honorable Charles F. Bolden, Jr., Administrator, National Aeronautics and Space Administration (NASA).

*March 16, 2016*

Research and Technology Subcommittee hearing: An Overview of the Budget Proposal for the National Institute of Standards and Technology for Fiscal Year 2017.

Witness: Dr. Willie E. May, Under Secretary of Commerce for Standards and Technology and Director, National Institute of Standards and Technology.

*March 16, 2016*

Environment Subcommittee hearing: An Overview of the Budget Proposal for the National Oceanic and Atmospheric Administration for Fiscal Year 2017.

Witness: The Honorable Kathryn Sullivan, Undersecretary for Oceans and Atmosphere, U.S. Department of Commerce, and Administrator, National Oceanic and Atmospheric Administration.

*March 17, 2016*

Space Subcommittee hearing: An Overview of the Budget Proposal for the National Aeronautics and Space Administration for Fiscal Year 2017.

Witness: The Honorable Charles F. Bolden, Jr., Administrator, National Aeronautics and Space Administration.

*March 22, 2016*

Research and Technology Subcommittee hearing: An Overview of the Budget Proposal for the National Science Foundation for Fiscal Year 2017.

Witnesses: The Honorable France Córdova, Director, National Science Foundation; Dr. Dan E. Arvizu, Chairman, National Science Board.

*March 22, 2016*

Full Committee hearing: An Overview of the Budget Proposal for the Department of Energy for Fiscal Year 2017.

Witness: The Honorable Ernest Moniz, Secretary of Energy, U.S. Department of Energy.

**Clause 2(p)**

*January 27, 2015*

Research and Technology Subcommittee hearing: The Expanding Cyber Threat.

Witnesses: Ms. Cheri McGuire, Vice President, Global Government Affairs & Cybersecurity Policy, Symantec Corporation; Dr. James Kurose, Assistant Director, Computer and Information Science and Engineering (CISE) Directorate, National Science Foundation; Dr. Charles H. Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology; Dr. Eric A. Fischer, Senior Specialist in Science and Technology, Congressional Research Service; Mr. Dean Garfield, President and CEO, Information Technology Industry Council.

*February 12, 2015*

Research and Technology Subcommittee and Oversight Subcommittee hearing: Can Americans Trust the Privacy and Security of their Information on HealthCare.gov?

Witnesses: Ms. Michelle De Mooy, Deputy Director, Consumer Privacy, Center for Democracy and Technology; and Mr. Morgan Wright, Principal, Morgan Wright, LLC.

*April 23, 2015*

Full Committee hearing: Hydraulic Fracturing: Banning Proven Technologies on Possibilities Instead of Probabilities.

Witnesses: Ms. Christi Craddick, Chairman, Railroad Commission of Texas; Dr. Donald Siegel, Jessie Page Heroy Professor & Department Chair, The Department of Earth Sciences, Syracuse University; Mr. Simon Lomax, Western Director, Energy in Depth; and Mr. Elgie Holstein, Senior Director for Strategic Planning, Environmental Defense Fund.

*July 10, 2015*

Space Subcommittee hearing: The International Space Station: Addressing Operational Challenges.

Witnesses: Mr. Bill Gerstenmaier, Associate Administrator, Human Exploration and Operations Mission Directorate, NASA; Mr. John Elbon, Vice President and General Manager, Space Exploration, The Boeing Company; The Honorable Paul K. Martin, Inspector General, NASA; Ms. Shelby Oakley, Acting Director, Acquisition and Sourcing Management, Government Accountability Office; and Dr. James A. Pawelczyk, Associate Professor of Physiology and Kinesiology, The Pennsylvania State University.

*October 21, 2015*

Energy Subcommittee and Research and Technology Subcommittee joint hearing: Cybersecurity for Power Systems.

Witnesses: Mr. Brent Stacey, Associate Lab Director for National & Homeland Science and Technology, Idaho National Lab; Mr. Bennett Gaines, Senior Vice President, Corporate Services and Chief Information Officer, FirstEnergy Service Company; Ms. Annabelle Lee, Senior Technical Executive in the Power Delivery and Utilization Sector, Electric Power Research Institute; and Mr. Greg Wilshusen, Director of Information Security Issues, Government Accountability Office.

*October 27, 2015*

Full Committee Hearing: A Review of Progress by the Department of Homeland Security (DHS), Science and Technology Directorate.

Witness: The Honorable Reginald Brothers, Under Secretary for Science and Technology, Department of Homeland Security.

*January 8, 2016*

Oversight Subcommittee and Research and Technology Subcommittee joint hearing: Cybersecurity: What the Federal Government Can Learn from the Private Sector.

Witnesses: Mr. John B. Wood, Chief Executive Officer and Chairman, Telos Corporation; Dr. Martin Casado, Senior Vice President and General Manager, Networking and Security Business Unit, VMware; Mr. Ken Schneider, Vice President of Technology Strategy, Symantec Corporation; and, Mr. Larry Clinton, President and Chief Executive Officer, Internet Security Alliance.

*February 25, 2016*

Full Committee hearing: The Space Leadership Preservation Act and the Need for Stability at NASA.

Witnesses: The Honorable John Culberson, chairman of the Commerce, Justice, Science Subcommittee of the House Appropriations Committee; Dr. Michael Griffin, Former Administrator, NASA; Colonel Eileen Collins, USAF (Ret.); Commander, STS-93 and 114; and Pilot, STS-63 and 94; and former Chair, Subcommittee on Space Operations, NASA Advisory Council; Ms. Cristina Chaplain, Director, Acquisitions and Sourcing Management, Government Accountability Office (GAO).

*March 3, 2016*

Energy Subcommittee and Oversight Subcommittee joint hearing: Department of Energy Oversight: DOE Loan Programs.

Witnesses: Mr. Mark McCall, Executive Director, Loan Program Office, U.S. Department of Energy; Dr. Frank Rusco, Director, Natural Resources and Environment, Government Accountability Office; Gregory Kats, President, Capital E; and Mr. Nick Loris, Herbert and Joyce Morgan Fellow, Thomas A. Roe Institute for Economic Policy Studies, Heritage Foundation.

*April 14, 2016*

Research and Technology Subcommittee hearing: Can the IRS Protect Taxpayers' Personal Information?

Witnesses: The Honorable John Koskinen, Commissioner, Internal Revenue Service, the Honorable J. Russell George, Inspector General, Treasury Inspector General for Tax Administration; and,

Mr. Gregory Wilshusen, Director, Information Security Issues, U.S. Government Accountability Office.

*May 11, 2016*

Energy Subcommittee hearing: Department of Energy Oversight: Office of Fossil Energy.

Witness: The Honorable Chris Smith, Assistant Secretary, Office of Fossil Energy, U.S. Department of Energy.

*May 12, 2016*

Oversight Subcommittee hearing: FDIC Data Breaches: Can Americans Trust that Their Private Banking Information Is Secure?

Witnesses: Mr. Fred W. Gibson, Acting Inspector General, FDIC and Mr. Lawrence Gross, Jr., Chief Information Officer and Chief Privacy Officer, FDIC.

*July 14, 2016*

Full Committee hearing: Evaluating FDIC's Response to Major Data Breaches: Is the FDIC Safeguarding Consumers' Banking Information?

Witnesses: Mr. Martin J. Gruenberg, Chairman, FDIC and Mr. Fred W. Gibson, Acting Inspector General, FDIC.

## MINORITY VIEWS

### 114th Congress

#### **Majority Report on Activities of the Committee on Science, Space, and Technology**

In the 114th Congress the Science Committee Majority has been active in writing document request letters to federal agencies, issuing subpoenas to various parties, and releasing numerous related press releases. This appears to be the metric the Majority has used to measure successful oversight. The Chairman has boasted that the Committee has issued 25 subpoenas this Congress. The Majority has also launched approximately three dozen investigations. However, by and large these efforts have not been successful in uncovering cases of waste, fraud or abuse, identifying inefficient management, or improving the effectiveness of federal science and technology programs. On the other hand, they have been successful in pushing a partisan oversight agenda that has harmed the scientific credibility of the Committee and undermined our legitimate investigative authority.

In many of these “investigations” the Majority has made sensational allegations of mismanagement, or worse, before they actually have had any facts in hand. Despite lengthy and repeated public statements repeating these unfounded assertions these allegations have usually fallen apart once the Majority is unable to substantiate their original claims. This push to pursue political and ideological investigations has also moved the Committee outside of its extensive and legitimate oversight jurisdiction on a number of occasions. These tactics have had an overwhelmingly negative impact on the reputation of the Committee within the broader scientific community.

A Majority investigation that utilized these questionable tactics was not even mentioned *once* in the Majority’s 114th Activities Report. During the Majority’s investigation of a twice peer-reviewed scientific study on climate change by scientists at the National Oceanic and Atmospheric Association (NOAA) published in the journal *Science* in June 2015, the Chairman falsely claimed that NOAA’s scientists “altered historical climate data to get politically correct results in an attempt to disprove the hiatus in global temperature increases.” To date, seventeen months after the Majority launched its clearly politically motivated “investigation,” they have provided **ZERO** evidence to the public, NOAA, or Minority Members or staff of the Science Committee, that would validate their bold and false statements.

The Majority has abused the Committee’s legitimate oversight powers by its efforts to tarnish the reputation of federal scientists, science-based non-governmental organizations (NGOs), and federal



science agencies that do not concur with the Majority's politically biased views.

The Majority has done this in other "investigations" during the 114th Congress as well. In an unprecedented act for the U.S. Congress, the Chairman of the Science Committee issued subpoenas to the New York and Massachusetts State Attorneys General (AGs) Offices, as well as multiple non-governmental organizations (NGOs), allegedly to investigate these state law enforcement agencies for their investigations of ExxonMobil for potential fraud. The U.S. Congress has never before issued a subpoena to a State Attorney General Office related to a state law enforcement investigation. The State AG investigations apparently revolve around whether or not ExxonMobil failed to disclose internal scientific data it had decades ago to its investors and shareholders showing that climate change was a reality, that fossil fuel production was contributing to global warming, and that these facts could undermine ExxonMobil's business in the future. The AG investigations have to do with the failure of ExxonMobil's executives to disclose these facts to its shareholders and customers, thus potentially engaging in fraud. They do not seek to question the conclusions of Exxon's scientists who performed their own studies on climate change, as the Majority has wrongly and repeatedly claimed on numerous occasions in an attempt to suggest these investigations are seeking to "silence" ExxonMobil's scientists. The irony in these allegations, considering the Majority's efforts to silence scientists at NOAA and other federal agencies, is striking.

The politically motivated rationale and questionable tactics used by the Majority in both the NOAA case and recent AG investigation have been broadly condemned by the mainstream media. The editorial boards of seven major newspapers, including the *San Antonio Express-News*, *The Washington Post*, *The New York Times*, *The Des Moines Register*, *The Baltimore Sun*, *The Los Angeles Times* and *The Boston Globe* have forcefully condemned the Majority for launching these clearly political investigations.

The Majority's politically motivated oversight activities came to a crescendo in mid-late 2016 with the Committee's "investigation" of former Secretary of State Hillary Clinton's private email server. Despite the existence of numerous additional investigations of this arrangement (at least five other Congressional Committees and two executive agencies), including a comprehensive investigation by the Federal Bureau of Investigation (FBI), for some reason the Majority decided that the Science Committee also needed to conduct an investigation of the same issues in the months prior to the presidential election. This is also despite the fact that the Science Committee has no oversight jurisdiction over the Department of State. Unsurprisingly, this transparently partisan "investigation" produced no new information and appears to have been dropped by the Majority in the aftermath of the November 8th election.

The Committee should get back to investigating fact-based problems involving waste, fraud, abuse or mismanagement at the important federal agencies we oversee. The sort of political witch-hunts the Majority has engaged in should cease. Certainly federal agencies should be investigated when there is actual *evidence* or serious and substantiated allegations of abuse or mismanagement.

However, the Majority's specific distaste for certain well established scientific facts, such as climate change, and dislike for federal agencies, including the Environmental Protection Agency (EPA), has led to repeated investigations where facts have taken a back seat to politics. The Committee has launched at least one dozen investigations of various issues at EPA and written more than two dozen oversight letters to the Agency. The Committee has also issued 11 subpoenas and written at least 36 letters revolving around its investigation of the Attorneys General investigating ExxonMobil. Some of that correspondence has clearly been helpful to ExxonMobil, who has officially submitted some of it as part of a lawsuit they filed against the New York and Massachusetts Attorney Generals, for instance.

In another case the Majority questioned an investigation by the EPA's Inspector General's (IG's) office, in an effort to support a non-U.S. mining company intent on building a proposed open pit gold and copper mine in Bristol Bay, Alaska, which is home to the largest natural sockeye salmon fishery in the world.

The attention given to these politically motivated efforts has led the Committee to simply ignore entire areas of important oversight, including the Department of Homeland Security's (DHS's) Science & Technology Directorate, that do not seem to support the Majority's political rhetoric and anti-regulatory, science denial, agenda. The Majority held a single hearing on DHS in the 114th Congress, for instance, but has not written a single oversight-related letter or launched any investigations involving the critically important DHS S&T Directorate this Congress.

The Minority is deeply concerned that the Majority's repeated misuse and abuse of the legitimate, broad, and extremely important oversight authority of the Science Committee in the 114th Congress for political purposes will have a substantial and long-lasting negative impact on the Committee and its ability to conduct necessary and appropriate oversight in the future.

EDDIE BERNICE JOHNSON.

