

**HIGHLIGHTS OF ACTIVITIES OF THE  
COMMITTEE ON HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
INTERIM REPORT OF THE 114<sup>TH</sup> CONGRESS  
(AS OF 10/1/2016)**



**RELEASED BY CHAIRMAN RON JOHNSON  
COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE**

# HIGHLIGHTS OF ACTIVITIES OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS INTERIM REPORT OF THE 114<sup>TH</sup> CONGRESS (AS OF 10/1/2016)

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Under the leadership of Chairman Ron Johnson and Ranking Member Tom Carper, the Committee established a mission statement: “to enhance the economic and national security of America.” Over the past 21 months, the Committee has made real progress advancing this mission. The Committee’s work on oversight through hearings, inquiries, and investigations has identified and clarified significant economic and national security challenges facing the nation. And its collaborative work on bipartisan legislation has demonstrated that a committee of Senators with differing views about public policy can come together and find agreement in support of commonsense reforms.

Senate Rule XXVI paragraph 8(b) requires each committee to submit to the Senate “a report on the activities of that committee” after the conclusion of each Congress. This interim report highlights the Committee’s activities through September 2016, serves as an update to an earlier report produced by the Chairman in January of this year, and will be updated again prior to submission to the Senate early next year.

To improve national security, the Committee has worked to identify challenges and solutions to major threats facing our nation, including border and visa security; international drug trafficking and our nation’s insatiable demand for drugs; cybersecurity threats and vulnerabilities; and the growing counterterrorism threat posed by ISIS and other militant Islamic extremists. The Committee has passed legislation to strengthen border security, improve detection of human trafficking, enhance federal agency cybersecurity practices, and protect our critical infrastructure.

To improve our nation’s economic security, the Committee held a series of hearings to identify the root causes of the challenges that so many people face pursuing the American dream. For example, the Committee examined the challenges Americans face finding and paying for high-quality education services for their children, and how the skyrocketing number of federal regulations are reducing economic opportunity for American workers. The Committee held hearings to identify ways to ensure that our most vulnerable, including those with terminal illnesses, and those to whom we owe our freedoms—our nation’s veterans—have the ability to receive high-quality health care. The majority staff issued reports examining our border security, America’s insatiable demand for drugs, the effect of onerous executive branch regulations, and the tragedies at the Veterans Affairs Medical Center in Tomah, Wisconsin.

Beyond diagnosing problems, the Committee worked together to approve bipartisan legislation on challenging issues by finding common ground, including legislation to improve the regulatory process and streamline federal regulations. The Committee has also approved dozens of bills that protect taxpayer dollars by reducing wasteful government spending and addressing inefficient, duplicative, or nontransparent government programs.

# HIGHLIGHTS OF ACTIVITIES

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## Hearings

Held more than 100 committee hearings and roundtables to study challenges facing the United States and identify potential solutions.<sup>1</sup>

## Legislation

Approved 83 bills through the Committee (not including naming bills, of which there are 43)—82 of which passed with bipartisan support and 73 of which passed unanimously. So far, the Senate has passed 37 of these bills and 28 have been signed into law by President Obama.<sup>2</sup>

## Nominations

Approved or discharged 28 of President Obama's nominations for Senate-confirmed positions.

## Oversight and Investigations

Sent more than 800 letters, including over 80 signed by both the Chairman and Ranking Member, and issued 9 majority staff reports; 1 minority staff report; and 1 joint staff report pursuant to the Committee's oversight duties to examine some of the most pressing issues facing the nation.<sup>3</sup>

# POLICY AREAS COVERED BY THE REPORT

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- 1. BORDER & IMMIGRATION SECURITY**
- 2. CYBERSECURITY**
- 3. PROTECTING CRITICAL INFRASTRUCTURE**
- 4. PROTECTING THE HOMELAND FROM TERRORIST THREATS**
- 5. REFORMING THE DEPARTMENT OF HOMELAND SECURITY**
- 6. OVERSEEING THE FEDERAL GOVERNMENT**
- 7. STREAMLINING THE REGULATORY PROCESS**
- 8. COMBATTING WASTE, FRAUD, AND ABUSE**



# STRENGTHENED BORDER AND IMMIGRATION SECURITY

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The increasing threat of international terrorist organizations, most notably ISIS, has underscored the need to secure the nation’s borders, a priority that was identified by Congress and the 9/11 Commission fifteen years ago in the aftermath of the 2001 terrorist attacks. The threat of terrorism is just one of the reasons why we must secure our borders and fix our broken immigration system; international drug trafficking and human trafficking, exacerbated by unsecure borders, are ruining the lives of too many of our citizens and hurting so many of our families. The Committee has taken seriously its imperative to provide oversight of the Department of Homeland Security (DHS) in these areas and close security gaps.

	LEGISLATION	HEARINGS/ ROUNDTABLES	LETTERS	REPORTS
TOTAL	8	22	30+	3

- ◆ **Laid out the reality of our border security.** Relying on evidence gathered through eighteen border security hearings and four roundtables, including field hearings focused on the opioid epidemic across the country, the Committee issued two majority staff reports<sup>4</sup> and one minority staff report,<sup>5</sup> and worked to lay out the reality of our border security:
  - ◆ **Our borders are unsecure.** Despite spending more than \$100 billion over the last decade to fund security measures along the borders, our borders remain unsecure.<sup>6</sup> Interdiction rates on the border are below 55 percent, and as low as 30 to 40 percent in some areas.<sup>7</sup> In unfenced areas—approximately two-thirds of the southwest border—interdiction rates may be as low as 5 percent.<sup>8</sup>
  - ◆ **The U.S. has an insatiable demand for drugs.** America’s insatiable demand for drugs, coupled with drug smugglers’ insatiable demand for profits, is a driving factor of the unsecure border.<sup>9</sup> A former drug czar told the Committee that the overall interdiction rate of drugs coming across our land borders is estimated between 5 to 10 percent.<sup>10</sup> Similarly, the Coast Guard is only able to target approximately 30 percent of the illegal drugs it is aware of, resulting in the interdiction of only 11 to 18 percent of the maritime known drug flow toward the United States.<sup>11</sup>
  - ◆ **We’re losing the war on drugs.** We spend roughly \$31 billion per year on the war on drugs.<sup>12</sup> Yet in 2014, there were more than 47,000 overdoses in the United States, or about 129 overdose deaths per day.<sup>13</sup> In Wisconsin, for example, Milwaukee County alone saw 109 heroin-related overdose deaths in 2015.<sup>14</sup>

- ♦ **There are weaknesses in U.S. immigration programs.** DHS has challenges managing and sharing information and data collected for vetting immigration benefits.<sup>15</sup> For example, as a result of poor information collection and management, “274 subjects of [Immigration and Customs Enforcement] ICE human trafficking investigations successfully petitioned [U.S. Citizenship and Immigration Services] USCIS to bring 425 family members and fiancés into the country.”<sup>16</sup> Moreover, it recently came to light that the lack of basic information sharing and database integrity allowed DHS to naturalize 858 individuals with a previous removal order issued against them under another identity.<sup>17</sup> Not even ICE knows how many people are in the country illegally due to visa overstays and what types of visas are being abused the most.<sup>18</sup>
- ♦ **The Committee approved seven bills to shore up the security at and between U.S. ports of entry.** For example: One bill approved by the Committee requires the DHS Secretary to quantitatively measure the state of border security across all of the border sectors;<sup>19</sup> another expands a program designed to allow U.S. officials to screen people at foreign airports before they reach American soil;<sup>20</sup> another calls on DHS to consider potential criminal and terrorist threats stemming from our northern border;<sup>21</sup> and still another allows federal authorities to partner with private sector and state and local governments to increase security efficiencies at U.S. airports with international flights.<sup>22</sup>
- ♦ **Passed legislation to put a stop to human trafficking.** The Committee approved and the President signed into law a bill that requires increased training for DHS personnel on methods for deterring, detecting, and disrupting human trafficking; and authorizes DHS to help state and local officials by sharing the training.<sup>23</sup>
- ♦ **Closed security gaps.** After the horrific terrorist attacks in Paris, France and San Bernardino, California, the Committee examined the security of the refugee resettlement program, visa waiver program, and visa system in the U.S. The Committee sent a series of oversight letters and held hearings on these topics to inform legislation to fix the weaknesses, and Chairman Johnson led the effort to ensure that key enhancements to the visa wavier program were passed earlier this year.<sup>24</sup>



# IMPROVED CYBERSECURITY

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It is no coincidence that the very first hearing the Committee held this Congress was on the cybersecurity threats we face. The issue came to the forefront of Americans' attention in 2015, when news broke of the largest federal data breach: the Office of Personnel Management (OPM) had been hacked, resulting in the loss of security clearance background investigation files containing sensitive personal information for millions of current and former federal employees, putting both individuals' lives and our nation's security at risk.<sup>25</sup> That same year the Internal Revenue Service (IRS) was compromised, resulting in unauthorized users successfully obtaining Get Transcript applications for 355,262 taxpayers' accounts.<sup>26</sup> The threat requires Congress and the administration to come together to take swift action to improve cybersecurity protections. The Committee has led these efforts.

	LEGISLATION	HEARINGS/ ROUNDTABLES	LETTERS	REPORTS
TOTAL	3	5	100+	-

- ♦ **Improved information sharing and federal cyber-attack detection.** Chairman Johnson worked with Ranking Member Carper to draft legislation that requires federal agencies to implement stronger protections to defend against cyber-attacks, including implementing multi-factor authentication for remote users.<sup>27</sup> It also requires DHS to deploy an intrusion detection and prevention system. The bill was incorporated into a larger cybersecurity information sharing bill the Chairman and Ranking Member negotiated with the Senate Select Committee on Intelligence, and was signed into law in 2015.<sup>28</sup> This legislation, which includes liability protection, is an important first step toward combatting our cyber adversaries.
- ♦ **Heard from experts at the FBI and private technology companies.** Chairman Johnson has worked to gather more information on the encryption debate, inviting both the FBI and technology companies to a series of roundtables on this complex issue.
- ♦ **Helped agencies protect their networks and reduce duplication.** The Committee approved legislation that gives federal agencies authority to implement policies to improve cybersecurity, including by restricting employees' access to certain websites,<sup>29</sup> and another bill, signed into law, ensures DHS ends duplicative spending on information technology.<sup>30</sup>

# STRENGTHENED CRITICAL INFRASTRUCTURE PROTECTIONS

The United States depends on its critical infrastructure, particularly the electric power grid, as all critical infrastructure sectors are to some degree dependent on electricity to operate.<sup>31</sup> A successful nuclear electromagnetic pulse (EMP) attack against the United States could cause the death of approximately 90 percent of the American population.<sup>32</sup> Similarly, a geomagnetic disturbance (GMD) could have equally devastating effects on the power grid.<sup>33</sup> Chairman Johnson has made it a priority to examine the threats, both man-made and natural, to the country's critical infrastructure.

	LEGISLATION	HEARINGS/ ROUNDTABLES	LETTERS	REPORTS
TOTAL	1	2	2	-

- ♦ **Gathered information about the threats.** The Committee held a hearing to learn from industry experts about EMP and GMD threats.<sup>34</sup> The hearing examined what actions DHS and the Department of Energy are taking to address these threats and mitigate potential vulnerabilities. The Committee later held a hearing to evaluate the state of information sharing mechanisms used by DHS and private stakeholders to plan for threats against critical infrastructure.<sup>35</sup>
- ♦ **Approved legislation.** Based on the information learned from this oversight, Chairman Johnson introduced, and the Committee approved, critical infrastructure protection legislation.<sup>36</sup> The bill requires DHS to develop and submit to Congress a strategy to protect critical infrastructure and to perform research and incident response planning.





# HELPED PROTECT THE HOMELAND FROM TERRORIST THREATS

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The Committee has made identifying terrorist threats to the homeland and assessing the adequacy of current measures aimed at stopping these threats a priority. The importance and urgency of this mission has become increasingly clear as the threat of ISIS and other terrorists grows each day.

	LEGISLATION	HEARINGS/ ROUNDTABLES	LETTERS	REPORTS
TOTAL	8	9	25+	-

- ◆ **Laid out the reality of the threats.** The Committee held nine hearings that examined the issue of counterterrorism and countering violent extremism, with the aim of laying out the reality of the terrorism threats we face. Several of these hearings also explored the ideology, methodology, and goals of ISIS. Here is what we found:
  - ◆ **Homegrown terrorism is a growing and evolving threat.** DHS Secretary Jeh Johnson warned the Committee that: “The new reality involves the potential for smaller-scale attacks by those who are either homegrown or home-based, not exported, and who are inspired by, not necessarily directed by, a terrorist organization.”<sup>37</sup>
  - ◆ **ISIS has surpassed other terrorist organizations in its use of the Internet for propaganda purposes.** Counterterrorism expert Juan Zurate explained to the Committee: “With a vast recruitment pipeline, slick media products, and targeted use of social media, new recruits and identities are forming. With 62 percent of 1.6 billion Muslims worldwide under the age of thirty, this is a generational threat. And the terrorists know this – using schools, videos, and terror – to inculcate a new generation with their message.”<sup>38</sup>
  - ◆ **Information sharing among law enforcement agencies is crucial.** The Committee held a hearing to examine the local response to recent terror attacks within the United States and how first responders are preparing for the next attack.<sup>39</sup> Following the hearing, the Committee reached out to 113 local law enforcement departments across the United States and interviewed 69 of them to learn more about how information-sharing gaps are jeopardizing the safety of Americans. The Committee learned that despite improvements, many of the barriers and gaps identified after the 9/11 terror attacks still exist today.<sup>40</sup>
- ◆ **Worked to combat terrorists’ ability to recruit.** The Committee approved four bipartisan bills that would help the government combat extremists in the United States from committing attacks on the homeland or from traveling overseas to join ISIS.<sup>41</sup> These bills will help give DHS tools it needs to protect the homeland.

- ◆ **Oversaw agency handling of terrorist attacks here and abroad.** The Committee used its oversight authority to ensure that federal law enforcement agencies work effectively and successfully to defend the homeland.
  - ◆ In one recent example, the Committee investigated coordination between USCIS and ICE and learned that the two DHS components failed to work together the day after the attack in San Bernardino, California. This failure could have prevented the arrest of a key suspect involved in the case.<sup>42</sup>
  - ◆ The Committee requested information from DHS and DOJ about the terror attacks and attempted attacks in Garland, Texas; San Bernardino, California; Orlando, Florida; St. Cloud, Minnesota; and the New York metropolitan area.
  - ◆ After extensive briefings with the FBI and others, Chairman Johnson asked the Department of Justice Inspector General (DOJ IG) to conduct an independent review of the FBI's handling of its investigation into the Orlando killer prior to the terrorist attack, including reviewing the appropriateness of the watchlisting guidelines the FBI used.<sup>43</sup> The DOJ IG recently agreed and started its review.<sup>44</sup>
- ◆ **Improved information sharing to aid officials in emergencies.** The Committee approved and the President signed four bills to modernize, integrate, and improve information sharing among government agencies and with the public during emergencies, including Chairman Johnson and Senator McCaskill's bill, the Integrated Public Alert and Warning System (IPAWS) Modernization Act.<sup>45</sup> The importance of modernizing IPAWS was recently illustrated when law enforcement officials used the Wireless Emergency Alert system during the manhunt for the Manhattan bombing suspect, Ahmad Khan Rahami.<sup>46</sup>



# REFORMED AND IMPROVED DHS

The Committee has primary responsibility within the Senate for overseeing and authorizing DHS. During the 114<sup>th</sup> Congress, the Committee has taken significant action, through oversight and legislation, to improve DHS's management and operations.

	LEGISLATION	HEARINGS/ ROUNDTABLES	LETTERS	REPORTS
TOTAL	8	14	45+	-

- ♦ **Unanimously approved a bill to reauthorize DHS and improve its management and transparency.** The DHS Accountability Act would be one of the most significant reforms of DHS since its creation after the September 11th terrorist attacks. Among other things, the bill requires DHS to mitigate current security gaps and the President to develop a national strategy to prevent foreign fighter travel; requires DHS to improve coordination with joint task forces and others; improves grant transparency; ensures protection of whistleblowers at DHS; and for the first time would require DHS to provide information to Congress about the number of people overstaying their visas.<sup>47</sup>
- ♦ **Examined the nation's preparedness to respond to biological attacks.** The Committee held several hearings,<sup>48</sup> and approved legislation to require the President to develop and carry out a comprehensive national biodefense strategy.<sup>49</sup>
- ♦ **Helped provide our first responders with tools and protections they need.** The Committee approved two bills that help first responders by giving them access to anthrax vaccines, reemployment protections after they are deployed, and other legal benefits.<sup>50</sup> Additionally, the Committee approved and Senate passed a bill to shore up emergency responder training relating to hazardous materials incidents involving railroads.<sup>51</sup>
- ♦ **Oversaw federal transportation security.** The Committee held a hearing examining challenges in the Transportation Security Administration and vetted and approved a new Administrator for the agency.<sup>52</sup>
- ♦ **Helped reduce unnecessary costs.** Legislation approved by the Committee and signed into law requires that federal money spent on disaster relief is not wasted on unreasonably high administration costs,<sup>53</sup> and that DHS remain accountable to Congress for costs and timetables associated with their headquarter consolidation project.<sup>54</sup>

# CONDUCTED OVERSIGHT OF FEDERAL AGENCIES AND GOVERNMENT PROGRAMS

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The Committee also has jurisdictional responsibility for oversight over all federal agencies, and legislative jurisdiction for governmental affairs and operations. This Congress, the Committee has focused on four priorities: (1) protecting the finest among us; (2) shielding whistleblowers from agency retaliation; (3) preserving Americans' life, liberty, and pursuit of happiness; and (4) protecting America's secrets.

	LEGISLATION	HEARINGS/ ROUNDTABLES	LETTERS	REPORTS
TOTAL	9	14	170+	3

## Protecting the Finest Among Us.

The heroes who serve the United States deserve the best health care available. Unfortunately, recent history with the Department of Veterans Affairs (VA) reminds us that our nation has often failed to meet this obligation. This failure highlights the need not only for reform of the VA but also proper oversight, including whistleblower protections, so that watchdogs everywhere can speak out to identify problems related to veterans' health care.

- ♦ **The Committee investigated the Tomah VAMC.** In January 2015, following press reports about a veteran's death at the Tomah VAMC, Chairman Johnson opened an investigation into the allegations. As part of that investigation, the Committee sent 28 letters, issued a subpoena to the VA Office of Inspector General (VA OIG) to produce documents, and held 3 hearings. Committee staff reviewed thousands of pages of documents, and conducted over 82 hours of transcribed interviews of 21 witnesses. Based on information gathered during the investigation, Chairman Johnson's staff issued a 359-page report in May 2016 detailing the systemic failures that contributed to the tragedies at the Tomah VAMC.<sup>55</sup> The report found:
  - ♦ At least two veterans died from complications of over prescription of drugs at the Tomah VAMC. The facility was known as "Candy Land" and the former chief of staff was known as the "Candy Man" because of the widespread prescription of addictive medications.<sup>56</sup>
  - ♦ A culture of fear and whistleblower retaliation at the Tomah VAMC went unaddressed for years. One whistleblower committed suicide after he was fired for raising concerns about questionable

prescription practices at the facility.<sup>57</sup>

- ◆ Despite receiving complaints, federal law enforcement agencies and other executive branch entities failed to address the problems at the Tomah VAMC.<sup>58</sup>
- ◆ The VA OIG failed veterans. It examined the facility but hid its findings from the public and from Congress, and even retaliated against VA whistleblowers.<sup>59</sup>
- ◆ Acting VA Inspector General Richard Griffin was ill-suited for the job, too close to VA management, and withheld documents from Congress.<sup>60</sup>
- ◆ **The Committee's investigation resulted in significant changes.**
  - ◆ Following Chairman Johnson's subpoena of the VA OIG for Tomah documents and other public pressure, Richard Griffin, the acting VA Inspector General, resigned.<sup>61</sup>
  - ◆ After months of Chairman Johnson and the Committee calling on the President to nominate a permanent VA inspector general,<sup>62</sup> President Obama nominated Michael Missal.<sup>63</sup> The Committee moved expeditiously to vet and approve his nomination, and Chairman Johnson then requested and received a favorable voice vote confirming Mr. Missal on the Senate floor.<sup>64</sup>
  - ◆ The Tomah investigation found that the VA OIG failed to publish approximately 140 health care inspections dating back to 2016.<sup>65</sup> Under pressure from Chairman Johnson, the VA OIG released the documents.<sup>66</sup>
  - ◆ Chairman Johnson helped broker briefings between the VA OIG and families of veterans that died at the Tomah VAMC on what the VA OIG investigations into those veterans' death found.<sup>67</sup>
  - ◆ As a result of the Committee's investigation, the VA removed multiple Tomah VAMC employees that failed to live up to the promises made to the finest among us.<sup>68</sup>
- ◆ **Passed laws that help veterans and their families:** Three bills signed into law this Congress help separating service members connect with jobs at DHS as CBP officers securing our borders;<sup>69</sup> provide advanced sick leave to qualifying veterans who work for the federal government;<sup>70</sup> and ensure both mothers and fathers of deceased military members can benefit from federal government hiring preferences.<sup>71</sup>

## **Protecting Whistleblowers.**

**The Tomah VAMC scandal is a glaring example of the importance of whistleblower protections. As founding members of the Senate Whistleblower Caucus, Chairman Johnson and Ranking Member Carper have made it a priority to support and protect federal employees who disclose allegations of waste, fraud, and abuse.**

- ◆ **Assisted individual whistleblowers.** Chairman Johnson created an email hotline (whistleblower@ronjohnson.senate.gov) to allow whistleblowers a safe and confidential avenue for blowing the whistle. Hundreds of individuals have contacted the Committee. These are just a few of the whistleblowers the Committee has helped:
  - ◆ Chris Cabrera testified at a Committee hearing on border security indicating that supervisors discouraged agents from reporting high numbers of “got-aways,” or illegal border crossers who are spotted by an agent but then manage to evade detection.<sup>72</sup> Shortly after this testimony, Mr. Cabrera was called to testify in front of the DHS Office of Internal Affairs. Chairman Johnson immediately questioned whether this was in retaliation for his testimony before the Committee.<sup>73</sup> Shortly after Chairman Johnson’s inquiry, Mr. Cabrera’s hearing was cancelled.<sup>74</sup>
  - ◆ LTC Jason Amerine testified at a Committee hearing about how he faced retaliation for blowing the whistle to Congress about failed hostage recovery efforts.<sup>75</sup> A recipient of the Purple Heart and Bronze Star, Amerine disclosed how the Army began to investigate him, revoked his security clearance, withheld his pay, and delayed his retirement. Following his testimony, the Army dropped its investigation of LTC Amerine and allowed him to retire.<sup>76</sup>
  - ◆ Ryan Honl and Joseph Colon are whistleblowers from VA facilities in Wisconsin and Puerto Rico, respectively. Mr. Honl was retaliated against for raising concerns about the excessive prescription of opiates to patients at his facility, while Mr. Colon was retaliated against after reporting concerns about patient care and misconduct by his facility’s director. The whistleblowers testified at two different hearings before the Committee.<sup>77</sup> Committee staff worked with the whistleblowers until they successfully obtained damages and other relief through the Office of Special Counsel.<sup>78</sup>
- ◆ **Gave whistleblowers a public platform to voice their concerns.** The Committee twice heard directly from federal whistleblowers about how federal agencies retaliate against employees who disclose waste, fraud and abuse, and how Congress can help.<sup>79</sup>
- ◆ **Approved legislation to protect whistleblowers.** The Committee unanimously approved four bills that will provide more robust protections for whistleblowers across the federal government, and ensure supervisors are appropriately disciplined for retaliation, including Chairman Johnson’s Dr. Chris Kirkpatrick Whistleblower Protection Act.<sup>80</sup> The Dr. Chris Kirkpatrick Whistleblower Protection Act adopts recommendations put forward by hearing witnesses, including prohibitions against accessing a whistleblower’s medical records and protocols to address threats against VA employees. It also requires discipline for supervisors who retaliate against whistleblowers.

## **Preserving Americans’ life, liberty, and pursuit of happiness.**

**Every American should have a chance to pursue the American dream, including choosing what school to send their child to, the dignity of work, and accessing potentially lifesaving treatments. The Committee has worked to perform oversight and approve legislation to provide all Americans with a fair chance to do just that.**

- ♦ **Worked to ensure formerly incarcerated Americans have a fair chance to get a job.** The Fair Chance Act, approved by the Committee, gives an opportunity to formerly incarcerated individuals to have a fair chance at employment.<sup>81</sup> The dignity of work is probably the best way we can keep people from turning back to a life of crime.
- ♦ **Supported community solutions to help Americans find work, like the Joseph Project.** The Committee held a hearing to highlight the work that communities across the country are doing to fight poverty and provide opportunities for employment.<sup>82</sup> Community leaders like Robert Woodson and companies like Seat King are finding innovative solutions to help their neighborhoods. Chairman Johnson has a very personal connection to these initiatives, as he partnered with Wisconsin Pastor Jerome Smith to create the Joseph Project, an initiative that trains, connects, and transports Milwaukee workers seeking employment to opportunities around Wisconsin.
- ♦ **Fought to ensure that all Americans can choose where their children go to school.** The Committee held two hearings to examine strategies for improving opportunities for K-12 students, and particularly those in urban communities where not all children have access to schools that provide a high-quality learning environment, including one in Milwaukee which has the nation's oldest urban school choice program.<sup>83</sup> Chairman Johnson challenged the Department of Justice's (DOJ) four-year long effort to quash the Milwaukee Parental Choice Program.<sup>84</sup> After multiple requests to the DOJ to explain the basis for its actions, rather than answer, the Department closed its investigation into the program.<sup>85</sup>
- ♦ **Fought the FDA for terminal patients' right to try.** Chairman Johnson continues to fight to ensure that patients, especially those facing terminal illnesses, have access to potentially life-saving treatments. Patients like Trickett Wendler from Wisconsin, who passed away in 2015 from ALS without the chance to access new, experimental medication that could have helped prolong her life. And like Jordan McLinn, who suffers from Duchenne muscular dystrophy, and until just recently was not allowed to access promising treatments that have helped other little boys in trials. The drug development process, including Food and Drug Administration (FDA) approval – more than four years longer in the 2000s than the 1990s<sup>86</sup> and 145 percent more expensive in 2014 than it was 10 years earlier<sup>87</sup> – is keeping patients from accessing innovative new drugs.
  - ♦ Members demanded answers from the FDA, including why the FDA has not used tools granted to it by Congress to accelerate review of promising therapies, prioritize the patient perspective in evaluating new treatments, and provide regulators with flexibility to expedite evaluation of drugs for rare diseases.<sup>88</sup>
  - ♦ Months after Chairman Johnson pressed the FDA to improve its application process for expanded access to drugs, the FDA finalized the streamlined application.<sup>89</sup>
  - ♦ After holding a hearing on ways to shorten the time between life-threatening conditions and promising treatments,<sup>90</sup> Chairman Johnson encouraged the FDA to make its decision regarding approval of eteplirsen – a treatment for Duchenne muscular dystrophy – and consider the health costs of delays to patients.<sup>91</sup> The FDA finally completed its review nearly 15 months later and approved the treatment.<sup>92</sup>

- ◆ Chairman Johnson’s leadership has helped gain 42 bipartisan cosponsors and counting for his legislation to ensure terminally ill patients have the freedom to access potentially lifesaving treatments where no alternative exists. The Chairman will continue to educate his colleagues about his bill, called the Trickett Wendler Right to Try Act of 2016, and work to gain more support to pass it in the Senate this year.<sup>93</sup>
- ◆ **Found solutions to help prevent the over-prescription of pain medication.** The U.S. drug czar, Michael Botticelli, told the Committee that “four out of five newer users to heroin started by misusing prescription pain medication.”<sup>94</sup> To address this problem, on April 7, 2016, Chairman Johnson, along with Senators Manchin, Barrasso, and Blumenthal, introduced the Promoting Responsible Opioid Prescribing (PROP) Act to reduce the pressure doctors currently face that may lead to overprescribing.<sup>95</sup> During the Committee’s hearing in Wisconsin, Dr. Timothy Westlake, the Vice Chairman of the State of Wisconsin Medical Examining Board, testified that the PROP Act is “the single-most important piece of legislation reform that [policymakers] could do.”<sup>96</sup> Heeding these calls, in July 2016, the Administration issued a proposed rule to implement the policy.<sup>97</sup>
- ◆ **Examined the Patient Protection and Affordable Care Act (ACA).** The Committee examined how ACA tax credits were being awarded to ineligible recipients—individuals who failed to prove they were citizens or lawful residents of the U.S.—and in 2016, Chairman Johnson released a majority staff report revealing that agencies are failing to recover the taxpayer money.<sup>98</sup> The Committee has also conducted oversight of failed state exchanges, including the Oregon state exchange, which received an estimated \$5 billion in taxpayer dollars.<sup>99</sup> The Committee has also examined failed ACA CO-OPs, which received more than \$2.4 billion in loans from the American taxpayers,<sup>100</sup> and the ACA’s reinsurance program, which could cost taxpayers an additional \$4.5 billion.<sup>101</sup> In September 2016, the Committee convened a hearing to examine how the ACA has affected state health insurance markets.<sup>102</sup>
- ◆ **Supported subcommittee’s bipartisan investigation into child sex trafficking.** The Committee voted unanimously to direct its counsel to seek a court order to enforce a subpoena issued to the CEO of Backpage.com, a company that has been under investigation by the Committee’s Permanent Subcommittee on Investigations for alleged sex trafficking of children on the internet. The vote paved the way for a unanimous vote on the Senate floor, and for an historic victory in federal court.<sup>103</sup>

## **Protecting America’s secrets.**

**Chairman Johnson has examined former Secretary of State Hillary Clinton’s use of a private email account and server during her time at the State Department. This inquiry concerns the potential security risks created by Secretary Clinton’s extremely careless actions, which ultimately resulted in the transmission of classified information on a non-secure, non-governmental email system.**

- ◆ **Prompted an independent review.** In March 2015, days after the existence of the server became public, Chairman Johnson asked the State Department Inspector General to examine the issue.<sup>104</sup> This review resulted in the FBI’s criminal investigation, and the resulting public awareness that over 190 emails on Secretary Clinton’s server contained classified information.<sup>105</sup>



- ◆ **Conducted oversight.** The Committee conducted oversight of the State Department’s awareness and approval of Secretary Clinton’s private email system, ultimately showing that senior IT professionals did not even know the system existed.<sup>106</sup> Chairman Johnson sought information from the contractors and individual who maintained the server to understand the security specifications and management of the system.<sup>107</sup> The Committee continues to examine how federal agencies are mitigating the resulting security vulnerabilities posed by Secretary Clinton’s non-secure email system and ensuring that all federal records are preserved.<sup>108</sup>



# STREAMLINED THE REGULATORY PROCESS

Chairman Johnson and the Chairman and Ranking Members of the Subcommittee on Regulatory Affairs and Federal Management made improving the regulatory process a focus of the Committee’s work. The Committee held several hearings, conducted extensive outreach to private sector stakeholders, and moved bipartisan legislation to improve the regulatory process.

	LEGISLATION	HEARINGS/ ROUNDTABLES	LETTERS	REPORTS
TOTAL	5	6	200+	3

- ◆ **Laid out the reality of our ever-increasing regulatory burden.** The six hearings helped members gain a better understanding of the regulatory landscape and discuss areas where there is widespread agreement on the need for reform.
- ◆ **Streamlined a cumbersome and expensive federal permitting process.** The Federal Permitting Improvement Act, included in broader transportation legislation signed by the President, was approved by the Committee to improve efficiency and coordination surrounding the federal permitting of major infrastructure construction projects.<sup>109</sup>
- ◆ **Worked to improve the federal rulemaking process.** During the Obama Administration (through 2015), there have been nearly 25,000 new regulations finalized – an average of 10 new regulations every day.<sup>110</sup> During that same period, there have been 568 of the category of largest and most costly rules, amounting to \$665 million in new regulatory costs.<sup>111</sup> Some estimates put the total cost of regulations on the economy as high as \$2.028 trillion per year.<sup>112</sup> The Committee approved four bills on a bipartisan basis that help ensure all agency regulations are subject to the same scrutiny;<sup>113</sup> require agencies to look back at old rules and reconsider those that are obsolete or ineffective;<sup>114</sup> make permanent longstanding good-government principles for analyzing new rules;<sup>115</sup> and ensure earlier public and stakeholder engagement so agencies consider all options before adopting new, costly rules.<sup>116</sup>
- ◆ **Pressured the Administration to roll back costly regulations like the Waters of the United States (WOTUS) and Clean Power Plan rules.** The Committee held a hearing in Stevens Point, Wisconsin to highlight the significant costs these rules would have on their farming, manufacturing, timber, and energy business, making it more difficult (and in some cases nearly impossible) to grow and hire.<sup>117</sup> Chairman Johnson co-sponsored and was a strong advocate for a Congressional resolution to repeal WOTUS, which passed but was vetoed by the President.<sup>118</sup>

- ◆ **Gave voice to private companies who are pressed by costly regulations and want regulatory reform.** Chairman Johnson, Ranking Member Carper, and Senators Lankford and Heitkamp sent letters to private sector stakeholders, including industry representatives, think tanks, and environmental groups, to ask for their input about the regulatory process.<sup>119</sup> Chairman Johnson summarized and compiled these responses, and released them as part of a majority staff report.<sup>120</sup> The report provides Congress and the American people the opportunity to hear different perspectives on the regulatory process and understand the need for reform.
- ◆ **Revealed failings of the Administration’s so-called fiduciary rule.** After obtaining relevant documents from the Labor Department, the Securities and Exchange Commission, Treasury Department, the Office of Information and Regulatory Affairs, and the Financial Industry Regulatory Authority, Chairman Johnson issued a majority staff report detailing the Labor Department’s flawed process in crafting the rule, including how the Labor Department ignored the advice of subject matter experts from other agencies.<sup>121</sup>
- ◆ **Revealed political influence on the FCC’s so-called net neutrality rule.** Chairman Johnson conducted oversight of the Open Internet Order in light of public concerns that political pressure influenced the FCC. A report issued by the majority staff concluded that President Obama’s statement during the regulatory process caused the FCC to change course to align with the President’s preferred policy.<sup>122</sup>
- ◆ **Helped small businesses.** For example, Chairman Johnson conducted oversight of a proposed Energy Department rule that would have had a costly impact on small businesses that manufacture dehumidifiers.<sup>123</sup> One manufacturer in Wisconsin feared that it would have to decrease its workforce by half.<sup>124</sup> Following the Chairman’s oversight efforts, the final language of the rule was revised allowing this business to continue to produce and sell its dehumidifier without having to make significant business cuts.<sup>125</sup>



# COMBATED WASTE, FRAUD, AND ABUSE

As the Senate’s lead oversight committee and the committee with direct legislative jurisdiction over governmental operations, the Committee is tasked with conducting oversight and passing legislation to combat waste, fraud, and abuse in government to yield significant cost savings to taxpayers. The Committee also works closely with government watchdogs, including inspectors general (IGs) and the Government Accountability Office (GAO), to identify needed reforms.

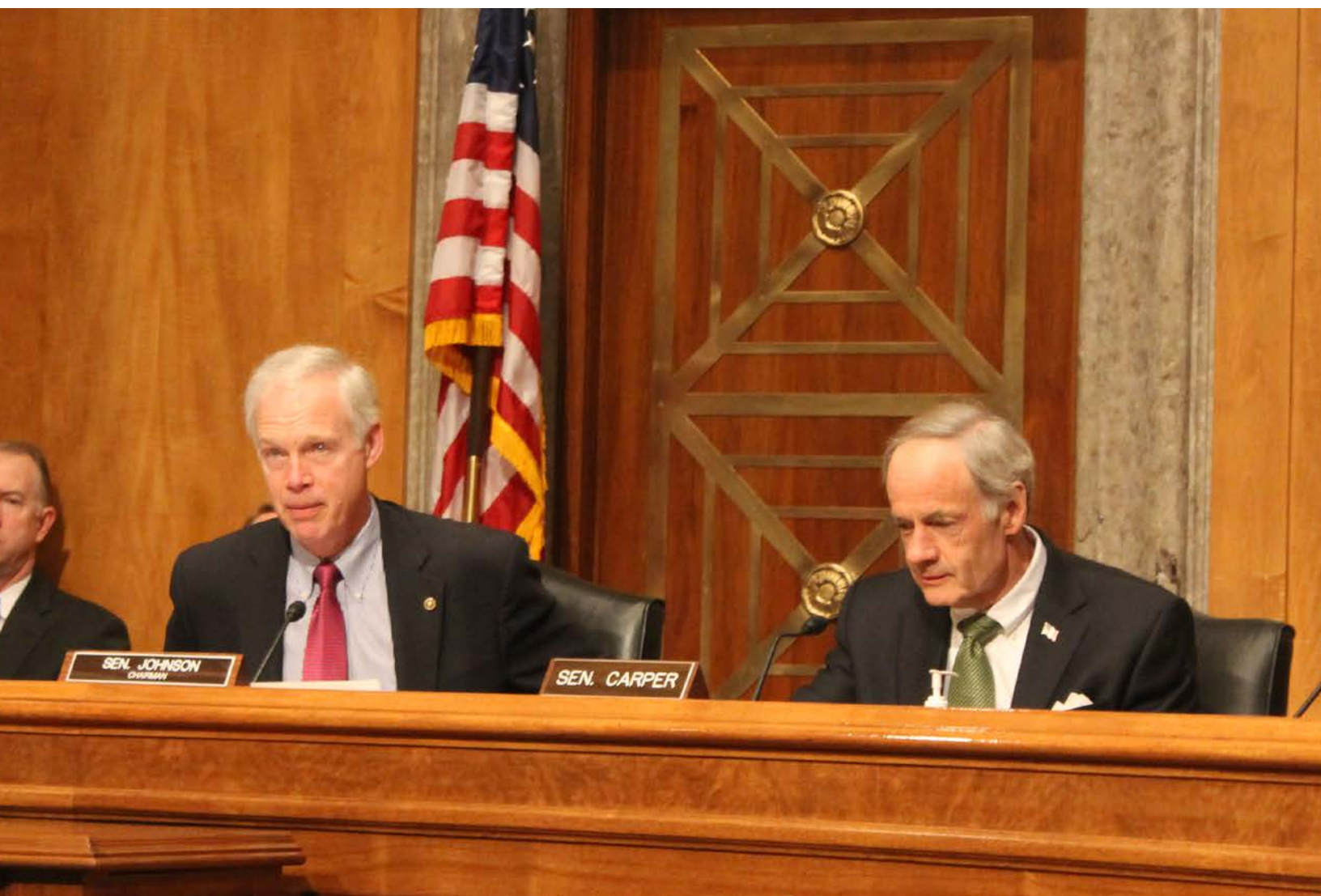
	LEGISLATION	HEARINGS/ ROUNDTABLES	LETTERS	REPORTS
TOTAL	41	17	240+	2

- ♦ **Called on the President to nominate permanent inspectors general.** At the start of the last Congress, there were eleven agency vacancies, totaling 15 percent of all IGs. The most troubling of which was the vacancy at the VA OIG. Through two hearings<sup>126</sup> and numerous letters demanding action, the Committee kept the pressure on the President to nominate IGs for permanent positions.<sup>127</sup> To date, the Chairman and Ranking Member have moved six IGs through the Committee for full Senate consideration this Congress. The Committee also approved two bills that would give IGs the tools they need to do their jobs.<sup>128</sup>
- ♦ **Increased transparency across the federal government.** Committee members understand that by making more documents, data, and information available to the public, federal agencies are held accountable for the decisions they make and the money they spend.
  - ♦ That’s why the Committee approved eight bills that, taken together, require agencies to make their programs, data and documents, spending, grant awards, and settlement agreements open to the public.<sup>129</sup>
  - ♦ Pressure from the Committee resulted in the Treasury Department making it easier for the public to track its spending online.<sup>130</sup>
  - ♦ Chairman Johnson issued a majority staff report exposing how the Department of Justice has repackaged billions of dollars collected in housing settlements to further third-party consumer relief purposes, with no guarantee the funds would be used to help affected homeowners.<sup>131</sup>
- ♦ **Reduced fraud and improper payments.** The Committee has worked to address the skyrocketing amount of money that is improperly paid out by the federal government each year. From 2013 to 2015, the improper payment total increased from \$105 billion to \$136.5 billion.<sup>132</sup> The Committee approved 7

bills that crack down on improper payments and fraud, including a bill that would prevent the Social Security Administration from paying hundreds of thousands of dollars to people who are deceased, legislation that would protect retired federal employees from having their retirement benefits stolen, and the Ranking Member's legislation signed by the President that would require agencies to implement best practices in using data to identify fraud in its programs like Social Security and Medicare.<sup>133</sup>

- ◆ **Reduced duplicative and wasteful government spending.** The GAO is a great partner to Congress in helping to locate wasteful, inefficient, and duplicative spending in federal programs. GAO estimates its work has saved approximately \$40 billion over the last two years.<sup>134</sup> GAO has made 636 recommendations to address the findings of the reports; of those, 388 remain unaddressed or partially addressed.<sup>135</sup> The Committee has approved a total of 16 bills that reduce government spending, prohibit and end duplicative programs, and ensure that agencies spend money more wisely.
  - ◆ Five of these bills have already become law, including a bill to close out empty and expired grant accounts that cost taxpayers to maintain; and other legislation to save costs on federal vehicles and agency software licenses.<sup>136</sup> The Chairman and Ranking Member also worked together to approve meaningful reform of the government's management of its real property portfolio to help dispose of unnecessary and costly properties.<sup>137</sup>
  - ◆ Other bills approved by the Committee protect taxpayers from wasteful spending on the government's own employees, such as a ban on politicians spending taxpayer money to pay for their own portraits or on bonuses paid to poor performing federal employees, and a bill that limits the agency practice of paying employees to stay home while they are under investigation.<sup>138</sup>
  - ◆ Another Committee-approved bill, the Presidential Allowance Modernization Act, was passed unanimously by the House and Senate but vetoed by the President.<sup>139</sup> The bill would have reduced the amount of money that former Presidents can be paid by taxpayers if they make over \$400,000 a year. At a time when former Presidents are making millions of dollars a year, the Committee believed it was a responsible piece of legislation to save taxpayer money.
  - ◆ Still other bills reduce wasteful spending in management of government programs.<sup>140</sup>
- ◆ **Made federal government programs more efficient.** Committee members may disagree on how big the federal government should be, but we all agree that what government programs we have need to run efficiently.
  - ◆ With that common ground in mind, the Committee approved eight pieces of legislation – six of which have already been signed into law – that help federal agencies hire employees more efficiently, help District of Columbia courts administer justice more efficiently and fairly, require a more efficient bidding process for federal construction contracts, and help ensure efficient transitions of power from one new administration to the next after a presidential election to keep Americans safe.<sup>141</sup>

- ♦ The Committee also issued a bipartisan staff report about the 2015 gyrocopter incident at the U.S. Capital, finding breakdowns in communication and coordination among federal law-enforcement agencies responsible for protecting the National Capital Region.<sup>142</sup>



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<sup>1</sup> The Committee's hearings can be accessed at <https://www.hsgac.senate.gov/hearings>.

<sup>2</sup> The Committee's legislation can be accessed at <https://www.hsgac.senate.gov/legislation>.

<sup>3</sup> The Committee's public letters and reports can be accessed at <https://www.hsgac.senate.gov/library>.

<sup>4</sup> MAJORITY STAFF REPORT, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, *AMERICA'S INSATIABLE DEMAND FOR DRUGS: THE PUBLIC HEALTH & SAFETY IMPLICATIONS FOR OUR UNSECURE BORDER*, 114<sup>TH</sup> CONG. (Sept. 1, 2016); MAJORITY STAFF REPORT, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, *THE STATE OF AMERICA'S BORDER SECURITY*, 114<sup>TH</sup> CONG. (Nov. 23, 2015).

<sup>5</sup> MINORITY STAFF REPORT, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, *STRONGER NEIGHBORS – STRONGER BORDERS: ADDRESSING THE ROOT CAUSES OF THE MIGRATION SURGE FROM CENTRAL AMERICA*, 114<sup>TH</sup> CONG. (Dec. 7, 2015).

<sup>6</sup> See LISA SEGHETTI, CONG. RESEARCH SERV., *DHS BORDER SECURITY AND IMMIGRATION ENFORCEMENT STRATEGY, APPROPRIATIONS, AND METRICS 4–6* (2014).

<sup>7</sup> Bryan Roberts, Edward Alden, John Whitley, *Managing Illegal Immigration to the United States: How Effective is Enforcement?*, Council on Foreign Relations 2–3 (2013); see also *Ongoing Migration from Central America: An Examination of FY2015 Apprehensions: Hearing Before the S. Comm. on Homeland Security & Governmental Affairs*, 114th Cong. (2015) (statement of Chris Cabrera, National Border Patrol Council).

<sup>8</sup> Majority Comm. Staff notes from bipartisan STAFFDEL to the Tucson, Arizona Sector (Feb. 2015).

<sup>9</sup> MAJORITY STAFF REPORT, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, *AMERICA'S INSATIABLE DEMAND FOR DRUGS: THE PUBLIC HEALTH & SAFETY IMPLICATIONS FOR OUR UNSECURE BORDER*, 114<sup>TH</sup> CONG. (Sept. 1, 2016).

<sup>10</sup> *Securing the Border: Assessing the Impact of Transnational Crime: Hearing Before the S. Comm. on Homeland Security & Governmental Affairs*, 114th Cong. (2015) (testimony of Gen. Barry R. McCaffrey, Ret.).

<sup>11</sup> U.S. Coast Guard, *Maritime Border Security* (2015); *Western Hemisphere Drug Interdiction Efforts: Hearing Before the H. Subcomm. on Coast Guard & Marine Transportation of the Comm. on Transportation and Infrastructure*, 114th Cong. (2015).

<sup>12</sup> Tim Dickinson, *Why America Can't Quit the Drug War*, ROLLING STONE (May 5, 2016), <http://www.rollingstone.com/politics/news/why-america-cant-quit-the-drug-war-20160505>.

<sup>13</sup> Rudd et al., *Increases in Drug and Opioid Overdose Deaths—United States, 2000–2014*, *Morbidity and Mortality Weekly Report* (Jan. 1, 2016), <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm6450a3.htm>; see also Lenny Bernstein, *Deaths From Opioid Overdoses Set a Record in 2014*, WASH POST (Dec. 18, 2015), <https://www.washingtonpost.com/news/to-your-health/wp/2015/12/11/deaths-from-heroin-overdoses-surged-in-2014>.

<sup>14</sup> *Border Security and America's Heroin Epidemic: The Impact of the Trafficking and Abuse of Heroin and Prescription Opioids in Wisconsin: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2016) (statement of James Bohn, Executive Director, Wisconsin High Intensity Drug Trafficking Area (HIDTA) Program).

<sup>15</sup> *The Security of U.S. Visa Programs: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2016).

<sup>16</sup> DEPARTMENT OF HOMELAND SECURITY, OFFICE OF THE INSPECTOR GENERAL, *OIG-16-17, ICE AND USCIS COULD IMPROVE DATA QUALITY AND EXCHANGE TO HELP IDENTIFY POTENTIAL HUMAN TRAFFICKING CASES* (2016).

<sup>17</sup> DEPARTMENT OF HOMELAND SECURITY, OFFICE OF THE INSPECTOR GENERAL, *OIG-16-130, POTENTIALLY INELIGIBLE INDIVIDUALS HAVE BEEN GRANTED U.S. CITIZENSHIP BECAUSE OF INCOMPLETE FINGERPRINT RECORDS* (2016).

<sup>18</sup> *The Security of U.S. Visa Programs: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2016) (testimony of the Hon. Sarah R. Saldana).

<sup>19</sup> S. 1864, Department of Homeland Security Border Security Metrics Act of 2015, S. Rep. No. 114-152 (2015) (passed the Senate as part of S. 2943, National Defense Authorization Act for Fiscal Year 2017).

<sup>20</sup> H.R. 998, Preclearance Authorization Act of 2015 (signed into law as part of H.R. 644, Trade Facilitation and Trade Enforcement Act of 2015, Pub. L. No. 114-125 (2016)).

<sup>21</sup> S. 1808, Northern Border Security Act, S. Rep. No. 114-155 (2015). The Committee also approved S. 1873, Border Security Technology Accountability Act of 2015, S. Rep. No. 114-234 (2016); S. 750, Arizona Borderlands Protection and Preservation Act, S. Rep. No. 114-150 (2015); and S. Res. 104, related to Operation Streamline, S. Rep. No. 114-279 (2016).

<sup>22</sup> S. 461, Cross-Border Trade Enhancement Act of 2016, S. Rep. No. 114-303 (2016).

<sup>23</sup> H.R. 460, Human Trafficking Detection Act of 2015 (signed into law as part of S. 178, Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22 (2015)).

<sup>24</sup> S. 2362, Visa Waiver Program Improvement and Terrorist Travel Prevention Act of 2015 (passed as part of H.R. 2029, Consolidated Appropriations Act, 2016, Pub. L. No. 114-113 (2015)).

<sup>25</sup> OFF. OF MGMT. & BUDGET, CYBERSECURITY RESOURCE CENTER: *CYBERSECURITY INCIDENTS* (2016).

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<sup>26</sup> TREASURY INSPECTOR GEN. FOR TAX ADMIN., 2016-40-037, THE INTERNAL REVENUE SERV. DID NOT IDENTIFY AND ASSIST ALL INDIVIDUALS POTENTIALLY AFFECTED BY THE GET TRANSCRIPT APPLICATION DATA BREACH 1 (2016).

<sup>27</sup> S. 1869, a bill to improve Federal network security and authorize and enhance an existing intrusion detection and prevention system for civilian Federal networks (passed as part of H.R. 2029, Consolidated Appropriations Act, 2016, Pub. L. No. 114-113 (2015)).

<sup>28</sup> S. 754, Cybersecurity Information Sharing Act of 2015, S. Rep. No. 114-32 (2015) (passed as part of H.R. 2029, Consolidated Appropriations Act, 2016, Pub. L. No. 114-113 (2015)).

<sup>29</sup> S. 2975, Federal Information Systems Safeguard Act of 2016, S. Rep. No. 114-361 (2016).

<sup>30</sup> S. 1620, DHS IT Duplication Reduction Act of 2015, S. Rep. No. 114-247 (signed into law as Pub. L. No. 114-43 (2015)).

<sup>31</sup> U.S. Dep't of Energy, Office of Electricity Delivery & Energy Reliability, *Cybersecurity*, <http://energy.gov/oe/services/cybersecurity> (last visited Sept. 21, 2016).

<sup>32</sup> CRITICAL NATIONAL INFRASTRUCTURES, REPORT OF THE COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE (EMP) ATTACK (Apr. 2008), [http://www.empcommission.org/docs/A2473-EMP\\_Commission-7MB.pdf](http://www.empcommission.org/docs/A2473-EMP_Commission-7MB.pdf).

<sup>33</sup> GOV'T ACCOUNTABILITY OFFICE, GAO-16-243, CRITICAL INFRASTRUCTURE PROTECTION: FEDERAL AGENCIES HAVE TAKEN ACTIONS TO ADDRESS ELECTROMAGNETIC RISKS, BUT OPPORTUNITIES EXIST TO FURTHER ASSESS RISKS AND STRENGTHEN COLLABORATION (2016), <http://www.gao.gov/assets/680/676030.pdf>.

<sup>34</sup> *Protecting the Electric Grid from the Potential Threats of Solar Storms and Electromagnetic Pulse: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015).

<sup>35</sup> *Assessing the Security of Critical Infrastructure: Threats, Vulnerabilities, and Solutions: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2016).

<sup>36</sup> S. 1846, Critical Infrastructure Protection Act of 2016, S. Rep. No. 114-250 (2016).

<sup>37</sup> *Threats to the Homeland: Hearing Before S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015) (statement of Hon. Jeh Johnson, Secretary).

<sup>38</sup> *Terror in Europe: Safeguarding U.S. Citizens At Home and Abroad: Hearing Before S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2016) (statement of Mr. Juan Zarate).

<sup>39</sup> *Frontline Response to Terrorism in America: Hearing Before S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2016).

<sup>40</sup> Majority comm. staff notes (2016).

<sup>41</sup> H.R. 3361, Department of Homeland Security Insider Threat and Mitigation Act of 2016, S. Rep. No. 114-321 (2016); S. 2522, a bill to amend the Homeland Security Act of 2002 to build partnerships to prevent violence by extremists, S. Rep. No. 114-296 (2016); S. 2517, Combat Terrorist Use of Social Media Act of 2016, S. Rep. No. 114-295 (2016); S. 2418, Countering Online Recruitment of Violent Extremists Act of 2015.

<sup>42</sup> Memorandum from John Roth, Inspector General, to the Honorable Jeh C. Johnson, Secretary, et al, (June 1, 2016), available at <https://www.oig.dhs.gov/assets/Mga/OIG-mga-060116.pdf>.

<sup>43</sup> Letter from Ron Johnson, Chairman, to the Honorable Michael Horowitz, Inspector General (July 26, 2016).

<sup>44</sup> Letter from Michael E. Horowitz, Inspector General, to the Honorable Ron Johnson, Chairman (Aug. 30, 2016).

<sup>45</sup> S. 1180, Integrated public Alert and Warning System Modernization Act of 2015, S. Rep. No. 114-73, Pub. L. No. 114-143 (2016); S. 1090, Emergency Information Improvement Act of 2015, S. Rep. No. 114-142, Pub. L. No. 114-111 (2015); H.R. 615, Department of Homeland Security Interoperable Communications, S. Rep. No. 114-53, Pub. L. No. 114-29 (2015); H.R. 623, DHS Social Media Improvement Act of 2015, S. Rep. No. 114-145, Pub. L. No. 114-80 (2015).

<sup>46</sup> Tony Romm & Margaret Harding McGill, *New York Bombing Revives Emergency Alert Debate*, POLITICO (Aug. 19, 2016), <https://www.politicopro.com/technology/story/2016/09/new-york-bombing-revives-emergency-alert-debate-130784>.

<sup>47</sup> S. 2976, DHS Accountability Act of 2016, S. Rep. No. 114-287 (2016).

<sup>48</sup> *The Federal Perspective on the State of Our Nation's Biodefense: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015); *Assessing the State of Our Nation's Biodefense: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015).

<sup>49</sup> S. 2967, National Biodefense Strategy Act of 2016, S. Rep. No. 114-306 (2016).

<sup>50</sup> S. 1915, First Responder Anthrax Preparedness Act, S. Rep. No. 114-251 (2016); S. 2971, National Urban Search and Rescue Response System Act of 2016, S. Rep. No. 114-307 (2016).

<sup>51</sup> S. 546, RESPONSE Act of 2016, S. Rep. No. 114-85 (2016). The Committee also approved H.R. 1656, the Secret Service Improvements Act.

<sup>52</sup> *Oversight of the Transportation Security Administration: First-Hand and Government Watchdog Accounts of Agency Challenges: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015); *Nomination of Peter V.*



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*Neffenger to be Assistant Secretary (Transportation Security Administration), U.S. Department of Homeland Security: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015).

<sup>53</sup> S. 2109, Directing Dollars to Disaster Relief Act of 2015, S. Rep. No. 114-173, Pub. L. No. 114-132 (2016).

<sup>54</sup> S. 1638, Department of Homeland Security Headquarters Consolidation Accountability Act of 2015, S. Rep. No. 114-227, Pub. L. No. 114-150 (2016).

<sup>55</sup> MAJORITY STAFF REPORT, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, *THE SYSTEMIC FAILURES AND PREVENTABLE TRAGEDIES AT THE TOMAH VA MEDICAL CENTER*, 114TH CONG. (2016).

<sup>56</sup> *Id.* at vi.

<sup>57</sup> *Id.* at vii.

<sup>58</sup> *Id.* at vi-vii.

<sup>59</sup> *Id.* at vii.

<sup>60</sup> *Id.*

<sup>61</sup> Donovan Slack, *Embattled VA watchdog stepping down*, USA TODAY (June 30, 2015), <http://www.usatoday.com/story/news/politics/2015/06/30/va-inspector-general-to-resign-this-week-in-face-of-criticism/29525497>.

<sup>62</sup> Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Sec. and Governmental Affairs, to President Barack Obama, Jan. 22, 2015; Letter from Ron Johnson, Thomas R. Carper, and all other Members of the Committee to President Barack H. Obama (Mar. 24, 2015).

<sup>63</sup> PN897 – Michael Joseph Missal – Department of Veterans Affairs, Congress.gov, <https://www.congress.gov/nomination/114th-congress/897> (last visited Sept. 27, 2016).

<sup>64</sup> Press Release, *Johnson Statement on Senate Confirmation of Michael Missal to Serve As Inspector General at the Department of Veterans Affairs*, <https://www.hsgac.senate.gov/media/majority-media/johnson-statement-on-senate-confirmation-of-michael-missal-to-serve-as-inspector-general-at-the-department-of-veterans-affairs-> (last visited Sept. 27, 2016).

<sup>65</sup> Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Sec. and Gov't Affairs, to Richard Griffin, Deputy Inspector Gen., Dep't of Veteran's Affairs (Mar. 17, 2015).

<sup>66</sup> Donovan Slack, *Newly released VA reports include cases of veteran harm, death*, USA TODAY (Apr. 29, 2015), <http://www.usatoday.com/story/news/politics/2015/04/29/newly-released-va-reports/26594353>.

<sup>67</sup> Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Sec. and Governmental Affairs, to Richard Griffin, Deputy Inspector Gen., Dep't of Veteran's Affairs (Mar. 17, 2015).

<sup>68</sup> Letter from Sen. Ron Johnson, Chairman, S. Comm. on Homeland Sec. and Governmental Affairs, to Richard Griffin, Deputy Inspector Gen., Dep't of Veteran's Affairs, June 16, 2015; *see also* Donovan Slack, *VA watchdog agrees to brief relatives on vet's death*, USA TODAY (June 16, 2015), <http://www.postcrescent.com/story/news/local/2015/06/16/va-watchdog-agrees-brief-relatives-vets-death/28823899>.

<sup>69</sup> Formerly S. 1603, Border Jobs for Veterans Act, S. Rep. No. 114-116, passed as H.R. 2835, Pub. L. No. 114-68 (2015).

<sup>70</sup> S. 242, Wounded Warriors Federal Leave Act, S. Rep. No. 114-89, passed as H.R. 313, Pub. L. No. 114-75 (2015).

<sup>71</sup> S. 136, Gold Star Fathers Act of 2015, S. Rep. No. 114-35, Pub. L. No. 114-62 (2015).

<sup>72</sup> *Securing the Southwest Border: Perspectives from Beyond the Beltway: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2015) (testimony of Chris Cabrera).

<sup>73</sup> *Securing the Border: Fencing, Infrastructure, and Technology Force Multipliers: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015) (questioning of Chairman Johnson).

<sup>74</sup> Email from Chris Cabrera to Comm. staff (May 13, 2015 5:57 PM).

<sup>75</sup> *Blowing the Whistle on Retaliation: Accounts of Current and Former Federal Agency Whistleblowers: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2015) (testimony of Jason Luke Amerine).

<sup>76</sup> Michelle Tan, *Green Beret investigated for whistleblowing retires*, ARMY TIMES (Nov. 2, 2015), <https://www.armytimes.com/story/military/pentagon/2015/11/02/green-beret-investigated-whistleblowing-retires/75060594/>.

<sup>77</sup> *Joint Field Hearing: Tomah VAMC: Examining Quality, Access, and a Culture of Overreliance on High-Risk Medications: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2015) (testimony of Ryan Honl); *Improving VA Accountability: Examining First-hand Accounts of Department of Veterans Affairs Whistleblowers: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2015) (testimony of Joseph Colon).

<sup>78</sup> Press Release, *OSC Secures Relief for Additional VA Whistleblowers* (July 22, 2015), <https://osc.gov/News/pr15-15.pdf>.

<sup>79</sup> *Blowing the Whistle on Retaliation: Accounts of Current and Former Federal Agency Whistleblowers: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2015); *Improving VA Accountability: Examining First-hand Accounts of Department of Veterans Affairs Whistleblowers: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2015).

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<sup>80</sup> See S. 2127, Dr. Chris Kirkpatrick Whistleblower Protection Act of 2015, S. Rep. No. 114-262 (2016); see also S. 795, a bill to enhance whistleblower protection for contractor and grantee employees, S. Rep. No. 114-270 (2016); S. 2968, Office of Special Counsel Reauthorization Act of 2016, S. Rep. No. 114-360 (2016); H.R. 1557, Federal Employee Antidiscrimination Act of 2015, S. Rep. No. 114-300 (2016).

<sup>81</sup> S. 2021, Fair Chance Act, S. Rep. No. 114-200 (2016).

<sup>82</sup> *Renewing Communities and Providing Opportunities Through Innovative Solutions to Poverty: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2016).

<sup>83</sup> *The Value of Education Choices for Low-Income Families: Reauthorizing the D.C. Opportunity Scholarship Program: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2015); *The Milwaukee Parental Choice Program: A Pioneer for School Choice Programs Nationwide: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2015).

<sup>84</sup> Letter from Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, to Loretta Lynch, Attorney General, U.S. Dep't of Justice (June 16, 2015). See also Letter from Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, to Loretta Lynch, Attorney General, U.S. Dep't of Justice (July 17, 2015).

<sup>85</sup> Letter from Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, to Loretta Lynch, Attorney General, U.S. Dep't of Justice (Dec. 2, 2015). See also Erin Richards, *Feds quietly close long-running probe of Milwaukee voucher program*, MILWAUKEE JOURNAL SENTINEL (Jan. 4, 2016), <http://archive.jsonline.com/news/education/feds-quietly-close-long-running-probe-of-milwaukee-voucher-program-b99644914z1-364068331.html>.

<sup>86</sup> Fabio Pammolli, Laura Magazzini, and Massimo Riccaboni, "The productivity crisis in pharmaceutical r&d," vol. 10 at 429, *Nature Reviews Drug Discovery* (June 2011).

<sup>87</sup> Joseph A. Dimasi, Henry G. Grabowski, and Ronald W. Hansen, "Cost of Developing a New Drug," Briefing, Tufts Center for the Study of Drug Development (Nov. 18, 2014), [http://csdd.tufts.edu/news/complete\\_story/pr\\_tufts\\_csdd\\_2014\\_cost\\_study](http://csdd.tufts.edu/news/complete_story/pr_tufts_csdd_2014_cost_study).

<sup>88</sup> Letter from Senator Johnson, Senator Carper, Senator Donnelly, and Senator Coats, to Janet Woodcock, M.D. (March 16, 2016); Letter from Senator Ron Johnson and Senator Dan Coats to Robert Califf, M.D. (May 20, 2016); Letter from Senator Ron Johnson and Senator Lamar Alexander to Robert Califf, M.D. (Sep. 16, 2016).

<sup>89</sup> Letter from Senator Ron Johnson to Stephen Ostroff, M.D. (Feb. 18, 2016); U.S. Food & Drug Administration, "Statement from the FDA Commissioner Robert Califf, M.D. on the release of the final individual patient expanded access form," FDA Statement (June 2, 2016), <http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm504579.htm>.

<sup>90</sup> *Connecting Patients to New and Potential Life Saving Treatments, Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2016).

<sup>91</sup> Ed Silverman, *Senators urge FDA to approve Sarepta drug for Duchenne*, STAT (May 24, 2016).

<sup>92</sup> U.S. Food & Drug Administration, "FDA grants accelerated approval to first drug for Duchenne muscular dystrophy," News Release (Sep. 19, 2016), <http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm521263.htm>.

<sup>93</sup> S. 2912, Trickett Wendler Right to Try Act of 2016.

<sup>94</sup> *America's Insatiable Demand for Drugs: Assessing the Federal Response: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2016) (statement of Michael P. Botticelli, Director, Office of National Drug Control Policy).

<sup>95</sup> S. 2578, PROP ACT of 2016, 114<sup>th</sup> Cong. (2016).

<sup>96</sup> *Border Security and America's Heroin Epidemic: The Impact of the Trafficking and Abuse of Heroin and Prescription Opioids in Wisconsin: Hearing Before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2016) (statement of Timothy Westlake).

<sup>97</sup> Federal Register (July 14, 2016), <https://www.federalregister.gov/documents/2016/07/14/2016-16098/medicare-program-hospital-outpatient-prospective-payment-and-ambulatory-surgical-center-payment>.

<sup>98</sup> MAJORITY STAFF REPORT, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, AFFORDABLE CARE ACT PREMIUM TAX CREDITS: HHS AND IRS LACK PLAN TO RECOVER IMPROPERLY SPENT TAXPAYERS DOLLARS, 114<sup>TH</sup> CONG. (Feb. 8, 2016).

<sup>99</sup> Letter from Ron Johnson, Chairman, to Andrew Slavitt, Acting Administrator, Centers for Medicare & Medicaid Servs. (May 31, 2016); Letter from Ron Johnson, Chairman, to Andrew Slavitt, Acting Administrator, Centers for Medicare & Medicaid Servs. (Sept. 16, 2015).

<sup>100</sup> Letter from Ron Johnson, Chairman, to Andrew Slavitt, Acting Administrator, Centers for Medicare & Medicaid Servs. (Jan. 19, 2016).

<sup>101</sup> Letter from Senators Ron Johnson & Ben Sasse, to Andrew Slavitt, Acting Administrator, Centers for Medicare & Medicaid Servs. (July 28, 2016).

<sup>102</sup> *The State of Health Insurance Markets: Hearing before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114<sup>th</sup> Cong. (2016).

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- <sup>103</sup> S. Res. 377, An original resolution directing the Senate Legal Counsel to bring a civil action to enforce a subpoena of the Permanent Subcommittee on Investigations, S. Rep. No. 114-214 (2016).
- <sup>104</sup> Letter from Ron Johnson, Chairman, to Steve A. Linick, Inspector Gen., U.S. Dep't of State (Mar. 18, 2015).
- <sup>105</sup> Fed. Bureau of Investigation, Clinton E-mail Investigation Mishandling of Classified – Unknown Subject or Country 20 (July 2016) (on file with Comm.).
- <sup>106</sup> Letter from Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, & Charles E. Grassley, Chairman, S. Comm. on the Judiciary, to John Kerry, Secretary, Dep't of State (Sept. 21, 2015). *See also, e.g.*, Fed. Bureau of Investigation, Summary of Interview of Lewis Lukens at 81 (June 15, 2016) (on file with Comm.).
- <sup>107</sup> Letter from Ron Johnson, Chairman, to Treve Suazo, CEO, Platte River Networks (Aug. 11, 2015); Letter from Ron Johnson, Chairman, to Austin McChord, Chief Executive Officer, Datto, Inc. (Oct. 5, 2015); Letter from Ron Johnson, Chairman, to Victor Nappe, Chief Executive Officer SECNAP Network Security Corp. (Oct. 5, 2015); Letter from Charles E. Grassley, Chairman, S. Comm. on the Judiciary, & Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, to Brian Pagliano (Sept. 14, 2015); Letter from Charles E. Grassley, Chairman, S. Comm. on the Judiciary, & Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, to Brian Pagliano (Oct. 8, 2015).
- <sup>108</sup> Letter from Ron Johnson, Chairman, to John Kerry, Secretary, Dep't of State (Sept. 16, 2015); Letter from Ron Johnson, Chairman, to James Clapper, Director of Nat'l Intelligence (Sept. 16, 2015).
- <sup>109</sup> S. 280, Federal Permitting Improvement Act of 2015, S. Rep. No. 114-113, passed as H.R. 22, FAST Act, Pub. L. No. 114-94 (2015).
- <sup>110</sup> 74 Fed. Reg. 1 (Jan. 20, 2009) - 80 Fed. Reg. 251 (Dec. 31, 2015). The number is based on a document search for published rules in the date range of 01/20/2009 to 12/31/2015; the search yielded 24,943 rules.
- <sup>111</sup> American Action Forum, Regulation Rodeo, <http://regrodeo.com/> (years 2009–2016; filter for “major regulations”); CONG. RESEARCH SERVICE, COUNTING REGULATIONS: AN OVERVIEW OF RULEMAKING, TYPES OF FEDERAL REGULATIONS, AND PAGES IN THE FEDERAL REGISTER 8 (July 14, 2015), <https://fas.org/sgp/crs/misc/R43056.pdf>.
- <sup>112</sup> W. Mark Crain and Nicole V. Crain, *The Cost of Federal Regulation to the U.S. Economy, Manufacturing and Small Business*, 1, Report, National Association of Manufacturers (Sep. 10, 2014).
- <sup>113</sup> S. 1607, Independent Agency Regulatory Analysis Act of 2015.
- <sup>114</sup> S. 1817, Smarter Regs Act of 2015, S. Rep. No. 114-282 (2016).
- <sup>115</sup> S. 1818, Principled Rulemaking Act of 2015, S. Rep. No. 114-342 (2016).
- <sup>116</sup> S. 1820, Early Participation in Regulations Act of 2015, S. Rep. No. 114-343 (2016).
- <sup>117</sup> *The Impact of Federal Regulations: A Case Study of Recently Issued Rules: Hearing before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015).
- <sup>118</sup> S.J. Res. 22, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Corps of Engineers and the Environmental Protection Agency relating to the definition of “waters of the United States” under the Federal Water Pollution Control Act (vetoed Jan. 21, 2016).
- <sup>119</sup> Letters from Ron Johnson, Thomas R. Carper, James Lankford, and Heidi Heitkamp to various stakeholders (Mar. 18, 2015).
- <sup>120</sup> MAJORITY STAFF REPORT, DIRECT FROM THE SOURCE: UNDERSTANDING REGULATION FROM THE INSIDE OUT, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, 114<sup>th</sup> Cong. (Jan. 15, 2016).
- <sup>121</sup> MAJORITY STAFF REPORT, THE LABOR DEPARTMENT'S FIDUCIARY RULE: HOW A FLAWED PROCESS COULD HURT RETIREMENT SAVERS, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, 114<sup>th</sup> Cong. (Feb. 24, 2016).
- <sup>122</sup> MAJORITY STAFF REPORT, REGULATING THE INTERNET: HOW THE WHITE HOUSE BOWLED OVER FCC INDEPENDENCE, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, 114<sup>th</sup> Cong. (Feb. 29, 2016).
- <sup>123</sup> Letter from Ron Johnson, Chairman to the Honorable David Danielson, Assistant Secretary for Energy Efficiency and Renewable Energy (Sept. 25, 2015).
- <sup>124</sup> Various communications with Comm. staff (2015).
- <sup>125</sup> Email from company to Comm. staff (Sept. 19, 2016), referencing Federal Register (June 13, 2016), <https://www.gpo.gov/fdsys/pkg/FR-2016-06-13/pdf/2016-12881.pdf>.
- <sup>126</sup> *Watchdogs Needed: Top Government Investigator Positions Left Unfilled for Years: Hearing before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015); *Improving the Efficiency, Effectiveness, and Independence of Inspectors General: Hearing before the S. Comm. on Homeland Sec. & Governmental Affairs*, 114th Cong. (2015).
- <sup>127</sup> *See, e.g.*, Letter from Ron Johnson, Chairman, Comm. on Homeland Sec. & Governmental Affairs, and John Thune, Chairman, Comm. on Commerce, Science, & Transportation, to President Barack H. Obama (Aug. 5, 2015); Letter from Ron Johnson, Thomas R. Carper, and all other Members of the Committee to President Barack H. Obama (Mar. 24, 2015); Letter from Ron Johnson to President Barack H. Obama (Jan. 22, 2015).

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<sup>128</sup> S. 579, Inspector General Empowerment Act of 2015, S. Rep. No. 114-36 (2015); S. 2128, Inspector General Mandates Reporting Act of 2015, S. Rep. No. 114-171 (2015).

<sup>129</sup> S. 282, Taxpayers Right-to-Know Act, S. Rep. No. 114-71 (2015); S. 2972, GRANT Act; S. 2852, OPEN Government Data Act; S. 1109, Truth in Settlements of 2015, S. Rep. No. 114-76 (passed Senate); S. 1868, Quarterly Financial Reporting Reauthorization Act of 2015, S. Rep. No. 114-157, signed into law as Pub. L. No. 114-72 (2015); S. 779, Fair Access to Science and Technology Research Act of 2015, S. Rep. No. 114-224 (2016); S. 558, Presidential Library Donation Reform Act of 2015, S. Rep. No. 114-65 (2015); S. 434, Security Clearance Accountability, Reform, and Enhancement Act of 2015, S. Rep. No. 114-246 (2016).

<sup>130</sup> Letter from Hon. Ron Johnson, Chairman, S. Comm. on Homeland Sec. & Governmental Affairs, Hon. Thomas Carper, Ranking Member, S. Comm. on Homeland Sec. & Governmental Affairs, Hon. John McCain, Chairman, S. Comm. on Armed Services, & Hon. Orrin G. Hatch, Chairman, S. Comm. on Finance, to Hon. Jacob J. Lew, Secretary, U.S. Dept. of the Treasury (May 7, 2015) (on file with Committee staff); Email from Lisa Pena to Comm. staff (May 12, 2015 5:01 PM).

<sup>131</sup> MAJORITY STAFF REPORT, THE JUSTICE DEPARTMENT'S HOUSING SETTLEMENTS: MILLIONS OF CONSUMER RELIEF FUNDS DISBURSED WITH NO GUARANTEES OF HELPING HOMEOWNERS, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, 114<sup>TH</sup> CONG. (May 18, 2016).

<sup>132</sup> GOV'T ACCOUNTABILITY OFFICE, GAO-14-747T, IMPROPER PAYMENTS: GOVERNMENT-WIDE ESTIMATES AND REDUCTION STRATEGIES (July 9, 2014).

<sup>133</sup> S. 2133, Fraud Reduction and Data Analytics Act of 2015, S. Rep. No. 114-229, passed as Pub. L. No. 114-186 (2016); S. 614, Federal Improper Payments Coordination Act of 2015, S. Rep. No. 114-86, passed as Pub. L. No. 114-109 (2015); S. 1576, Representative Payee Fraud Prevention Act of 2015, S. Rep. No. 114-95 (2016) (passed Senate); S. 1616, Saving Federal Dollars Through Better Use of Government Purchase and Travel Cards Act of 2015, S. Rep. No. 114-174 (2015) (passed Senate); S. 1073, Stopping Improper Payments to Deceased People Act, S. Rep. No. 114-249 (2016); S. 2834, Getting Results through Enhanced Accountability and Transparency Act of 2016; S. 2849, GAO Access and Oversight Act of 2016, S. Rep. No. 114-356 (2016).

<sup>134</sup> *Government Reform: Ending Duplication and Holding Washington Accountable: Hearing Before the S. Comm. on Homeland Sec. and Gov't Affairs*, 114th Cong. 15 (2016) (statement of Gene Dodaro, Comptroller General of the United States).

<sup>135</sup> *Id.*

<sup>136</sup> S. 1115, GONE Act, S. Rep. No. 114-169, Pub. Law No. 114-117 (2016); S. 2340, Making Electronic Government Accountable By Yielding Tangible Efficiencies Act of 2016, S. Rep. No. 114-289, passed as Pub. L. No. 114-210 (2016); S. 565, Federal Vehicle Repair Cost Savings Act, S. Rep. No. 114-59, Pub. L. No. 114-65 (2015); S. 1492, a bill to direct the Administrator of General Services, on behalf of the Archivist of the United States, to convey certain Federal property located in the State of Alaska to the Municipality of Anchorage, Alaska, S. Rep. No. 114-228, Pub. L. No. 114-161 (2016); S. 991, Evidence-Based Policymaking Commission Act of 2015, S. Rep. No. 114-151, passed as Pub. L. No. 114-140 (2016).

<sup>137</sup> S. 2375, Federal Asset Sale and Transfer Act of 2015, S. Rep. No. 114-291 (2016); S. 2509, Federal Property Management Reform Act of 2016, S. Rep. No. 114-304 (2016).

<sup>138</sup> S. 310, EGO Act, S. Rep. No. 114-93 (2015); S. 742, Stop Wasteful Federal Bonuses Act of 2015, S. Rep. No. 114-226 (2016); S. 1378, Bonuses for Cost-Cutters Act of 2015; S. 2450, Administrative Leave Act of 2016, S. Rep. No. 114-292 (2016).

<sup>139</sup> S. 1411, Presidential Allowance Modernization Act of 2016, S. Rep. No. 114-271 (2016), passed as H.R. 1777 (vetoed by the President on July 22, 2016).

<sup>140</sup> S. 1550, Program Management Improvement Accountability Act, S. Rep. No. 114-162 (2015) (passed Senate); S. 2964, GAO Mandates Revision Act of 2016, S. Rep. No. 114-305 (2016); S. 236, Duplication Elimination Act of 2015; S. 2970, a bill to amend title 5, United States Code, to expand law enforcement availability pay to employees of the Air and Marine Operations of U.S. Customs and Border Protection.

<sup>141</sup> S. 1629, District of Columbia Courts, Public Defender Service, and Court Services and Offender Supervision Agency Act of 2015, S. Rep. No. 114-110, Pub. L. No. 114-118 (2016); S. 1172, Edward "Ted" Kaufman and Michael Leavitt Presidential Transitions Improvements Act of 2015, S. Rep. No. 114-94, Pub. L. No. 114-136 (2016); S. 1580, Competitive Service Act of 2015, S. Rep. No. 114-143, Pub. L. No. 114-147 (2016); S. 2093, a bill to provide that the Secretary of Transportation shall have sole authority to appoint Federal Directors to the Board of Directors of the Washington Metropolitan Area Transit Authority, S. Rep. No. 114-170, passed as H.R. 2353, Pub. L. No. 114-21 (2015); H.R. 1531, Land Management Workforce Flexibility Act, S. Rep. No. 114-182, Pub. L. No. 114-47 (2015); S. 2966, District of Columbia Judicial Financial Transparency Act, S. Rep. No. 114-359 (2016); S. 1526, Construction Consensus Procurement Improvement Act of 2015; S. 1170, Breast Cancer Research Stamp Reauthorization Act of 2015, S. Rep. No. 114-144, Pub. L. No. 114-99 (2015).

<sup>142</sup> MAJORITY STAFF REPORT, CAPITAL AIRSPACE SECURITY BREACH: INQUIRY INTO THE LANDING OF A GYROCOPTER ON THE CAPITOL LAWN, S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFAIRS, 114<sup>TH</sup> CONG. (Aug. 5, 2015).