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**ORGANIZATIONAL MEETING**

Wednesday, February 11, 2009

House of Representatives,

Committee on Oversight and

Government Reform,

Washington, D.C.

**Committee Hearings**

**of the**

**U.S. HOUSE OF REPRESENTATIVES**



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1 RPTS STRICKLAND

2 DCMN HOFSTAD

3 ORGANIZATIONAL MEETING

4 Wednesday, February 11, 2009

5 House of Representatives,

6 Committee on Oversight and

7 Government Reform,

8 Washington, D.C.

9       The committee met, pursuant to call, at 10:08 a.m., in  
10 Room 2154, Rayburn House Office Building, Hon. Edolphus Towns  
11 [chairman of the committee] presiding.

12       Present: Representatives Towns, Cummings, Tierney,  
13 Clay, Watson, Connolly, Kennedy, Cuellar, Hodes, Welch,  
14 Driehaus, Issa, Mica, Souder, Platts, Westmoreland, Bilbray,  
15 Jordan, Flake, Chaffetz, and Schock.

16       Staff Present: Ron Stroman, Staff Director; Michael  
17 McCarthy, Deputy Staff Director; John Arlington, Chief  
18 Investigative Counsel; Mark Stephenson, Legislative Director;  
19 Yolande Nicholson, Counsel; Leah Perry, Counsel; Krista Boyd,  
20 Counsel; Earley Green, Chief Clerk; Jennifer Berenholz,

21 Deputy Clerk; Leneal Scott, Information Officer; Miriam  
22 Edelman, Special Assistant; Mitch Smiley, Staff Assistant;  
23 Alissa Bonner, Professional Staff Member; Jean Gosa,  
24 Subcommittee Clerk; Charisma Williams, Staff Assistant;  
25 William Miles, Professional Staff Member; Marcus Williams,  
26 Subcommittee Clerk and Press Secretary; Jaron Bourke,  
27 Subcommittee Staff Director, Domestic Policy; Lawrence Brady,  
28 Minority Staff Director; John Cuaderes, Minority Deputy Staff  
29 Director; Jennifer Safavian, Minority Chief Counsel for  
30 Oversight and Investigations; Frederick Hill, Minority  
31 Director of Communications; Charles Phillips, Minority Chief  
32 Counsel for Policy; Dan Blankenburg, Minority Director of  
33 Outreach and Senior Advisor; Adam Fromm, Minority Chief Clerk  
34 and Member Liaison; Kurt Bardella, Minority Press Secretary;  
35 Tom Alexander, Minority Senior Counsel; Stephen Castor,  
36 Minority Senior Counsel; Howard Denis, Minority Senior  
37 Counsel; Christopher Hixon, Minority Senior Counsel; Kristina  
38 Moore, Minority Senior Counsel; Ashley Callen, Minority  
39 Counsel; Daniel Epstein, Minority Counsel; Chapin Fay,  
40 Minority Counsel; Marvin Kaplan, Minority Counsel; Mitchell  
41 Kominsky, Minority Counsel; Jonathan Skladany, Minority  
42 Counsel; Christopher Bright, Minority Senior Professional  
43 Staff Member; Jill Schmalz, Minority Senior Professional  
44 Staff Member; Brien Beattie, Minority Professional Staff  
45 Member; Molly Boyl, Minority Professional Staff Member; Alex

46 Cooper, Minority Professional Staff Member; Meredith Liberty,  
47 Minority Professional Staff Member; Patrick Lyden, Minority  
48 Professional Staff Member; Mark Marin, Minority Professional  
49 Staff Member; John Ohly, Minority Professional Staff Member;  
50 and Katy Rother, Minority Staff Assistant.

51 | Chairman TOWNS. I now call the committee to order.  
52 | The clerk will call the roll.  
53 | The CLERK. Mr. Towns.  
54 | Chairman TOWNS. Present.  
55 | The CLERK. Mr. Kanjorski.  
56 | [No response.]  
57 | The CLERK. Mrs. Maloney.  
58 | [No response.]  
59 | The CLERK. Mr. Cummings.  
60 | Mr. CUMMINGS. Present.  
61 | The CLERK. Mr. Kucinich.  
62 | [No response.]  
63 | The CLERK. Mr. Tierney.  
64 | [No response.]  
65 | The CLERK. Mr. Clay.  
66 | Mr. CLAY. Here.  
67 | The CLERK. Ms. Watson.  
68 | [No response.]  
69 | The CLERK. Mr. Lynch.  
70 | [No response.]  
71 | The CLERK. Mr. Cooper.  
72 | [No response.]  
73 | The CLERK. Mr. Connolly.  
74 | Mr. CONNOLLY. Here.  
75 | The CLERK. Ms. Norton.

76 [No response.]  
77 The CLERK. Mr. Kennedy.  
78 [No response.]  
79 The CLERK. Mr. Davis.  
80 [No response.]  
81 The CLERK. Mr. Van Hollen.  
82 [No response.]  
83 The CLERK. Mr. Cuellar.  
84 [No response.]  
85 The CLERK. Mr. Hodes.  
86 [No response.]  
87 The CLERK. Mr. Murphy.  
88 [No response.]  
89 The CLERK. Mr. Welch.  
90 [No response.]  
91 The CLERK. Mr. Foster.  
92 [No response.]  
93 The CLERK. Ms. Speier.  
94 [No response.]  
95 The CLERK. Mr. Driehaus.  
96 Mr. DRIEHAUS. Here.  
97 The CLERK. Mr. Issa.  
98 Mr. ISSA. Here.  
99 The CLERK. Mr. Burton.  
100 [No response.]

101 The CLERK. Mr. McHugh.  
102 [No response.]  
103 The CLERK. Mr. Mica.  
104 Mr. MICA. Here.  
105 The CLERK. Mr. Souder.  
106 Mr. SOUDER. Here.  
107 The CLERK. Mr. Platts.  
108 Mr. PLATTS. Here.  
109 The CLERK. Mr. Duncan.  
110 [No response.]  
111 The CLERK. Mr. Turner.  
112 [No response.]  
113 The CLERK. Mr. Westmoreland.  
114 [No response.]  
115 The CLERK. Mr. McHenry.  
116 [No response.]  
117 The CLERK. Mr. Bilbray.  
118 Mr. BILBRAY. Present.  
119 The CLERK. Mr. Jordan.  
120 Mr. JORDAN. Here.  
121 The CLERK. Mr. Flake.  
122 Mr. FLAKE. Present.  
123 The CLERK. Mr. Fortenberry.  
124 [No response.]  
125 The CLERK. Mr. Chaffetz.

126 Mr. CHAFFETZ. Present.

127 The CLERK. Mr. Schock.

128 Mr. SCHOCK. Present.

129 The CLERK. Mr. Tierney.

130 Mr. TIERNEY. Present.

131 The CLERK. Fifteen present, Mr. Chairman.

132 Mr. SCHOCK. How am I recorded?

133 The CLERK. You are not recorded, sir.

134 Mr. SCHOCK. Present.

135 The CLERK. Present, okay.

136 Chairman TOWNS. Ms. Watson has arrived.

137 The CLERK. Ms. Watson.

138 Ms. WATSON. Here.

139 Chairman TOWNS. Ms. Watson is here.

140 The CLERK. Sixteen present, Mr. Chairman.

141 Chairman TOWNS. A quorum having been established, I

142 would like to welcome all of you to our first hearing of the

143 Committee on Oversight and Government Reform. I want to

144 thank the members for coming today and assisting in the

145 committee to organize for the 111th Congress.

146 Before we turn to our business, I want to make a few

147 comments. I am very excited about the role that this

148 committee will play in the 111th Congress. We have both the

149 opportunity and the obligation to oversee the Federal

150 Government during a critical time for America. I look



151 forward to working together with each of you, Democrats and  
152 Republicans, to move an agenda that works for the very people  
153 who sent us to Washington.

154       There has been a lot of speculation about how this  
155 committee may change with a new chairman, new ranking member,  
156 and new administration. And let me be clear: Congressional  
157 oversight will not go away just because the administration  
158 and the Congress are run by the same party. I think even  
159 many Republicans would agree now that more oversight of the  
160 Bush administration would have benefited everyone. Good  
161 oversight is how we expose and solve small problems before  
162 they become big problems. And Congress has a responsibility  
163 under the Constitution to be a check on the executive, and we  
164 will do that.

165       I think the country wants President Obama to succeed.  
166 And, to do so, he needs people telling him which programs are  
167 working and which programs are not working. That is the role  
168 that our committee will play in the 111th Congress.

169       I want to welcome the ranking member, Darrell Issa. We  
170 share the same goal of making government more open and less  
171 wasteful and plan to work together in a bipartisan manner. I  
172 am encouraged by the thoughtful and productive input he has  
173 provided over the past few weeks and hope we will continue to  
174 have a strong working relationship.

175       There is no doubt that we will disagree, and I

176 understand that. That is the very definition of politics:  
177 support some things and not support others. But we want to  
178 handle any differences in an open and honest way. And I hope  
179 all the committee members will share that view.

180 I will now yield to the ranking member to make his  
181 opening remarks, Congressman Issa from California.

182 Mr. ISSA. Thank you, Chairman Towns.

183 Let me begin this first meeting of Government Reform by  
184 congratulating you on your new post. As you know, you and I  
185 both have very large shoes to fill. Your predecessor,  
186 Chairman Waxman, did a great deal of good work in expanding  
187 the jurisdiction, the reach, and, if you will, the public  
188 excitement on what this committee could and should do.

189 My predecessor for his 6 years both as chairman and as  
190 ranking member did a great deal to reform government, to shed  
191 light on waste, but, more importantly, to begin to have this  
192 committee recognized as a committee that is not Republicans  
193 against Democrats, but, in fact, Congress doing its job as  
194 the board of directors of USA, Inc., actually looking into  
195 the bureaucracy and reporting both to our fellow Congressmen  
196 and -women and to the President on failures of that last  
197 bureaucracy, which knows no party and respects no  
198 administration.

199 President Barack Obama has laid out an ambitious agenda  
200 to create an unprecedented oversight, bipartisanship, and

201 | transparency. And I applaud his repeated statements, both at  
202 | the inaugural, where we sat and listened to a crowd of 2  
203 | million applaud the President when, in fact, he, for the  
204 | first time in my recollection, included our committee in his  
205 | very opening thoughts to the American people.

206 |         Mr. Chairman, the General Accountability Office and  
207 | Inspector Generals have made thousands of outstanding  
208 | recommendations. As you know, Chairman Waxman left a report  
209 | of nearly 13,000 such suggestions that have not yet been  
210 | complied with by the outgoing administration. This is not  
211 | unreasonable oversight on the new administration as they  
212 | begin doing their important work, but I know that you and I  
213 | will look forward to working together to make sure that  
214 | 13,000 becomes 5,000, 4,000, and eventually zero.

215 |         I know there will be new recommendations, and I hope  
216 | that on a bipartisan basis we will, in fact, look at them  
217 | openly and not with regard to whose bureaucracy they are  
218 | referring to. Because, as I said earlier, former Chairman  
219 | Davis, then-ranking member, and Chairman Waxman made it very  
220 | clear that we are the committee that looks at the bureaucracy  
221 | as the challenge, not as who happens to occupy the White  
222 | House.

223 |         In closing, I want to take this opportunity to  
224 | personally thank Ranking Member Davis, who has now retired,  
225 | who has been my mentor for 4 years on this committee and who

226 | made it possible for me to, quite frankly, get here far  
227 | before my time by giving me opportunities to show what I  
228 | could do and giving me the guidance that allowed me to have  
229 | this opportunity here today.

230 |       Mr. Chairman, you may have noticed that I took the  
231 | opportunity also to ask my existing staff to come out. This  
232 | is not the entire complement, but it is as close as we could  
233 | come. I will tell you that every member there is  
234 | pledged--every staff member is pledged to work with your  
235 | staff on a nonpartisan basis. These are professionals; they  
236 | are not politicians. And they look forward to working with  
237 | your staff in order to do the work of the people.

238 |       With that, I yield back.

239 |       Chairman TOWNS. All right. Thank you very much,  
240 | Congressman. And that is an impressive looking group.

241 |       Mr. ISSA. They do look good, don't they?

242 |       Chairman TOWNS. The committee will now consider the  
243 | resolution containing the rules of the committee for the  
244 | 111th Congress that has been distributed to all members.

245 |       [The information follows:]

246 | \*\*\*\*\* INSERT 1-1 \*\*\*\*\*

247 Chairman TOWNS. The committee's rules describe  
248 procedures for committee and subcommittee hearings, meetings  
249 and other proceedings, among other provisions.

250 The rules we are considering today for the Committee on  
251 Oversight and Government Reform in the 111th Congress are  
252 identical to the rules in the 110th Congress, with one  
253 exception: The ranking member, Mr. Issa, proposed an  
254 addition to the rules that would require the results of  
255 committee roll call votes to be posted on the committee Web  
256 site within 3 days. This change has been adopted by other  
257 committees. I have accepted Mr. Issa's suggestion and  
258 included the change in the rules package now before us.

259 I yield to Mr. Issa for any comments on the rules.

260 Mr. ISSA. Well, Mr. Chairman, obviously, you and I  
261 lived under the rules of the last Congress, and I believe  
262 that the one suggestion related to Rule 18 and the Web site  
263 is simply a continuation of government transparency, which  
264 you have always been for.

265 I know that both of our committees looked thoroughly at  
266 the rules and realized that they were, in fact, historically  
267 balanced and giving both the majority and the minority full  
268 opportunity.

269 On some of the items that were not in the rules, we have  
270 had conversations, both between the two of us and with staff,  
271 and believe that these procedures that can be used to

272 facilitate smooth and more effective hearings will be used,  
273 and we believe that those will be positive in every way.

274       Once again, I would like to commend you for the one rule  
275 change that we did ask for, giving greater transparency and  
276 allowing us to, if you will, tell the American people what we  
277 have done sooner.

278       And I yield back.

279       Chairman TOWNS. Thank you very much. And let me just  
280 say to the--I understand that you have some questions about  
281 the rule.

282       Mr. ISSA. Yes, thank you, Mr. Chairman.

283       Chairman TOWNS. I am delighted to yield.

284       Mr. ISSA. Thank you, Mr. Chairman. There is always the  
285 part that is yellow-marked, Mr. Chairman.

286       And continuing in that same spirit, Mr. Chairman, I want  
287 to commend you on several agreements that you have made and  
288 we have reached, beyond the rules of the committee that we  
289 are voting on today. In my estimate, these greatly increase  
290 the productivity of the committee and will change how the  
291 majority and minority works together.

292       The first agreement is on the use of the official  
293 committee memo on hearings required by the rules. At times  
294 in the past, the circulated hearing memo was not the real  
295 official memo, and we would wake up in the morning of the  
296 hearing to find a new or supplemental memo was circulated,

297 | greatly changed in the tenor or direction of the hearing.

298 |       It is my understanding that this will not be the  
299 | practice and that supplemental memos will be the exception  
300 | and not the rule. We certainly understand, of course, that  
301 | new facts that are relevant can come to light, but that these  
302 | documents would not be used in a "got you"-type manner.

303 |       Do I understand that to be correct? I would yield to  
304 | the chairman.

305 |       Chairman TOWNS. Yes. We will comply with the rule  
306 | requiring the hearing memo to be distributed 3 days in  
307 | advance. And I understand the ranking member's concern about  
308 | information not being shared until the last minute. And I  
309 | understand that. But with the understanding that sometimes  
310 | we don't learn about information until the last minute, the  
311 | majority will share information about our hearings with the  
312 | minority in advance to the maximum extent of our ability. We  
313 | will try very hard to make certain that, when we get it, we  
314 | get it out.

315 |       On the topic of advanced notice, I would also ask all  
316 | members to avoid last-minute amendments at markups, as well.  
317 | It is better for everyone if we can discuss amendments in  
318 | advance so that any technical problems can be worked out. If  
319 | we are not aware of amendments in advance, it is difficult  
320 | for us to accept them, because we just don't have time to  
321 | determine if they create a problem with our jurisdiction or

322 | with the CBO score or other issues. So even if it is a good  
323 | policy, sometimes I can't support it if we don't have notice.

324 | I would encourage all members on both sides to share  
325 | their ideas for amendments ahead of time so we can work  
326 | cooperatively to improve legislation. And that is what we  
327 | hope to do.

328 | I yield back to the gentleman from California.

329 | Mr. ISSA. Mr. Chairman, I totally concur on the  
330 | amendment sharing and will ask all of my members to  
331 | prepare--from the moment that they receive the briefing memo,  
332 | presumably 3 days in advance, to prepare their amendments or  
333 | comments for hearings so that we can make sure they are  
334 | germane.

335 | In the case of markups, we will ask the same thing, that  
336 | they prepare them in a timely fashion, vet them through,  
337 | first, our staff to see if in fact they are germane; once we  
338 | believe they are, then immediately share them with the  
339 | majority so that we can reach a common agreement that they  
340 | are appropriate jurisdiction. And, if at all possible, in  
341 | every case, I hope to put them into the manager's amendments,  
342 | thus saving the time of all of our committee members and  
343 | getting good bills to the floor quickly.

344 | And I thank the chairman for his leadership on both of  
345 | these issues, and yield back.

346 | Chairman TOWNS. I look forward to working with you.



347           If there is no further discussion, I ask unanimous  
348 consent that the Committee on Oversight and Government Reform  
349 adopt the resolution as the rules of the committee for the  
350 111th Congress.

351           Without objection, the resolution is adopted.

352           Subcommittee membership: The committee will now  
353 consider a resolution approving the membership of the  
354 subcommittees, which has been provided to all the members  
355 today.

356           [The information follows:]

357           \*\*\*\*\* INSERT 1-2 \*\*\*\*\*

358 Chairman TOWNS. I will introduce the subcommittee  
359 chairs and will let Mr. Issa introduce the ranking minority  
360 members as well.

361 We have five subcommittees: And the Subcommittee on  
362 Domestic Policy is chaired by Representative Dennis Kucinich  
363 of Ohio; the Subcommittee on Federal Workforce and Postal  
364 Service and the District of Columbia, chaired by Steven Lynch  
365 of Massachusetts; the Subcommittee on Information Policy,  
366 Census, and National Archives, chaired by Representative  
367 William Clay of Missouri; and the Subcommittee on Government  
368 Management, Organization, and Procurement is chaired by  
369 Representative Diane Watson of California; and the  
370 Subcommittee on National Security and Foreign Affairs is  
371 chaired by John Tierney of Massachusetts.

372 We have a talented, experienced group of Chairs, and I  
373 look forward to working with them in this Congress to  
374 accomplish a wide range of legislative and oversight goals,  
375 there is no question about it.

376 So I yield now to Congressman Issa to introduce the  
377 committee ranking members.

378 Mr. ISSA. Thank you, Mr. Chairman.

379 And I, too, am very excited that we have been able to  
380 reach both from within our committee and from members who  
381 were willing to give up work on other committees to come here  
382 to be ranking. And, in our case, we are also appointing vice

383 ranking members of the committee, so that we will have two  
384 people at the dais who consider this to be the most important  
385 part of their congressional work.

386 With that, on Domestic Policy, we will have Mr. Jim  
387 Jordan of Ohio, who will be ranking, and Mark Souder of  
388 Indiana, who will be sub-ranking. As you know, Mr. Jordan  
389 has been a long-time member of the committee and very active  
390 and also serves on Judiciary.

391 For the Federal Workforce, Mr. Jason Chaffetz will be  
392 ranking. As you know, he is a new member who recently came  
393 but was excited and very much asked this committee be his  
394 first committee. So we now have someone who recognizes this  
395 is the "A" committee of the new Congress. Mr. John McHugh,  
396 who is ranking on Armed Services, has agreed to serve as vice  
397 ranking on Federal Workforce. This is a subcommittee he has  
398 served on for his entire time in Congress and has been very  
399 active. And, as you know, postal issues, at this time of  
400 reduced volume, are going to be extremely important to this  
401 committee.

402 On Government Management, returning is Congressman Brian  
403 Bilbray, who is formerly of the Energy and Commerce Committee  
404 and who has been active on this committee since he returned  
405 to Congress. He will be ranking on this committee.  
406 Congressman Bilbray, of an adjacent district to mine in  
407 California, of course has been both a long-time Member of

408 Congress and, before that, a county supervisor and a city  
409 mayor. And Aaron Schock will be vice ranking member. He is  
410 a new Member of Congress, I must admit one of the younger  
411 Members of Congress, but he comes with a great deal of zeal,  
412 from Illinois's 18th District.

413 On Information Policy, I am very proud that Patrick  
414 McHenry has decided to make this his one and most important  
415 committee and to focus on it, particularly focusing on the  
416 need for an accurate Census. The vice ranking member will be  
417 Lynn Westmoreland. Both of them have been active in the  
418 previous Congress in looking at the problems that the Census  
419 has had in getting new technology to bear.

420 Last, and certainly our largest subcommittee, Jeff  
421 Flake, who has given up another committee to come here and  
422 who has long been somebody who has been known for absolutely  
423 calling out wasteful earmarks and spending in Congress, is  
424 going to oversee that subcommittee as ranking member, with  
425 Todd Platts, who has previously served on the subcommittee,  
426 as his vice ranking.

427 And, Mr. Chairman, we believe we have given you a good  
428 lineup of people who will attend the meetings and be active  
429 participants.

430 And I yield back.

431 Chairman TOWNS. Thank you very much, Congressman Issa.  
432 I now ask unanimous consent that the committee approve

433 | the resolution on subcommittee memberships.

434 |       Without objection, the subcommittee memberships are  
435 | approved.

436 |       Oversight plan: I now call upon the committee oversight  
437 | plan. I ask unanimous consent that the report be considered  
438 | as read and open for amendments at any time.

439 |       Without objection, so ordered.

440 |       [The information follows:]

441 | \*\*\*\*\* INSERT 1-3 \*\*\*\*\*

442 Chairman TOWNS. The oversight plan we are considering  
443 today discusses many of the subjects the committee intends to  
444 pursue. It is not an exclusive list, however, and the  
445 committee will retain the flexibility to investigate matters  
446 that merit examination as they arise and to readjust its  
447 investigative priorities.

448 The plan consists of topics selected in consultation  
449 with the committee's ranking member, the subcommittee Chairs  
450 and ranking members, and other members of the committee. The  
451 plan incorporates a number of worthwhile oversight  
452 initiatives urged by the minority.

453 The plan identifies the key areas of the committee's  
454 focus in the coming years. Most importantly at the present  
455 time, the plan calls for extensive oversight of the financial  
456 sector rescue plan and any economic stimulus plan that is  
457 enacted. We have worked to ensure that the legislation  
458 provides for strong and sustained oversight through an  
459 accountability board, transparency requirements, and funding  
460 of GAO and Inspector Generals. However, the committee will  
461 be on the front lines in supervising the billions of dollars  
462 in spending planned to restart our economy.

463 In addition to economic oversight, the plan describes  
464 dozens of other topics for oversight, from health care and  
465 consumer protection to contracting and cybersecurity.

466 It is an ambitious agenda, and I urge my colleagues to

467 support it.

468 I now yield to the ranking member, Mr. Issa.

469 Mr. ISSA. Thank you, Mr. Chairman.

470 And I think in this area of the oversight plan, we have  
471 been able to work. It is a better tribute to bipartisan work  
472 than I have could imagined.

473 The initial plan that we looked at, although ambitious,  
474 lacked a couple of important areas, some of which in the  
475 previous Congress we believe was opened but not completed.

476 Certainly, the chairman will remember that, when looking  
477 at the Bush administration, we discovered that they had done  
478 an insufficient job of maintaining their e-mails for the  
479 archivists. Even as the tens of millions of dollars were  
480 spent to try to retrieve them, we continued to hold hearings  
481 in which we discovered that there had not been a proper plan,  
482 that, on a daily basis, they did not think in terms of their  
483 requirement to maintain those records for the archivists in  
484 perpetuity.

485 Although I am quite sure that a President who carries  
486 his own BlackBerry, both classified and unclassified, will be  
487 far ahead of President Bush's administration some 8 years  
488 ago, I appreciate the fact that that and many other areas of  
489 primary interest to this committee were added back in, and  
490 particularly those in which, although there is legislative  
491 jurisdiction in other committees, including the Energy and

492 Commerce and Financial Services Committee, from an oversight  
493 standpoint I believe that the chairman was quite right in  
494 adding it back in for that purpose.

495 And so I am looking forward to this passing unanimously.

496 I believe that the Republican members are fully in support  
497 of it.

498 And I might take this moment to just add one thing,  
499 which is that, although the entire staff of the minority is  
500 out here today, with this ambitious staff, and particularly  
501 the impending trillions of dollars, between the TARP, the  
502 stimulus, the likely TARP II, and the likely next stimulus,  
503 we are going to need more people. The staff that is here  
504 today represents the historic staff that has done, for the  
505 previous 8 years, the oversight of business as usual.

506 So, later, you and I will go before the House  
507 Administration to talk in terms of authorized slots. And I  
508 believe that this will be an opportunity for us to explain to  
509 House Administration that we can live within our financial  
510 means but we are going to need more talented young people to  
511 help with the research and the oversight of those new  
512 expenditures. And I know that we will work in an equally  
513 bipartisan fashion on that.

514 And again, Mr. Chairman, thank you for starting this off  
515 in a truly bipartisan fashion. I yield back.

516 Chairman TOWNS. Thank you very much.



517 Are there any amendments to the oversight report?

518 If there are no amendments to the oversight report, the  
519 question now comes on approving the committee's oversight  
520 report for the 111th Congress.

521 All those in favor will say, "Aye."

522 Opposed, "No."

523 In the opinion of the Chair, the ayes have it. And the  
524 report is approved.

525 Now we would like to turn to the legislative business of  
526 the day. We have one bill to consider on classification  
527 policy and several postal namings and resolutions.

528 I now call up H.R. 854, the "Over-Classification  
529 Reduction Act," which was introduced by Representative  
530 William Lacy Clay, Chair of the Information and Policy  
531 Subcommittee. I ask unanimous consent that H.R. 854 be  
532 considered as read and open for amendments at any point.  
533 Without objection.

534 [The information follows:]

535 \*\*\*\*\* INSERT 1-4 \*\*\*\*\*

536 Mr. CLAY. Mr. Chairman?

537 Chairman TOWNS. Without objection, the Chair now  
538 recognizes the gentleman from Missouri.

539 Mr. CLAY. Thank you, Mr. Chairman. And congratulations  
540 on your new leadership position as Chair of the committee.

541 H.R. 854, the "Over-Classification Reduction Act," seeks  
542 to eliminate the widespread practice of over-classifying  
543 important documents across the Federal Government. This bill  
544 is identical to H.R. 6575, which passed in the House on  
545 September 9th, 2008.

546 While some information must be protected to avoid  
547 threatening our national security, it is damaging for the  
548 Federal Government to hinder information-sharing between  
549 State and local law enforcement and even other Federal  
550 agencies. H.R. 854 calls on the archivists of the U.S. to  
551 identify specific standards and requirements to prevent  
552 over-classification. The archivists would also consider what  
553 classified information should be prepared in an unclassified  
554 format.

555 This legislation creates a partnership between the  
556 agencies and their employees to reduce over-classification  
557 information. Employees will receive training and be rewarded  
558 for successfully challenging improperly classified  
559 information.

560 The bill also establishes a random audit of classified

561 | information by agency Inspector Generals.

562 |       H.R. 854 takes a government-wide approach to improving  
563 | information-sharing. By doing so, it will help strengthen  
564 | our national security and make our government more  
565 | transparent.

566 |       And, Mr. Chairman, I urge my colleagues to support the  
567 | measure. I yield back.

568 |       Chairman TOWNS. And I yield to the ranking member, Mr.  
569 | Issa.

570 |       Mr. ISSA. Thank you, Mr. Chairman.

571 |       To date, classification practices have been arbitrary  
572 | and inconsistent. In the previous Congress, we supported  
573 | this bill, and will continue to do so.

574 |       It is clear that, left to their own devices, agencies  
575 | will simply over-classify virtually everything, often using  
576 | classifications for unclassified information, such as "for  
577 | official use only," "confidential," and so on, and then  
578 | raising to "secret" or "top secret" documents that, in fact,  
579 | are widely available and reach no classified solution.

580 |       In order to make these documents available in a timely  
581 | fashion, the archivist needs to have the tools in order to  
582 | reach a reasonable classification or these documents  
583 | needlessly would never be available.

584 |       Although this is agency-specific--and I will be offering  
585 | an amendment that will help make sure that there is a

586 balancing act, that each agency has input with the  
587 archivists--I thoroughly support the gentleman's bill, in  
588 that we have to begin attacking this at least as to historic  
589 information, and would hope that this committee would also  
590 look at this in real time and participate in trying to get  
591 the over-classification policy during non-archive periods to  
592 be clarified. But that is a bigger project and not one for  
593 today.

594 And, if it is appropriate now, I have an amendment at  
595 the desk.

596 Chairman TOWNS. The ranking member--I understand--3  
597 minutes to Representative Connolly from the great State of  
598 Virginia.

599 Mr. CONNOLLY. Thank you, Mr. Chairman. And it is great  
600 to be with you.

601 I just wanted to thank and congratulate our colleague,  
602 Mr. Clay, for this piece of legislation. I think it is long  
603 overdue.

604 Government tends to often over-classify and, frankly,  
605 come down on the side of secrecy rather than transparency and  
606 sunshine. And some kind of balancing by the Congress to  
607 ensure we protect, certainly, that which needs to be  
608 protected but to make sure that the public has access and a  
609 right to know the works of its government is preserved.

610 So I just think this is a corrective measure that I am

611 happy to support. And I want to thank Mr. Clay for his  
612 leadership on the issue.

613 Chairman TOWNS. Thank you.

614 The clerk will designate the amendment, Mr. Issa's  
615 amendment, at the desk.

616 The CLERK. "Amendment to H.R. 854 by Mr. Issa of  
617 California. In section 3(a), strike paragraph--"

618 [The information follows:]

619 \*\*\*\*\* COMMITTEE INSERT \*\*\*\*\*

620 Mr. ISSA. Mr. Chairman, I ask unanimous consent it be  
621 considered as read.

622 Chairman TOWNS. So moved. The gentleman is recognized  
623 for 5 minutes in explanation of his amendment.

624 Mr. ISSA. Thank you, Mr. Chairman.

625 What this amendment does, Mr. Chairman, first, it  
626 ensures that, before any regulations are issued, there are  
627 full consultations between the archivists and all Federal  
628 agencies with classification authority. I believe this will  
629 ensure that every Federal entity with their individual  
630 expertise can make it known to the archivist, and obviously  
631 it could lead to a standardization of classification because  
632 the archivists, when seeing differences between agencies,  
633 would be able to potentially resolve those at the time of  
634 rulemaking.

635 Second, although we are encouraging challenges to  
636 classification decisions, we need to ensure that those making  
637 the challenge actually have a security clearance and that the  
638 person they are challenging has classification authority.  
639 Although narrow, we believe this is essential to maintain the  
640 proper classification--or the current classification until  
641 such time as a determination is made, but not, Mr. Clay would  
642 appreciate, not allowing for someone to simply stonewall.

643 Finally, we need to ensure that the training provided  
644 for in the bill is not overly burdensome on those serving in

645 remote locations or posted overseas. This provision provides  
646 an outline for remote training programs, something that I am  
647 sure would have occurred but we wanted to make sure it was in  
648 the body of the bill.

649 That does it, and I would urge passage. Thank you, Mr.  
650 Chairman. I yield back.

651 Chairman TOWNS. Thank you very much, Congressman Issa.

652 I believe we are in agreement on the policy issues, and  
653 our staff have worked together on the language. I am  
654 prepared to accept this amendment with the understanding that  
655 we will continue to work together to refine the language as  
656 we move to the floor.

657 Does any other member wish to speak on the Issa  
658 amendment?

659 Mr. CLAY. Just briefly, Mr. Chairman.

660 I think the gentleman has a common-sense,  
661 straightforward amendment, and I have no objection to it. I  
662 just want to be able to recognize my bill when this process  
663 is over.

664 I yield back.

665 Chairman TOWNS. The gentleman's point is well-taken.

666 The question is now on the amendment by Mr. Issa of  
667 California.

668 All those in favor, say, "Aye."

669 Opposed, "No."

670 In the opinion of the Chair, the ayes have it, and the  
671 agreement is agreed to.

672 Are there any other amendments?

673 I now move that the Committee on Oversight and  
674 Government Reform report H.R. 854, the "Over-Classification  
675 Reduction Act," to the House with the recommendation that the  
676 bill do pass. The question is on favorably reporting H.R.  
677 854 to the House.

678 All those in favor, say, "Aye."

679 All opposed, "No."

680 In the opinion of the Chair, the ayes have it, and the  
681 motion is agreed to. And H.R. 854 is ordered reported.

682 The next order of business is eight postal naming bills  
683 and resolutions. I ask unanimous consent that these  
684 resolutions be considered en bloc and read and open to  
685 amendment at any point.

686 The resolutions include: H. Res. 18, introduced by  
687 Representative Steve Cohen. This measure recognizes the  
688 life, achievement, and contributions of Paul Newman.

689 H. Res. 83, introduced by Representative Al Green. This  
690 measure recognizes the significance of Black History Month,  
691 which is commemorated annually during the month of February.

692 H. Res. 47, introduced by Representative Ted Poe. This  
693 measure expresses support for the goals and ideals of Peace  
694 Officers Memorial Day, which is commemorated annually on May



695 | 15th.

696 | H. Res. 110, introduced by Representative Mike Doyle.

697 | This measure congratulates the National Football League

698 | champion Pittsburgh Steelers for winning Super Bowl XLIII and

699 | becoming the most successful franchise in National Football

700 | League history, with their record sixth Super Bowl title.

701 | H. Res. 112, introduced by Representative Christopher

702 | Lee. This measure expresses support for the goals and ideals

703 | of American Heart Month and National Wear Red Day.

704 | And H. Res. 139, which was introduced by Representative

705 | Phil Hare, commemorates the life and legacy of President

706 | Abraham Lincoln on the bicentennial of his birth.

707 | H.R. 516, introduced by Representative Phil Hare. This

708 | bill designates the facility of the United States Postal

709 | Service located at 2105 East Cook Street in Springfield,

710 | Illinois, as the Colonel John H. Wilson, Jr., Post Office

711 | Building.

712 | H.R. 663, introduced by Representative John Barrow.

713 | This bill designates the facility of the United States Postal

714 | Service located at 12877 Broad Street in Sparta, Georgia, as

715 | the Yvonne Ingram-Ephraim Post Office Building.

716 | [The information follows:]

717 | \*\*\*\*\* INSERT 1-5 \*\*\*\*\*

718 Chairman TOWNS. These are all worthy measures, and I  
719 urge their adoption.

720 Does the ranking member have any comments on these  
721 issues?

722 Mr. ISSA. Yes, thank you, Mr. Chairman.

723 The minority has reviewed these postal namings and  
724 resolutions, and we find they meet the requirements of the  
725 committee and would urge their adoption.

726 I yield back. Thank you.

727 Chairman TOWNS. Any other comments from any of the  
728 members on the committee on either side?

729 I ask unanimous consent that the eight resolutions  
730 previously described be reported favorably by the committee.

731 Without objection, so ordered.

732 I now call up H.R. 131, which was introduced by  
733 Representative Elton Gallegly and establishes a Federal  
734 commission to honor and celebrate the 100th anniversary of  
735 the birth of Ronald Reagan.

736 [The information follows:]

737 \*\*\*\*\* INSERT 1-6 \*\*\*\*\*

738 Chairman TOWNS. I have a manager's amendment for this  
739 bill at the desk.

740 [The information follows:]

741 \*\*\*\*\* INSERT 1-7 \*\*\*\*\*

742 Chairman TOWNS. The amendment conforms the text of the  
743 bill to the language that passed the House in the last  
744 Congress. And I ask unanimous consent that the amendment be  
745 adopted.

746 Without objection, so ordered.

747 Do any members wish to be heard on the bill?

748 Mr. ISSA. Mr. Chairman?

749 Chairman TOWNS. I would yield to the ranking member.

750 Mr. ISSA. Yes, I move to strike the last word.

751 Mr. Chairman, the "Ronald Reagan Centennial Commission  
752 Act" is appropriate and well-thought-out. With the help of  
753 the majority, this has been carefully crafted to make sure  
754 that it reflects the same bill that was reported unanimously  
755 from this committee in the previous Congress.

756 And I appreciate the willingness of the majority to work  
757 on this bill in a very timely fashion. And I know Mr.  
758 Gallegly personally made calls and was quite pleased to find  
759 that we were able to do this so quickly.

760 Ronald Reagan, whether it was his time as a Democrat or  
761 his time as a Republican, will clearly go down in history as  
762 the great communicator and one of the America's finest  
763 generation-shifting Presidents. At a time when we have a new  
764 President who we all hope will be equally  
765 generation-shifting, it is important that we recognize the  
766 legacy of Presidents such as Kennedy, Lincoln, and Reagan for

767 | what they did during their tenure to move America in a  
768 | positive direction.

769 | I appreciate the majority's hard work in a very timely  
770 | fashion on the two amendments that were in the manager's  
771 | amendment, and urge support of the legislation.

772 | And I yield back.

773 | Chairman TOWNS. Thank you.

774 | I ask unanimous consent that H.R. 131 be favorably  
775 | reported by the committee.

776 | Without objection, so ordered.

777 | This concludes our business for today. I ask unanimous  
778 | consent that the staff be authorized to make technical and  
779 | conforming changing to all matters ordered reported.

780 | Without objection, so ordered.

781 | The committee now stands adjourned.

782 | [Whereupon, at 10:46 a.m., the committee was adjourned.]

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